

Herb Sass, Chair
Joe Boykin
Henry Darby
Jenny Costa Honeycutt
Larry Kobrovsky
Kylon Jerome Middleton
Brantley Moody
Teddie Pryor
Robert L Wehrman



Finance Committee Agenda
May 4, 2023 at 5:00 PM
4045 Bridge View Drive, North Charleston, SC 29405

- 1 APPROVAL OF MINUTES OF APRIL 20, 2023**
- 2 RESOLUTIONS**
 - 2A Economic Development Week Resolution - Request to Adopt**
 - 2B Mental Health Month Resolution - Request to Adopt**
 - 2C SC Heat Safety Week Resolution - Request to Adopt**
 - 2D Commemorating President George Washington's Visit to Charleston - Request to Adopt**
- 3 CONSENT AGENDA**
 - 3A Donation to Non-Profit in Lieu of Payment for IT Services - Request to Approve**
 - 3B Palmetto Commerce Interchange Project - Award of Contract**
 - 3C 2020 Cubby, Inc. Fee-In-Lieu-of-Tax Agreement Adding R&B of Charleston, Inc. - Request to Adopt**
 - 3D Land Donation of a 0.23 Acre Parcel for Airport Connector Road Project - Request to Approve**
- 4 GENERAL SERVICES DIRECTORATE**
 - 4A Acquisition of Real Estate located at 3765 Leeds Avenue - Request to Approve**
- 5 ARPA PRIORITIES**
 - 5A Sole Source Contract with Tri-County Cradle to Career for Community Data and Mapping - Request to Approve**
- 6 PUBLIC SAFETY ITEMS**
 - 6A Public Safety Incident Action Plan Response Allocation - Request to Consider**
- 7 JAMES ISLAND PSD**
 - 7A James Island Public Service District Fire Station Bonds - Request to Adopt
- Request to Approve**
- 8 RECOMMENDATIONS FROM SPECIAL HOUSING COMMITTEE, IF ANY**
 - 8A HOF Workshop - Recommendation, if any**
 - 8B Preservation of Existing Affordable Housing - Recommendation, if any**

Charleston County Council

Memorandum

To: Members of the Finance Committee

From: Kristen Salisbury, Clerk of Council

Date: April 28, 2023

Subject: Minutes of April 20, 2023

At the Finance Committee meeting of May 4, 2023, the draft minutes of the Finance Committee meeting of April 20, 2023 will be presented for approval.



**A RESOLUTION
OF CHARLESTON COUNTY COUNCIL**

Recognizing May 8 – 12, 2023 as National Economic Development Week

WHEREAS, the International Economic Development Council is the largest professional economic development organization dedicated to serving economic developers by providing leadership and excellence in economic development for communities, members, and partners through conferences, training courses, advisory services and research, in-depth publications, public policy advocacy, and initiatives such as the Accredited Economic Development Organization program, the Certified Economic Developer designation, and the Entrepreneurship Development Professional; **and**

WHEREAS, Charleston County Economic Development Department has been a member of the International Economic Development Council for more than two decades and have been committed to leading the advancement of economic growth and shared prosperity in Charleston County; **and**

WHEREAS, Charleston County Economic Development has been promoting economic well-being and quality of life for the county by creating, retaining, and expanding high-quality jobs that facilitate growth, enhance wealth, and provide a stable tax base; **and**

WHEREAS, Charleston County Economic Development stimulates and incubates entrepreneurship to help establish the next generation of new businesses and support existing businesses with support and resources through their Business Concierge program; **and**

WHEREAS, Charleston County Economic Development works in partnership with the local school district, higher education institutes, and workforce allies to amplify workforce training and to ensure a workforce-ready community; **and**

Whereas, Charleston County Economic Development, since 1993, has facilitated over 39,000 jobs, \$6.9 billion in capital investment and has an annual economic impact of \$18.2 billion representing nearly 25% of Charleston County's economy; **and**

NOW THEREFORE BE IT RESOLVED, that **Charleston County Council** does hereby recognize the week of **May 8 - May 12, 2023** as National Economic Development Week in Charleston County and remind citizens of the importance of these initiatives in expanding career opportunities, improving quality of life, and encouraging strategic growth for Charleston County.

CHARLESTON COUNTY COUNCIL

Herbert R. Sass, III, Chairman



**A RESOLUTION
OF CHARLESTON COUNTY COUNCIL**
Recognizing May 2023 as Mental Health Month

WHEREAS, the area that someone lives in plays a significant role in their overall health and well-being; and

WHEREAS, surroundings can impact if, how, and when a person's needs are met, which in turn affects mental health; and

WHEREAS, having safe, stable, and healthy home conditions set the foundation for achieving and maintaining good mental health; and

WHEREAS, with early and effective interventions, those individuals with mental health conditions can recover and lead full productive lives; and

WHEREAS, each business, school, government agency, health care provider, organization, and citizen shares the burden of mental health problems and has a responsibility to promote mental wellness and support prevention efforts; and

NOW, THEREFORE, BE IT RESOLVED, that Charleston County Council, does hereby proclaim May 2023 as Mental Health Month in Charleston County, and urges all citizens, government agencies, public and private institutions, businesses, and schools in Charleston County to recommit our community to increasing awareness and understanding of mental health, the steps our citizens can take to protect their mental health, and the need for appropriate and accessible services for all people with mental health conditions.

CHARLESTON COUNTY COUNCIL

Herbert R. Sass, III, Chairman
May 9, 2023



**A RESOLUTION
OF CHARLESTON COUNTY COUNCIL**

Recognizing May 15 - May 19, 2023 as Heat Safety Week

WHEREAS the United States Natural Hazards Statistics show that nationwide, heat has been the leading cause of weather-related fatalities since 1991; and

WHEREAS according to the United States Department of Labor, dozens of workers die, and thousands become ill every year in extreme heat or humid conditions; and more than 40 percent of heat-related worker deaths occur in the construction industry, though workers in every field are susceptible; and

WHEREAS heat-related illnesses and injuries can affect anyone, regardless of age, occupation, or physical condition; however, heat-related illnesses are also preventable; and

WHEREAS the National Integrated Heat Health Information System (NIHHIS), created by National Oceanic and Atmospheric Administration (NOAA) and the Center for Disease Control (CDC), along with other federal partner agencies, including the Federal Emergency Management Agency (FEMA) and Occupational Safety and Health Administration (OSHA), will hold a joint, nationwide social media campaign;

WHEREAS The South Carolina State Climatology Office housed within the South Carolina Department of Natural Resources, the National Weather Service, the South Carolina Emergency Management Division, and all local emergency managers are working together to raise awareness of best practices in preventing heat-related illnesses and injuries to reduce the number of incidents across the state this year and the future;

NOW, THEREFORE, BE IT RESOLVED, that Charleston County Council, does hereby proclaim May 15 – May 19, 2023, as **Heat Safety Week** in Charleston County and encourages all citizens to join this effort to increase public awareness for those living in or planning to visit Charleston County of the impacts of heat-related illnesses and measures to protect themselves this upcoming summer.

