

**REAL PROPERTY COMMITTEE**  
5:00 p.m., Thursday, January 10, 2013

The regular meeting of the Real Property Committee was held at 5:00 p.m. on Thursday, January 10, 2013 in the City Hall Conference Room, 1207 Palm Boulevard, Isle of Palms, South Carolina. Attending the meeting were Councilmembers Buckhannon, Loftus and Stone, City Administrator Tucker and City Clerk Copeland; a quorum was present to conduct business.

1. Administrator Tucker called the meeting to order and acknowledged that the press and public were duly notified of the meeting in accordance with the Freedom of Information Act.

**2. Election of Chair and Vice Chair**

Councilmember Buckhannon nominated Councilmember Stone to serve as Chair; Councilmember Loftus seconded, and the Committee unanimously elected Councilmember Stone Chair.

Councilmember Loftus nominated Councilmember Buckhannon as Vice Chair; Chair Stone seconded and the Committee unanimously elected Councilmember Buckhannon Vice Chair.

**3. Approval of Previous Meeting's Minutes**

**MOTION: Councilmember Buckhannon moved to approve the minutes of the regular meeting of November 13, 2012 as submitted; Councilmember Loftus seconded and the motion PASSED UNANIMOUSLY.**

**4. Citizens' Comments – Jonathan Yates of Hellman Yates**

Mr. Yates introduced Bill Jenkins, Special Projects Administrator for the IOP Water and Sewer Commission, and Don Slowek of AT&T; Mr. Yates stated that they were attending the meeting seeking approval to go before the Board of Zoning Appeals for a variance to erect a one hundred sixty (160) foot monopole that would replace the water tower and support communication antennae that are currently on the water tower. The carriers that currently have antenna on the tower are AT&T, T-Mobile, Sprint, Cricket and Conterra ultra-broadband. As he spoke, he displayed larger versions of the photographs that were in the meeting packets that showed the site as it appears today and the site as it is proposed to look with the monopole. If the proposed monopole is approved, the existing water tank will be removed, and, since the monopole would be under two hundred (200) feet, it will not have to be lighted at night, so it will be virtually invisible after dark. Mr. Yates stated that equipment on the ground will not be effected by the monopole.

According to Mr. Yates, the advantages for AT&T are the ability to pick up a signal loss that they presently have and an easier platform for modifications and servicing the equipment.

Mr. Blowek described AT&T as twenty-first century infrastructure providers; as use increases, the need to increase the ability to provide infrastructure becomes more critical. The water tank site addresses the core use from people coming onto the island from Sullivan's Island and Mount Pleasant to the heart of activity on the island at Front Beach. The monopole has been designed to add Verizon in the future if they so choose, as well as provide space for equipment for the Water and Sewer Commission, the City or other emergency services.

Mr. Yates reported that this type of monopole was duly wind-tested during Hurricane Katrina; the only pole they lost was hit by a projectile and severed.

In order for AT&T to apply to the Board of Zoning Appeals for a Special Exception to erect the tower at one hundred sixty (160) feet, the City must provide an executed Property Owner's Authorization since the water tank sits on City-owned property.

**MOTION: Councilmember Buckhannon moved to re-order the *Agenda* to discuss item A under New Business; Councilmember Loftus seconded and the motion PASSED UNANIMOUSLY.**

## **7. New Business**

### **A. Consideration of Monopole-style Communications Facility to Replace Existing Water Tower at 1300 Palm Boulevard**

Responding to Chair Stone's questions about project for the water tank previously approved by the City, Mr. Jenkins explained that the original project had been to erect two (2) temporary poles to host the communications antennae in order to sandblast and paint the water tower. Before that project got started, the Water and Sewer Commission was approached by AT&T about the construction of a monopole to replace the water tank. If the monopole is approved, the water tower will be torn down; if the monopole is not approved, the water tower will undergo the maintenance originally approved and remain standing. Mr. Jenkins confirmed that, if the tower is to remain standing, it must undergo the maintenance early in 2013 as planned. In addition, Mr. Jenkins stated that the tank does not provide anything for the Water and Sewer Commission since water for the island comes from Charleston Water Systems; presently the tank is filled as pressures dictate and then water is pumped out of the tank.

Administrator Tucker inquired whether the loss of the tower would impact the City's ISO rating for fire premiums; Mr. Jenkins assured her that it would not.

Mr. Jenkins stated that the Water and Sewer Commission would bear the cost of removal and that the demolition would not require an increase in charges to customers.

Councilmember Buckhannon stated his understanding that the Water and Sewer Commission Board has agreed to remove the water tank in favor of the monopole due to ongoing maintenance costs of the tank; Mr. Jenkins agreed.