CHARLESTON COUNTY COUNCIL

**Herbert R. Sass, III, Chairman
May 9, 2023**



A RESOLUTION OF CHARLESTON COUNTY COUNCIL

*Commemorating President George Washington's Visit to Charleston in Conjunction with
Celebrating the 250th Anniversary of The United States of America*

WHEREAS, 2026 marks the 250th anniversary of our nation's founding. To observe this momentous occasion, Charleston County Council will encourage citizens to remember our past, celebrate the present, and look forward to a promising future; and,

WHEREAS, Charleston County Council is committed to partnering with the Charleston County 250 Committee to engage all citizens, bring history into the conversation so Charleston County Citizens can better understand the origins and multiple perspectives of issues facing our nation today, and use history to encourage and inspire future leaders; and,

WHEREAS, Charleston County Council believes this celebration is a unique opportunity to educate citizens on who we are, where we came from and where we are headed. Charleston County Council seeks to unite our citizens by recognizing the power of our diverse stories without losing sight of our common bonds; and,

WHEREAS, Charleston County Council wishes to leave a lasting impact on the next generation and to spark an interest which will ignite the drive for them to appreciate all of the triumphs, trials and tribulations which contributed to the founding of our country for which they are now writing their own history; and,

WHEREAS, Charleston County Council recognizes that one of the most consequential historical figures of our nation's founding was President George Washington given the critical role he played as the Commander-in-Chief of the Continental Army in the American Revolutionary War, his service as President of the 1787 Constitutional Convention, and his two terms as the first president of the United States of America from 1789-1797; and,

WHEREAS, from May 2-9, 1791, President George Washington spent over a week visiting locations across Charleston County, which was longer than his stay in any other location during his tour of southern states; and,

WHEREAS, President Washington joined General William Moultrie and others in surveying local military installations and the remains of the lines and batteries erected for the defense of the city when attacked by the British fleet and army including Fort Johnson, on James Island, and Fort Moultrie, on Sullivan's Island.

NOW, THEREFORE, BE IT RESOLVED, that Charleston County Council does hereby commemorate George Washington's visit to Charleston in conjunction with recognizing his contributions to the founding of the country leading up to the 250th anniversary of the United States of America.

CHARLESTON COUNTY COUNCIL

Herbert R. Sass, III, Chairman
May 9, 2023

Charleston County Council

Memorandum

To: Finance Committee

From: Kristen Salisbury, Clerk of Council

Date: April 24, 2023

Subject: Donation to Non-Profit in Lieu of Payment for IT Services at North Charleston City Hall

Charleston County Council Chambers was closed for renovations during the month of April. The City of North Charleston graciously allowed County Council to use its Council Chambers for County Council meetings in April. The city's IT staff preferred providing IT service itself instead of training county staff to use the city's equipment. Instead of having the county pay their staff directly, the city requested the county make a \$500 donation to a non-profit of the IT staff's choosing. The donation will be made to Rising New York Road Runners.

Rising New York Road Runners is a free, nationwide program that helps youth develop the ability, confidence, and desire to be physically active for life. The organization takes a developmental approach to physical education that's focused on a student's age, needs, and ability. Its research-based program consists of games and activities that make it fun to learn—and teach—the fundamental movement skills at the heart of running and most other sports. RNYRR programming helps 250,000 youth across the country to live healthier, more active lives.

Committee Agenda Item

To: Bill Tuten, County Administrator
From: Barrett Tolbert **Dept.:** Procurement
Subject: Palmetto Commerce Interchange Project
Request: Award of Contract
Committee: Finance Committee **Date:** May 04, 2023

Department	Coordinated with:
Deputy County Administrator	Corine Altenhein
Public Works	Steve L. Thigpen
Budget	Mack Gile
Legal	Marc Belle
Administrator	Bill Tuten
Clerk	Kristen L. Salisbury

Fiscal Impact:

Funds are available in Transportation Sales Tax Fund and Special Source Revenue Bonds.

Funding: Was funding previously approved? YES

If yes, please provide the following:	Org	Object	Balance in Account	Amount Needed for item
	QE0321102 TTE038013	64842		\$52,363,231.79

Situation:

The Palmetto Commerce Interchange project shall consist of constructing a new overpass and associated on/off ramps on Interstate 26 and roadway/drainage improvements along Weber Boulevard between Ingleside Boulevard and Interstate 26 (I-26). The work shall include, but is not limited to traffic control, earthwork, asphalt paving, bridge construction, roadway widening and construction on new alignment, storm drainage improvements, construction of a shared-use path, pavement markings, signage, traffic signal improvements, guardrail installation, and utility relocation.

Bids were received in accordance with the terms and conditions of Invitation for Bid No. 5811-23C. The mandatory Small Business Enterprise (SBE) requirement for this solicitation is 12.2% and the Minority Women Disadvantaged Business Enterprise (MWDBE) goal is 25%.

Bidder	Total Bid Price	SBE %	MWDBE %
Banks Construction Company North Charleston, South Carolina 29418 Principal: Nima Moghadam	\$52,363,231.79	12.4%	7.9%
Crowder Construction Company Charlotte, North Carolina 28216 Principal: George Ellis	\$55,754,323.14	19.1%	25%

Skanska USA Civil Southeast Inc. Maitland, Florida 32751 Principal: J.K. Brook Brookshire, III	\$64,946,636.90	14.2%	14.3%
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Department Head Recommendation:

Authorize award of contract for the Palmetto Commerce Interchange project to Banks Construction Company, the lowest responsive and responsible bidder, in the amount of \$52,363,231.79, with the understanding that the funds are available in the Transportation Sales Tax Fund and Special Source Revenue Bonds.

Committee Agenda Item

To: Bill Tuten, County Administrator
From: Steve Dykes **Dept.:** Economic Development
Subject: 2020 Cubby, Inc. Fee-In-Lieu-of-Tax Agreement Adding R&B of Charleston, Inc.
Request: Request to Adopt
Committee: Finance Committee **Date:** May 04, 2023

Department	Coordinated with:
Deputy County Administrator	Corine Altenhein
Budget	Mack Gile
Legal	Marc Belle
Administrator	Bill Tuten
Clerk	Kristen L. Salisbury

Fiscal Impact:

No additional financial implications.

Funding: Was funding previously approved? N/A

If yes, please provide the following:	Org	Object	Balance in Account	Amount Needed for item

Situation:

The Economic Development Department was approached by R&B of Charleston, Inc., the building owner and landlord for Cubby, Inc. (dba Holy City Linen) requesting to be added to the 2020 Fee-In-Lieu-of-Tax (FILOT) agreement, between Charleston County and Cubby, Inc., as a sponsor affiliate in order to be entitled to the same benefits of the agreement.

The Economic Development Director pledged, pending Council approval, to add R&B of Charleston, Inc. as a sponsor affiliate to the 2020 Cubby, Inc. FILOT agreement, providing to it the existing deal terms of a 6% assessment ratio and millage rate of 308.0 over the 20-yr. project term.

Department Head Recommendation:

Approve a resolution authorizing the execution and delivery of the first amendment to the 2020 Cubby, Inc. Fee-In-Lieu-of-Tax (FILOT) Agreement adding R&B of Charleston, Inc. as a sponsor affiliate and providing the same FILOT tax arrangement. (Note: Previous FILOT features include a 6% assessment ratio, a term of 20 years, and a millage fixed at the 2018 rate for tax district 4-3 (City of North Charleston) of 308.0 mills.)

Committee Agenda Item

To: Bill Tuten, County Administrator
From: Philip A. Sabatino **Dept.:** Facilities Management
Subject: Land Donation of a 0.23 Acre Parcel for Airport Connector Road Project
Request: Request to Approve
Committee: Finance Committee **Date:** May 04, 2023

Department	Coordinated with:
Public Works	Steve L. Thigpen
Deputy County Administrator	Walter L. Smalls
Budget	Mack Gile
Legal	Marc Belle
Administrator	Bill Tuten
Clerk	Kristen L. Salisbury

Fiscal Impact:
 No Fiscal Impact

Funding: Was funding previously approved? N/A

If yes, please provide the following:	Org	Object	Balance in Account	Amount Needed for item

Situation:

On June 6, 2017 Council authorized the award of contract for engineering design & permitting services for Airport Connector Road to the most qualified offeror and allowed staff to enter into a contract paid for by funds from the 2013 Special Revenue Bond. As a part of this effort, Charleston County identified and received approval from the lead permitting agencies to proceed with the early acquisition of 11 parcels, including the 8 parcels on Lawyers Lane.

Greystar Real Estate owns land adjacent to the Lawyers Lane properties acquired for the Airport Connector Road and would like to donate a 0.23 parcel located off Lawyers Lane & Montague Avenue, North Charleston, and identified as tax parcel 409-09-00-198 to the County of Charleston. There are no known restrictions or conditions on the land. This parcel is one of the parcels needed for the Airport Connector Road project to move forward.

Department Head Recommendation:

Approve the acceptance of a land donation for a 0.23 parcel located off Lawyers Lane & Montague Avenue, North Charleston, and identified as tax parcel 409-09-00-198 for use by Transportation Development for the future construction of the Airport Connector Road with the understanding that all documents to be reviewed by the Legal Department.



Land Donation



LINE TYPE, ABBREVIATIONS AND SYMBOL LEGEND

—●—	PROPERTY LINE W/ CORNER FOUND AS DESCRIBED	R/W	RIGHT-OF-WAY
—●—	PROPERTY LINE W/ 3/4" REBAR SET	SQ. FT.	SQUARE FEET
---	RIGHT-OF-WAY LINE	BLDG.	BUILDING
---	ADJACENT PROPERTY LINE	P.B.	PLAT BOOK
---	CENTER LINE	D.B.	DEED BOOK
---○---	OVERHEAD POWER LINE	SM	SANITARY SEWER MANHOLE
---	FENCE LINE	SDM	STORM DRAIN MANHOLE
---	CITY/COUNTY LINE	PP	POWER POLE
---	EDGE OF CANAL	LP	LIGHT POLE
---	UNDERGROUND COMMUNICATION LINE	CP	CLEAN-OUT
---	UNDERGROUND POWER LINE	DI	DROP INLET
---	UNDERGROUND 6" WATER LINE	CONC.	CONCRETE
---	UNDERGROUND 8" GAS LINE	TMS	TAX MAP NUMBER
---	UNDERGROUND STORM DRAINAGE LINE	V.W.	VARIABLE WIDTH
---	UNDERGROUND SEWER LINE	P.O.B.	POINT OF BEGINNING
---	CURB LINE	P.O.C.	POINT OF COMMENCEMENT

- NOTES:**
- BY GRAPHICAL PLOTTING ONLY, THIS PROPERTY APPEARS TO BE WITHIN FLOOD ZONE 'X' AS PER F.I.R.M. COMMUNITY PANELS NUMBER 45019C 04B1 K & 04B2K J, WITH AN EFFECTIVE DATE OF JANUARY 29, 2021.
 - THE AREA WAS DETERMINED BY THE COORDINATE METHOD.
 - PROPERTY CORNERS LABELED AS FOUND IN THE FIELD. NO PROPERTY CORNERS TO BE SET.
 - EASEMENTS SHOWN, IF ANY, ARE PER REFERENCES. PROPERTY MAY BE SUBJECT TO EASEMENTS AND RESTRICTIONS NOT APPARENT OR OBVIOUS TO THE SURVEYOR.
 - ANYTHING SHOWN OUTSIDE THE DEFINED BOUNDARY OF THIS SURVEY IS FOR DESCRIPTIVE PURPOSES ONLY.
 - HORIZONTAL DATUM IS SC STATE PLANE (SC NAD 83-2011), VERTICAL DATUM IS NAVD 88.
 - THE PUBLIC RECORDS REFERENCED ON THIS PLAT ARE ONLY THOSE USED FOR THE ESTABLISHMENT OF THE BOUNDARY OF THIS PROPERTY. THEY ARE NOT AND DO NOT CONSTITUTE A TITLE SEARCH.
 - TOTAL NUMBER OF MARKED PARKING SPACES = 8, OF WHICH 0 ARE MARKED AS HANDICAP ACCESSIBLE. (INCLUDES PARKING SPOTS PARTIALLY ON THE SUBJECT PROPERTY.)
 - THE SUBJECT PROPERTY IS INTERNALLY CONTIGUOUS WITH NO GAPS OR GORES WITHIN THE PROPERTY. THE PROPERTY ADJUTS W. MONTAGUE AVENUE WITHOUT GAPS OR GORES.
 - THE SUBJECT PROPERTY HAS PUBLIC ACCESS TO W. MONTAGUE AVENUE.
 - THERE WAS NO OBSERVED EVIDENCE OF RECENT EARTH MOVING WORK, BUILDING CONSTRUCTION, OR BUILDING ADDITIONS OBSERVED IN THE PROCESS OF CONDUCTING FIELDWORK.
 - THERE WAS NO OBSERVED EVIDENCE OF PROPOSED CHANGES IN STREET RIGHT-OF-WAY LINES, NOR EVIDENCE OF RECENT STREET OR SIDEWALK CONSTRUCTION OR REPAIRS OBSERVED IN THE PROCESS OF CONDUCTING THE FIELDWORK.
 - ZONING AND SETBACKS ARE PER CITY OF NORTH CHARLESTON ZONING AND LAND DEVELOPMENT REGULATIONS ORDINANCE AND SHOULD BE VERIFIED WITH ALL GOVERNING MUNICIPALITIES AND ASSOCIATIONS BEFORE CONSTRUCTION OR DESIGN. PROPERTY IS ZONE "ORD" (COMMERCIAL REDEVELOPMENT DISTRICT) PER CITY OF NORTH CHARLESTON ONLINE ORDINANCE. SETBACKS ARE:
FRONT/STREET SIDE: 10 FEET MINIMUM
INTERIOR SIDE: 10 FEET MINIMUM
REAR SIDE: 15 FEET MINIMUM

- REFERENCES:**
- PHYSICAL SITE ADDRESS
TMS 409-09-00-186: 3660 W. MONTAGUE AVENUE, NORTH CHARLESTON, SC
 - CHICAGO TITLE INSURANCE COMPANY COMMITMENT No. 3-02389, WITH AN EFFECTIVE DATE OF OCTOBER 4, 2021 AT 08:00 AM.
 - PLAT RECORDED IN BOOK S, PAGE 144, DATED APRIL 26, 1965, BY A.L. GLENN, PLS No. 264.
 - PLAT RECORDED IN BOOK X, PAGE 126, DATED JUNE 24, 1966, BY E.M. SEABROOK, PLS No. 1375.
 - PLAT RECORDED IN BOOK Z, PAGE 148, DATED APRIL 8, 1970, BY J. O'HEAR SANDERS, JR., PLS No. 499.
 - PLAT RECORDED IN BOOK AB, PAGE 36, DATED APRIL 10, 1972, BY J. O'HEAR SANDERS, JR., PLS No. 499.
 - PLAT RECORDED IN BOOK EK, PAGE 870, DATED JULY 5, 2007, BY LEWIS SMITH MOORE, PLS No. 21621.
 - PLAT RECORDED IN BOOK EF, PAGE 296, DATED NOVEMBER 15, 2001, BY DANIEL G. FORSBERG, PLS No. 8402.
 - PLAT RECORDED IN BOOK J, PAGE 117, DATED SEPTEMBER 15, 1953, BY W.L. GAILLARD, SURVEYOR.
 - PLAT RECORDED IN BOOK L08, PAGE 0048, DATED AUGUST 7, 2008, BY MICHAEL S. JOHNSON, PLS No. 26209.
 - PLAT RECORDED IN BOOK BS, PAGE 127, DATED NOVEMBER 9, 1987, BY ALBERT HEATLEY JR., PLS No. 3973-B.
 - PLAT RECORDED IN BOOK L21, PAGE 0486, LAST REVISED NOVEMBER 23, 2021, BY LEWIS SMITH MOORE, PLS No. 21621.
 - CHARLESTON COUNTY TMS No.: 409-09-00-186.
 - PLAT RECORDED IN BOOK L22, PAGE 0331, DATED JUNE 21, 2022, BY ANDREW C. GILLETTE, PLS No. 5933.

CERTIFICATION:
TO: GS MONTAGUE CORNERS OWNER L.P., A DELEWARE LIMITED PARTNERSHIP, COMMERCE CENTER, LLC, A LIMITED LIABILITY COMPANY, ITS SUCCESSORS AND/OR ASSIGNS, CHICAGO TITLE INSURANCE COMPANY, SOUTHEASTERN BANK NATIONAL ASSOCIATION, RECAP IV MONTAGUE INVESTOR, L.P., A DELAWARE LIMITED PARTNERSHIP AND MONTAGUE EXECUTIVE PARK.

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2021 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/NSPS LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES ITEMS 1, 2, 3, 4, 6a, 6b, 7a, 7b1, 8, 9, 10, 11, 13, 14, 16, 17, 18, 19, and 20 OF TABLE A THEREOF. THE FIELDWORK WAS COMPLETED ON NOVEMBER 1, 2021.

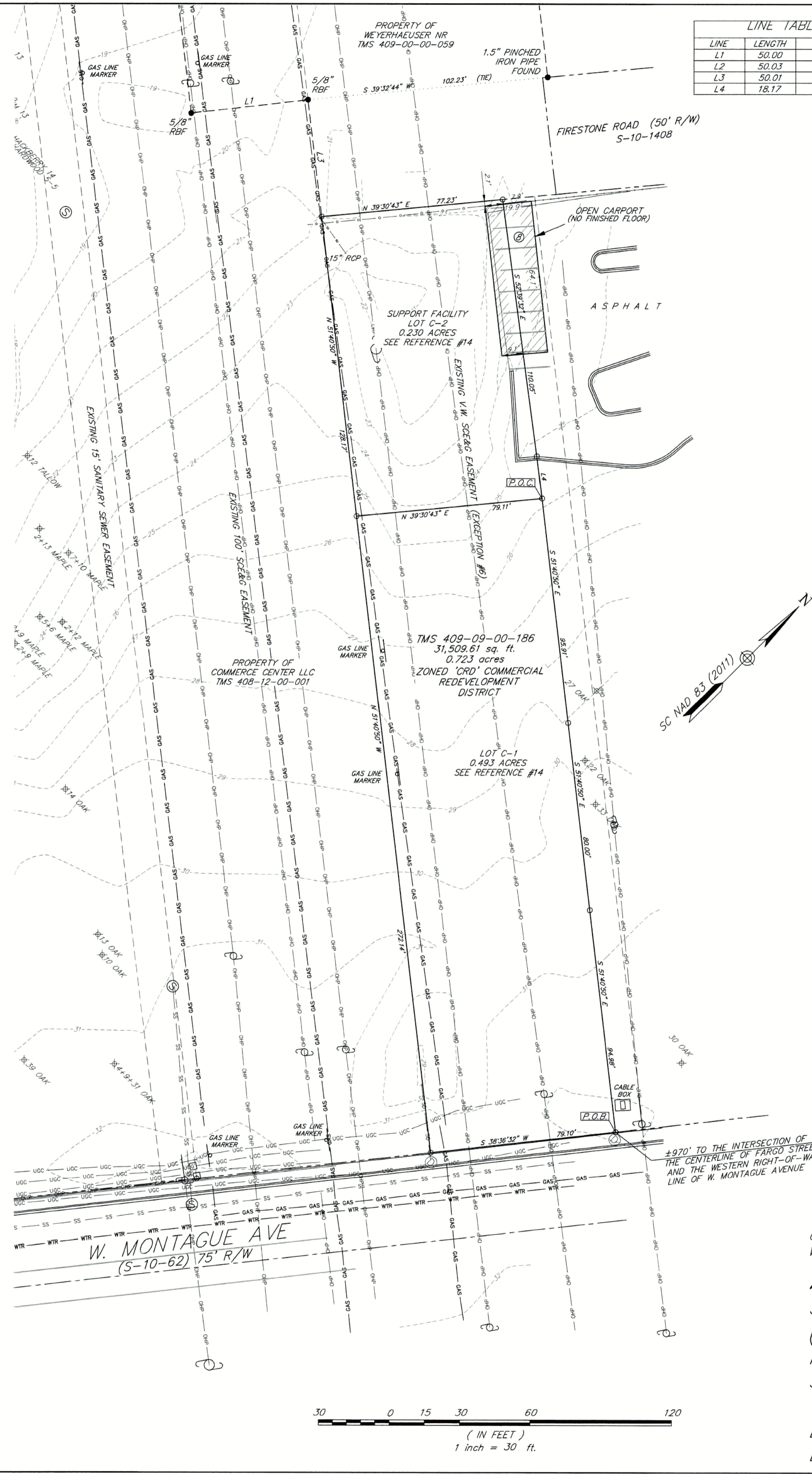
REVISED DATE OF PLAT OR MAP: AUGUST 24, 2022

ANDREW C. GILLETTE
SOPLS No. 5933-B
9/14/22

Parker Land Surveying, LLC
5910 Griffin Street
Hanahan, SC 29410
Phone: (843) 554-7777
Fax: (843) 554-7779

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

ANDREW C. GILLETTE
P.L.S. 5933-B
9/14/22

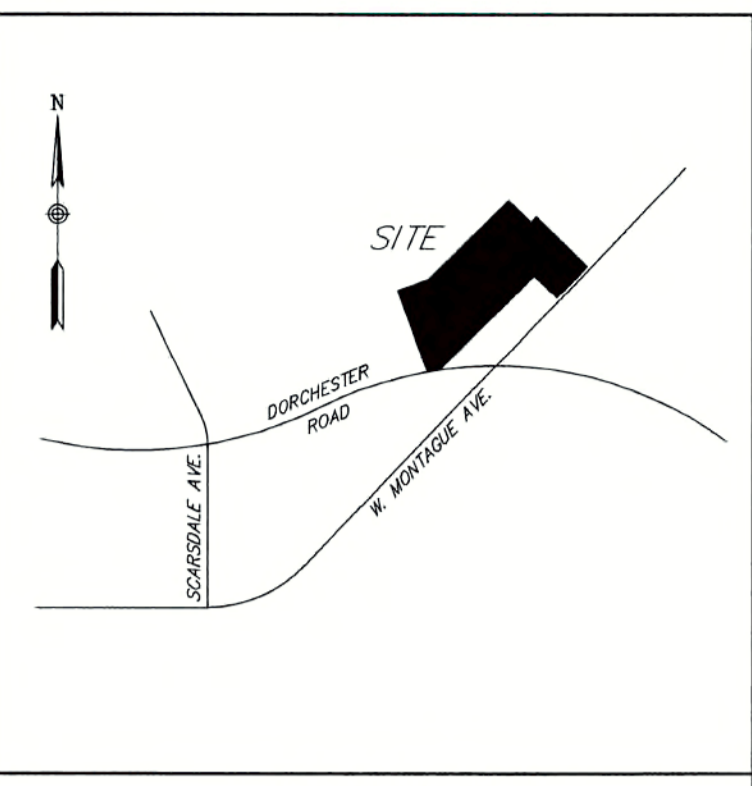


LINE TABLE

LINE	LENGTH	BEARING
L1	50.00	S38°20'24"W
L2	50.03	S38°02'11"W
L3	50.01	N51°40'50"W
L4	18.17	S51°40'50"E

TITLE COMMITMENT LEGAL DESCRIPTION

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN CHARLESTON COUNTY, SOUTH CAROLINA, BEING "NEW LOT C-1 (0.493)", AS MORE PARTICULARLY DEPICTED ON A PLAT RECORDED IN PLAT BOOK L22, PAGE 0331, IN THE REGISTER OF DEED FOR CHARLESTON COUNTY, SOUTH CAROLINA, WHICH PLAT IS INCORPORATED HEREIN BY REFERENCE HERETO.



- SCHEDULE B - SECTION II EXCEPTIONS**
- NOT SURVEY RELATED.
 - STANDARD EXCEPTIONS:
(a)-(e) NOT SURVEY RELATED.
 - SPECIAL EXCEPTIONS:
(a)-(f) NOT SURVEY RELATED.
(g) [INTENTIONALLY OMITTED]
(h) DECLARATION OF RESTRICTIVE COVENANT BY PATRICIA C. RIESSEN, AS PERSONAL REPRESENTATIVE UNDER THE LAST WILL AND TESTAMENT OF FRED W. RIESSEN, JR., EDWARD PAUL GIBSON AND GARY A. LING P.C. DATED AS OF AUGUST 2022, FILED FOR RECORD AUGUST 2022 AT ---, M., RECORDED IN BOOK ---, PAGE ---, IN THE REGISTER OF DEED FOR CHARLESTON COUNTY, SOUTH CAROLINA, BUT OMITTING ANY RESTRICTION BASED ON RACE, COLOR, RELIGION, SEX, HANDICAP, FAMILIAL STATUS, OR NATION ORIGIN UNLESS AND ONLY TO THE EXTENT THAT SAID COVENANT (a) IS EXEMPT UNDER CHAPTER 42, SECTION 3607 OF THE UNITED STATES CODE OF (b) RELATES TO HANDICAP BUT DOES NOT DISCRIMINATE AGAINST HANDICAP PERSONS.
(i) EASEMENT FROM WILLIAMS FURNITURE CORPORATIONS TO THE SOUTH CAROLINA PUBLIC SERVICE AUTHORITY, DATED SEPTEMBER 30, 1948, FILED FOR RECORD MAY 31, 1950 AT 9:30 P.M., RECORDED IN BOOK J-51, PAGE 576, IN THE REGISTER OF DEEDS FOR CHARLESTON COUNTY, SOUTH CAROLINA; AS AFFECTED BY THAT CERTAIN RELEASE OF EASEMENT FROM THE SOUTH CAROLINA PUBLIC SERVICE AUTHORITY TO J. G. PENNEY COMPANY, INC., A DELAWARE CORPORATION, DATED NOVEMBER 29, 1973, FILED FOR RECORD DECEMBER 3, 1973 AT 2:05 P.M., RECORDED IN BOOK J-103, PAGE 40, AFORESAID RECORDS. - UNDETERMINABLE.
(j) [INTENTIONALLY OMITTED]
(k) EASEMENT FROM DAVID K. E. BRUCE TO THE SOUTH CAROLINA PUBLIC SERVICE AUTHORITY, DATED JULY 31, 1941, FILED FOR RECORD SEPTEMBER 30, 1941, AT 9:25 A.M., RECORDED IN BOOK H-42, PAGE 292, AFORESAID RECORDS; AS AFFECTED BY THAT CERTAIN RELINQUISHMENT OF EASEMENT FROM THE SOUTH CAROLINA PUBLIC SERVICE AUTHORITY TO DAVID K. E. BRUCE, A PREDECESSOR IN TITLE TO PROPERTY OWNED BY MONTAGUE EXECUTIVE PARK, DATED MARCH 25, 1988, FILED FOR RECORD FEBRUARY 29, 1990 AT 1:45 P.M., RECORDED IN BOOK D-191, PAGE 336, AFORESAID RECORDS. - DOES AFFECT THE SUBJECT PROPERTY AS SHOWN.
(l) [INTENTIONALLY OMITTED]
(m) [INTENTIONALLY OMITTED]

AS SURVEYED LEGAL DESCRIPTION LOT C-1
N.T.S.

ALL THOSE CERTAIN PIECES, PARCELS OR TRACTS OF LAND, SITUATE LYING AND BEING IN CHARLESTON COUNTY, STATE OF SOUTH CAROLINA, AND BEING DESIGNATED AND SHOWN AS "TMS 409-09-00-186" ON A CERTAIN PLAT ENTITLED: "PLAT SHOWING THE SUBDIVISION OF TMS# 409-09-00-186 (0.723 AC) TO CREATE LOT C-1 (0.493 AC) AND SUPPORT FACILITY LOT C-2 (0.230 AC), OWNED BY MONTAGUE EXECUTIVE PARK LOCATED IN THE CITY OF NORTH CHARLESTON, CHARLESTON COUNTY, SOUTH CAROLINA, BY ANDREW C. GILLETTE, SOPLS No. 5933-B, OF PARKER LAND SURVEYING, LLC. PROPERTY IS MORE FULLY DESCRIBED AS TO WIT:

TO FIND THE POINT OF BEGINNING FOR LOT C-1, LOCATE THE INTERSECTION OF THE CENTERLINE OF FARGO STREET AND THE WESTERN RIGHT-OF-WAY LINE OF W. MONTAGUE AVENUE (S-10-62); THENCE TURNING AND RUNNING SOUTH 38° 38'32" WEST ALONG W. MONTAGUE AVENUE FOR APPROXIMATELY 970.00 FEET. (THE POINT OF BEGINNING); THENCE TURNING AND RUNNING SOUTH 38°36'32" WEST ALONG THE WESTERN RIGHT-OF-WAY OF W. MONTAGUE AVENUE, A DISTANCE OF 79.10 FEET; TO A POINT; THENCE TURNING AND RUNNING NORTH 51°40'50" WEST, A DISTANCE OF 272.14 FEET; TO A POINT; THENCE TURNING AND RUNNING NORTH 39°30'43" EAST, A DISTANCE OF 79.11 FEET; TO A POINT; THENCE TURNING AND RUNNING SOUTH 51°40'50" EAST, A DISTANCE OF 85.91 FEET; TO A POINT; THENCE PROCEEDING SOUTH 51°40'50" EAST, A DISTANCE OF 80.00 FEET; TO A POINT; THENCE TURNING AND RUNNING SOUTH 51°40'50" EAST, A DISTANCE OF 94.98 FEET; TO A POINT; THE POINT OF BEGINNING: SAID TRACT CONTAINING 21475.25 SQUARE FEET OR 0.493 ACRES, MORE OR LESS.

AS SURVEYED LEGAL DESCRIPTION LOT C-2

ALL THOSE CERTAIN PIECES, PARCELS OR TRACTS OF LAND, SITUATE LYING AND BEING IN CHARLESTON COUNTY, STATE OF SOUTH CAROLINA, AND BEING DESIGNATED AND SHOWN AS "TMS 409-09-00-186" ON A CERTAIN PLAT ENTITLED: "PLAT SHOWING THE SUBDIVISION OF TMS# 409-09-00-186 (0.723 AC) TO CREATE LOT C-1 (0.493 AC) AND SUPPORT FACILITY LOT C-2 (0.230 AC), OWNED BY MONTAGUE EXECUTIVE PARK LOCATED IN THE CITY OF NORTH CHARLESTON, CHARLESTON COUNTY, SOUTH CAROLINA, BY ANDREW C. GILLETTE, SOPLS No. 5933-B, OF PARKER LAND SURVEYING, LLC. PROPERTY IS MORE FULLY DESCRIBED AS TO WIT:

TO FIND THE POINT OF BEGINNING FOR SUPPORT FACILITY LOT C-2, LOCATE THE INTERSECTION OF THE CENTERLINE OF FARGO STREET AND THE WESTERN RIGHT-OF-WAY LINE OF W. MONTAGUE AVENUE (S-10-62); THENCE TURNING AND RUNNING SOUTH 38° 38'32" WEST ALONG W. MONTAGUE AVENUE FOR APPROXIMATELY 970.00 FEET. (THE POINT OF BEGINNING); THENCE TURNING AND RUNNING NORTH 51°40'50" WEST, A DISTANCE OF 272.14 FEET; TO A POINT; THENCE TURNING AND RUNNING NORTH 39°30'43" WEST, A DISTANCE OF 79.11 FEET; TO A POINT; THENCE TURNING AND RUNNING SOUTH 51°40'50" EAST, A DISTANCE OF 85.91 FEET; TO A POINT; THENCE PROCEEDING SOUTH 51°40'50" EAST, A DISTANCE OF 80.00 FEET; TO A POINT; THENCE TURNING AND RUNNING SOUTH 51°40'50" EAST, A DISTANCE OF 94.98 FEET; TO A POINT; THE POINT OF COMMENCEMENT: SAID TRACT CONTAINING 10034.36 SQUARE FEET OR 0.230 ACRES, MORE OR LESS.

REVISION TABLE

DATE	NOTE
AUGUST 24, 2022	SURVEY UPDATED TO REFLECT NEW TITLE COMMITMENT
	SURVEY UPDATED WITH NEW AS SURVEYED DESCRIPTION
	SURVEY UPDATED TO REFLECT RECORDED PLAT L22-0331

CHICAGO TITLE INSURANCE COMPANY COMMITMENT No. 3-02389(R7), WITH AN EFFECTIVE DATE OF JUNE 6, 2022 AT 08:00 AM.

ALTA/NSPS LAND TITLE SURVEY
SHOWING 3660 W. MONTAGUE AVENUE, TMS 409-09-00-186 (0.917 AC), PROPERTY OF MONTAGUE EXECUTIVE PARK, LOCATED IN THE CITY OF NORTH CHARLESTON, CHARLESTON COUNTY, SOUTH CAROLINA

DATE: NOVEMBER 5, 2021
LAST REVISED: AUGUST 24, 2022
SCALE: 1" = 30'

Committee Agenda Item

To: Bill Tuten, County Administrator
From: Philip A. Sabatino **Dept.:** Facilities Management
Subject: Acquisition of Real Estate located at 3765 Leeds Avenue
Request: Request to Approve
Committee: Finance Committee **Date:** May 04, 2023

Department	Coordinated with:
Capital Projects	John M. Williams
Deputy County Administrator	Walter L. Smalls
Budget	Mack Gile
Legal	Marc Belle
Administrator	Bill Tuten
Clerk	Kristen L. Salisbury

Fiscal Impact:

Funds are available in the Capital Projects Fund within the Biological Center project.

Funding: Was funding previously approved? N/A

If yes, please provide the following:	Org	Object	Balance in Account	Amount Needed for item

Situation:

In February 2022, County Council approved staff moving forward with the concept of a Tri-County Biological Science Lab in Charleston County via Council Directive 22-25. As a result, in October 2022 County Council approved both the award of a Design/Construction contract for the development of a new Tri-County Biological Sciences Lab and the acceptance of funding in support of the Development from both Berkeley and Dorchester Counties.

The County currently owns approximately 1.9 acres of land with improvements located at 3765 Leeds Avenue further identified by TMS# 412-00-00-012. The South Carolina Department of Corrections currently owns approximately 3 acres of land with improvements, also located at 3765 Leeds Avenue, further identified by TMS# 412-00-00-013, which is adjacent to the County's property. ("Property")

3765 Leeds Avenue is located at the corner of Leeds Avenue and Brickyard Creek Road, which is in close proximity to the Al Cannon Detention Center, the Charleston County Juvenile Detention Center, the Charleston County Sheriff's Office, and the Charleston County Coroner's Office. See the attached location map.

The South Carolina Department of Corrections is agreeable to sell their property located at 3765 Leeds Avenue to the County, further identified by TMS# 412-00-00-013 for the current

appraised value of One Million Two Hundred Seventy-Five Thousand Dollars (\$1,275,000.00) as of January 2023.

The acquisition of 3765 Leeds Ave offers centralized location benefits to Charleston, Berkeley, and Dorchester Counties and allows the County to combine the Property with the current County owned site at 3765 Leeds Ave creating a contiguous 4.9-acre site for the development of the Tri-County Biological Sciences Lab.

Department Head Recommendation:

Authorize the purchase of 3765 Leeds Ave, North Charleston, South Carolina, TMS 411-00-00-013 for the purchase price of \$1,275,000.00.

Authorize staff to prepare a Purchase and Sales Agreement, negotiate its terms with the Seller, South Carolina Department of Corrections, and upon Legal Office review, have signed by the Chairman of Council.

EXHIBIT A



COUNCIL ACTION

22 - 25

DATE: February 2, 2022

TO: County Administrator

FROM: Clerk of Council

RE: Biological Science Center/DNA

- Request to Approve

At a meeting of County Council held on February 01, 2022, Council voted to:

1. Authorize the concept of a Charleston County Regional Biological Science Center.
2. Re-allocated \$1,404,788 in the 2019 bond and \$2,000,000 in the 2021 bond from the Probation & Parole capital project to the Biological Science Center.
3. Authorize 1 FTE in the General Fund under the Deputy of Public Safety for the Director of the lab.
4. Authorize staff to explore the financial relationships between the County and the municipalities and other surrounding counties.

COUNCIL ACTION
FROM THE OFFICE OF THE COUNTY ADMINISTRATOR



COUNCIL ACTION

22 - 325

DATE: October 13, 2022
TO: County Administrator
FROM: Clerk of Council
RE: Design/Build Services for the Tri-County Biological Science Center - Award of Contract

At a meeting of County Council held on October 11, 2022, Council voted to authorize staff to enter into contract negotiations with Contract Construction, Inc., the firm deemed most advantageous to the County for Design/Build services for the Tri-County Biological Science Center per the fee submitted for management services, design, engineering and consultant services, and reimbursable expenses for design/build management, and if successful, enter into a contract.

If unsuccessful, authorize staff to enter into contract negotiations with the firm deemed to be next most advantageous to the County, and if successful, enter into a contract with the understanding that:

- At completion of this scope, staff will return to County Council for approval of the Guaranteed Maximum Price (GMP).
- Proposals may be discussed in executive session.

COUNCIL ACTION
FROM THE OFFICE OF THE COUNTY ADMINISTRATOR



COUNCIL ACTION

22 - 339

DATE: October 26, 2022

TO: County Administrator

FROM: Clerk of Council

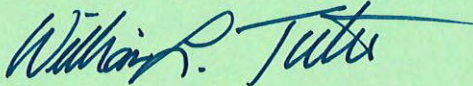
RE: Biological Science Center Funding

- Request to Accept

At a meeting of County Council held on October 25, 2022, Council voted to accept \$3 million in capital contributions for the Tri-County Biological Science Center with \$1 million coming from each the State of South Carolina, Berkeley County, and Dorchester County.

COUNCIL ACTION

FROM THE OFFICE OF THE COUNTY ADMINISTRATOR

A handwritten signature in blue ink, reading "William R. Tuttle". The signature is written in a cursive style with a long horizontal flourish extending to the right.

Committee Agenda Item

To: Bill Tuten, County Administrator
From: LoElla Smalls **Dept.:** Community Development
Subject: Sole Source Contract - Tri-County Cradle to Career - Community Data & Mapping
Request: Request to Approve
Committee: Finance Committee **Date:** May 04, 2023

Department	Coordinated with:
Deputy County Administrator	Christine Durant
Grants	Gail Marion
Budget	Mack Gile
Legal	Marc Belle
Administrator	Bill Tuten
Clerk	Kristen L. Salisbury

Fiscal Impact:

Funds are available in the American Rescue Plan Act.

Funding: Was funding previously approved? YES

If yes, please provide the following:	Org	Object	Balance in Account	Amount Needed for item

Situation:

On August 18, 2022, Council approved the set aside of \$850,000.00 for community data and mapping to ensure that resources are being allocated properly across the County. After consulting with several organizations across the county, it was determined that there was only one agency that offered a collaborative approach to gathering the information that was needed to move Charleston County forward in its quest to ensure resources are being used in the most efficient and equitable manner.

Tri-County Cradle to Career Collaborative is a partnership between Tri-County Cradle to Career (TCCC) and DataNgin Consulting, LLC. The goal of this collaborative is to link resiliency to organizational capacity and help clear roadblocks created by the following issues related to data: access, usability, timeliness, and geographic specificity. They propose the following: TCCC proposes to harmonize Charleston County's administrative data sources related to the type of housing, quality of housing, and housing insecurity with publicly available data that will serve as the basis for asset maps that enable county staff to think tactically and strategically about partnerships and resourcing community services.

To enhance the value of asset mapping TCCC will develop and routinely update a set of asset maps. These maps will clearly show the relationships between specific neighborhoods, schools,

and the local environment. They will identify the locations of specific types of entities and services, such as grocery stores, bus stops, social service activities, etc., allowing the county to see gaps in services in underserved communities.

TCCC will provide technical assistance for community services planning, implementation and evaluation. Technical assistance will be provided in two forms.

1. Structured technical assistance for county staff aimed at on-going planning, implementation tied directly to data sources. This will provide information needed for the County's Comprehensive Plan as well as the HUD 5-year Consolidated Plan.
2. Structured technical assistance for tax-exempt organizations that serve as partners with Community Development working with the residents of Charleston County. According to TCCC, in 2022 seventy-two non-profit organizations had their tax-exempt status revoked, this number is reflective of each year since 2015.

TCCC's proposal coincides with - and amplifies - the launch of the Tri-County Data Collaborative, a TCCC initiative focused exposing local tax-exempt organizations to publicly available data sources, open-source software, and how to use both to improve local outcomes across the cradle-to-career continuum. Central to the Collaborative's operation is the idea that the only logical way to produce large scale changes in such indicators as kindergarten readiness, early grade reading scores, middle grade math scores, high school graduation, post-secondary enrollment, post-secondary completion and employment, is if tax-exempt organizations have the necessary capacity to focus resources on those indicators and work collectively to change based on a shared understanding of those indicators, including how different sectors impact each. According to TCCC, this is a completely unique approach to doing collective impact work because it operationalizes the concept of shared measurement, reduced work that is duplicative, and ensures that scarce resources are directed at the right populations in the right places at the right time.

Department Head Recommendation:

Approve contract in the amount of \$850,000.00 for Tri-County Cradle to Career to provide community data and mapping to ensure that resources are being allocated properly across the County.

Charleston County Council

Memorandum

To: Finance Committee
From: Kristen Salisbury, Clerk of Council
Date: April 28, 2023
Subject: Public Safety Incident Action Plan Response Allocation

At the Finance Committee of May 04, 2023, the committee will consider allocating \$75,000 from Council Contingency to beach safety initiatives through the Public Safety Incident Action Plan Response.



Pope Flynn, LLC
1411 Gervais Street, Suite 300
Post Office Box 11509 (29211)
Columbia, SC 29201
MAIN 803.354.4900
FAX 803.354.4899
www.popeflynn.com

April 25, 2023

The Honorable Herbert Ravenel Sass, III
Chairman, Charleston County Council
4045 Bridgeview Drive, Suite B254
North Charleston, SC 29405

Re Proposed Not Exceeding \$6,500,000 of General Obligation Bonds of James Island Public Service District, South Carolina

Dear Chairman Sass:

The James Island Public Service District Commission (the "**Commission**"), as the governing body of the James Island Public Service District, South Carolina, has determined to seek authorization from Charleston County Council ("**County Council**") for the issuance of the above-referenced bonds (the "**Bonds**") and has directed the delivery of a petition in that regard. In connection with the request by the Commission for the authorization to issue the Bonds, please find enclosed the following documents for consideration by County Council:

1. A resolution of the Commission regarding the Bonds and the petition to County Council.
2. A Bond Situation Sheet.
3. A proposed form of County Council resolution ordering a public hearing on the question of the authorization of the Bonds.
4. A proposed form of County Council ordinance authorizing the Commission to cause the issuance of the Bonds.

If County Council is amenable, the Commission would appreciate County Council's consideration of its petition at its upcoming meetings on May 9, May 23, and June 6. Please do not hesitate to contact us with any questions.

Very truly yours,

A handwritten signature in blue ink, appearing to read "Lawrence E. Flynn III", is written over a blue circular stamp or seal.

Lawrence E. Flynn III

Enclosures

BOND SITUATION SHEET

Jurisdiction: James Island Public Service District, South Carolina (the “District”)

Amount of Bonds: Not exceeding \$6,500,000

Type of Bonds: General Obligation (GO)

Purpose: The District is seeking authorization from Charleston County Council (“County Council”) to issue general obligation bonds in order to finance the costs of acquisition, design, equipping, improvement, rehabilitation and construction of Fire Station #2 in furtherance of the public safety operations of the District (the “Project”), and the costs of issuance of such bonds.

Restrictions on Proceeds: All bond proceeds are restricted to the purposes described above as set forth the proposed authorizing ordinance.

Impact on Millage: No millage increase is requested in connection with the bonds. The District anticipates structuring new debt service taking into account existing debt service, which, after taking into account the amortization of existing obligations, will not result in a millage increase.

Procedural Posture: Upon receipt of the petition from the District, the South Carolina Code requires County Council to hold a public hearing on the question of the issuance of the bonds. Following the hearing, the District requests that County Council enact an ordinance finding whether and to what extent the bonds should be issued and authorizing the governing body of the District to issue the bonds.

ACTIONS REQUESTED OF COUNCIL

1. Adopt a resolution authorizing a public hearing and notice thereof;
2. Hold a public hearing on the proposed bonds; and
3. Enact an ordinance authorizing the District to issue bonds in an amount not to exceed \$6,500,000.

RECOMMENDATIONS

1. Adopt a resolution on May 9, 2023, authorizing a public hearing on June 6, 2023 at 6:30 p.m.
2. Give first reading to the authorizing ordinance on May 9, 2023, second reading on May 23, 2023, and public hearing/third reading on June 6, 2023.

PETITION OF THE JAMES ISLAND PUBLIC SERVICE DISTRICT COMMISSION TO THE CHARLESTON COUNTY COUNCIL PURSUANT TO ARTICLE 5, CHAPTER 11, TITLE 6, CODE OF LAWS OF SOUTH CAROLINA 1976, AS AMENDED.

1. The James Island Public Service District, South Carolina (the “*District*”) was created and established as a special purpose district, a body politic and corporate, pursuant to the provisions of Act No. 498 of the Acts and Joint Resolutions of the General Assembly of the State of South Carolina for the year 1961, as amended. The District is located wholly within Charleston County, South Carolina (the “*County*”), and was established for the purpose of providing fire, solid waste, and sewer services within its boundaries.

2. In carrying out its functions and duties and pursuant to a resolution adopted on April 24, 2023, the James Island Public Service District Commission, as the governing body of the District, has determined, that a need exists to meet the capital needs of the District through the acquisition, design, equipping, improvement, rehabilitation and construction of Fire Station #2 in furtherance of the public safety operations of the District (the “*Project*”). The Commission estimates that the costs of the Project, together with the costs of issuance of the bonds described herein, will not exceed \$6,500,000.

3. In order to defray the costs of the Project, the District proposes to issue general obligation bonds of the District in a principal amount not exceeding \$6,500,000, which bonds may be issued as a single issue or from time to time as several separate issues as the Commission may determine.

4. The Charleston County Council (the “*County Council*”), the governing body of the County, is empowered by Sections 6-11-810 through 6-11-1050, inclusive, of the Code of Laws of South Carolina 1976, as amended (the “*Enabling Act*”), to authorize the issuance of general obligation bonds by the District pursuant to the provisions of the Enabling Act. Inasmuch as the principal amount of the bonds to be issued by the District at any one time and in one or more series does not exceed the general obligation bond debt limit of the District, as established pursuant to Article X, Section 14(7) of the South Carolina Constitution, it is requested that such bonds may be issued without approval of a referendum.

5. Pursuant to Section 6-11-830 of the Enabling Act, if the County Council, upon petition of the Commission, determines that it may be in the best interest of the District to raise moneys for the furtherance of any power or function of the District, the County Council may order a public hearing to be held upon the question of the issuance of general obligation bonds of the District.

On the basis of the foregoing, the Commission respectfully requests that the County Council order: (i) a public hearing to be held on the question of authorizing the issuance of an amount not exceeding \$6,500,000 of general obligation bonds of the District, (ii) approve such issuance by ordinance without the requirement for an approval referendum; and (iii) authorize the general obligation bonds to be issued as a single issue or from time to time as several separate issues as the Commission, in its discretion and within the constraints of Article X, Section 14(7) of the South Carolina Constitution, may determine.

JAMES ISLAND PUBLIC SERVICE DISTRICT COMMISSION

April 24, 2023

A RESOLUTION NO. 23-03 REQUESTING THE INCURRENCE OF GENERAL OBLIGATION DEBT IN AN AMOUNT NOT EXCEEDING \$6,500,000; AUTHORIZING A PETITION TO THE COUNTY COUNCIL OF CHARLESTON COUNTY PURSUANT TO SECTION 6-11-830 OF THE CODE OF LAWS OF SOUTH CAROLINA 1976, AS AMENDED; MAKING AN OFFICIAL DECLARATION OF REIMBURSEMENT; AND OTHER MATTERS RELATED THERETO

BE IT RESOLVED by the James Island Public Service District Commission (the "*Commission*"), in meeting duly assembled:

ARTICLE 1 - FINDINGS OF FACT

Section 1.01

Incident to the adoption of this resolution (this "*Resolution*"), the Commission, the governing body of the James Island Public Service District, South Carolina (the "*District*"), makes the following findings of fact:

1. The District was created and established as a special purpose district, a body politic and corporate, pursuant to the provisions of Act No. 498 of the Acts and Joint Resolutions of the General Assembly of the State of South Carolina for the year 1961, as amended. The District is located wholly within Charleston County, South Carolina (the "*County*"), and was established for the purpose of providing fire, solid waste, and sewer services within its boundaries.

2. In carrying out its functions and duties, the Commission has determined that a need exists to meet the capital needs of the District through the acquisition, design, equipping, improvement, rehabilitation and construction of Fire Station #2 in furtherance of the public safety operations of the District (the "*Project*"). The Commission estimates that the costs of the Project, together with the costs of issuance of the bonds described herein, will not exceed \$6,500,000.

3. The County Council of Charleston County, South Carolina (the "*County Council*"), as the governing body of the County, is empowered by Sections 6-11-810 through 6-11-1050, inclusive, of the Code of Laws of South Carolina 1976, as amended (the "*Enabling Act*"), to authorize the governing body of any special purpose district to issue general obligation bonds whose proceeds shall be used in furtherance of any power or function committed to such special purpose district and in effect on March 7, 1973.

4. Pursuant to Section 6-11-830 of the Enabling Act, the County Council, upon petition of the Commission, may determine that it is in the interest of the District to raise moneys for the furtherance of any power or function of the District and order a public hearing to be held upon the question of the issuance of general obligation bonds of the District.

5. In order to finance the costs of the Project, the Commission has determined that it is necessary to issue an amount not exceeding \$6,500,000 of general obligation bonds of the

District to be issued either as a single issue or as several, separate issues, and in such amount and at such times as may be determined at the time of issuance thereof by the Commission (the "**Bonds**"). The Commission adopts this Resolution to evidence the Commission's request for the issuance of the Bonds in an amount not exceeding \$6,500,000 to defray the costs of the Project and to authorize a petition to the County Council with regard to the issuance of the Bonds. The maximum principal amount of Bonds requested hereby and to be outstanding at any one time shall be issued within the debt limit of the District, as permitted in Article X, Section 14(7) of the South Carolina Constitution.

ARTICLE II - SUBMISSION OF PETITION

Section 2.01

A petition, in a form substantially similar to that form attached hereto as Exhibit A, shall be presented to the County Council in accordance with and for the purposes set forth in Section 6-11-830 of the Enabling Act. The District Manager of the District, acting on behalf of the Commission, is hereby authorized and directed to deliver the petition, or cause the petition to be delivered, to the County Council.

ARTICLE III – REIMBURSEMENT DECLARATION

Section 3.01

The District hereby declares its intention to reimburse itself for a portion of the costs of the Project with the proceeds of the Bonds. To that end, the Commission determines and declares as follows:

- (a) no funds from any sources other than the Bonds are or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside by the District pursuant to the budget or financial policies of the District for the financing of the portion of the costs of acquisition, design, equipping, improvement, rehabilitation and construction of the Project to be funded with the Bonds;
- (b) the District reasonably expects that all or a portion of the expenditures incurred for the Project and the issuance of the Bonds will be paid prior to the issuance of the Bonds;
- (c) the District intends and reasonably expects to reimburse itself for all such expenditures paid by it with respect to the Project prior to the issuance of the Bonds from the proceeds of the Bonds, and such intention is consistent with the budgetary and financial circumstances of the District;
- (d) all of the costs to be paid or reimbursed from the proceeds of the Bonds will be for costs incurred in connection with the issuance of the Bonds, or will, at the time of payment thereof, be properly chargeable to the capital account of the Project (or would be so chargeable with a proper election) under general federal income tax principles; and

(e) this Resolution shall constitute a declaration of official intent under United States Department of the Treasury Regulation Section 1.150-2.

DONE IN MEETING DULY ASSEMBLED, this 24th day of April 2023.



**JAMES ISLAND PUBLIC SERVICE
DISTRICT, SOUTH CAROLINA**

A handwritten signature in blue ink, appearing to read "K.R. Woolsey", written over a horizontal line.

Chairman
James Island Public Service District Commission

Attest:

A handwritten signature in dark red ink, written over a horizontal line.

Secretary
James Island Public Service District Commission

EXHIBIT A

PETITION OF THE JAMES ISLAND PUBLIC SERVICE DISTRICT COMMISSION TO THE CHARLESTON COUNTY COUNCIL PURSUANT TO ARTICLE 5, CHAPTER 11, TITLE 6, CODE OF LAWS OF SOUTH CAROLINA 1976, AS AMENDED.

1. The James Island Public Service District, South Carolina (the “*District*”) was created and established as a special purpose district, a body politic and corporate, pursuant to the provisions of Act No. 498 of the Acts and Joint Resolutions of the General Assembly of the State of South Carolina for the year 1961, as amended. The District is located wholly within Charleston County, South Carolina (the “*County*”), and was established for the purpose of providing fire, solid waste, and sewer services within its boundaries.

2. In carrying out its functions and duties and pursuant to a resolution adopted on April 24, 2023, the James Island Public Service District Commission, as the governing body of the District, has determined, that a need exists to meet the capital needs of the District through the acquisition, design, equipping, improvement, rehabilitation and construction of Fire Station #2 in furtherance of the public safety operations of the District (the “*Project*”). The Commission estimates that the costs of the Project, together with the costs of issuance of the bonds described herein, will not exceed \$6,500,000.

3. In order to defray the costs of the Project, the District proposes to issue general obligation bonds of the District in a principal amount not exceeding \$6,500,000, which bonds may be issued as a single issue or from time to time as several separate issues as the Commission may determine.

4. The Charleston County Council (the “*County Council*”), the governing body of the County, is empowered by Sections 6-11-810 through 6-11-1050, inclusive, of the Code of Laws of South Carolina 1976, as amended (the “*Enabling Act*”), to authorize the issuance of general obligation bonds by the District pursuant to the provisions of the Enabling Act. Inasmuch as the principal amount of the bonds to be issued by the District at any one time and in one or more series does not exceed the general obligation bond debt limit of the District, as established pursuant to Article X, Section 14(7) of the South Carolina Constitution, it is requested that such bonds may be issued without approval of a referendum.

5. Pursuant to Section 6-11-830 of the Enabling Act, if the County Council, upon petition of the Commission, determines that it may be in the best interest of the District to raise moneys for the furtherance of any power or function of the District, the County Council may order a public hearing to be held upon the question of the issuance of general obligation bonds of the District.

On the basis of the foregoing, the Commission respectfully requests that the County Council order: (i) a public hearing to be held on the question of authorizing the issuance of an amount not exceeding \$6,500,000 of general obligation bonds of the District, (ii) approve such issuance by ordinance without the requirement for an approval referendum; and (iii) authorize the general obligation bonds to be issued as a single issue or from time to time as several separate issues as the Commission, in its discretion and within the constraints of Article X, Section 14(7) of the South Carolina Constitution, may determine.

JAMES ISLAND PUBLIC SERVICE DISTRICT COMMISSION

April 24, 2023