Administrator Tucker reported that the revenues generated by the antennae now go to the Water and Sewer Commission because they are mounted on Water and Sewer Commission equipment. Councilmember Loftus questioned the recipient of revenue from the antennae on the monopole since the communications tower would not be Water and Sewer equipment; he asked that the Administrator learn what the annual revenues from the antennae are for the Ways & Means Committee meeting.

Chair Stone asked whether service would be enhanced with the monopole; Mr. Yates answered that it would be.

Councilmember Loftus asked why areas of the island have no cell service, particularly along the beach and golf courses in Wild Dunes. Mr. Yates indicated that there was a need for a full-service facility in Wild Dunes; this tower will not have an impact on service in that area.

Mr. Browek stated that he has a master plan for Charleston, and this monopole is one piece; he stated that he is in talks with Wild Dunes now. He indicated that this tower plays an integral role in the master plan in order to make the coverage seamless on the island.

Responding to Chair Stone's question, Mr. Browek said the tower was to become the property of the Water and Sewer Commission in a like-for-like trade, i.e. the water tank for the monopole. With that established, Chair Stone queried that the Water and Sewer Commission Board would be the decision makers if another carrier were to be added; Mr. Jenkins agreed.

Councilmember Buckhannon stated that there are many on the island that look at the water tower as an iconic structure, while others consider it an eyesore, and everything has a life span. He stated that it becomes functional value versus sentimental value.

Mr. Yates countered that the salt water atmosphere of the coast contributes mightily to the deterioration of the steel tank.

When asked what kind of push-back there will be from the community, Administrator Tucker remarked that many residents feel possessive of the water tank, but many will be glad to have the view unobstructed, while many will be sensitive to a pole.

The Administrator asked Mr. Browek if there was better location on the island for the monopole rather than in the vista coming over the Connector; Mr. Browek stated that "this site was at the heart of a major core" and that "moving this site would disrupt an entire network throughout Charleston."

The Administrator stated that she would like to know the steps and how they fall, as well as a site drawing showing the existing water tank and the proposed monopole tower; Mr. Yates had such a site drawing for the Committee to review. The monopole will be closer to the ground equipment; it will be constructed, the antennae will be moved and then the water tank will be removed.

Administrator Tucker voiced her opinion that, assuming that the Committee believes this to be a good idea, the discussion should take place at Ways and Means; she repeated her thought that, as a water tower, it is a Water and Sewer Commission asset that sits on City-owned property, but she wondered if the same would be true for a communications tower.

**MOTION: Councilmember Buckhannon moved to recommend to Ways and Means that the City Administrator be authorized to sign the Property Owner's Authorization that will allow AT&T to proceed with a request for a Special Exception from the Board of Zoning Appeals; Councilmember Loftus seconded and the motion PASSED UNANIMOUSLY.**

As the discussion ended, Administrator Tucker asked what kind of a timeline was in play with this decision; Mr. Jenkins said that a final decision had to be made by the end of January in case the tank maintenance was to take place as planned.

**5. Comments from Marina Tenants - None**

**6. Old Business**

**A. Discussion of RFP and Proposals Received for Municipal Parking Lots**

Administrator Tucker reported that the City received four (4) bids for the municipal parking lots lease; they were Bret Jones, Bill Schupp, Jeff Evans and Palmetto Parking. The bids ranged from one hundred thousand dollars (\$100,000), which was the stipulated minimum, to one hundred seventeen thousand five hundred dollars (\$117,500). The proposals have all been reviewed, and the staff level recommendation is to throw out all of the bids, modify the RFP and re-bid the contract on a compressed timeline. The Administrator related that some of the bidders did not adequately respond to certain areas of the RFP, and the thought of adding an alternate to the bid, perhaps extended hours, seems appropriate. If the RFP is modified and re-bid, the City may get new bidders and some bidders may drop out.

If the RFP were to be re-bid, Councilmember Loftus asked if anything would be changed radically from the original; the Administrator said that one (1) thing the bid package emphasized was that the award would not necessarily be based on the financial aspect. The Administrator stated that she would like to put more emphasis on the creativity associated with getting vehicles into the lots, important in light of the parking issues on the island and the controversy on the island related to beach access parking. As stated, she would like to put forth the alternate for extended hours, and the RFP would emphasize the point that all bidders are expected to respond to everything that has been asked for.

Relative to the extended hours for the parking lots, Councilmember Loftus asked what impact that would have on street parking at Front Beach. Administrator Tucker repeated her theory that the City is losing parking revenue from visitors who wait to come to the island when the parking is free, but she did not think the lots had to have the same hours as the meters.

Chair Stone invited the two (2) bidders who were present to speak at this time.

Mark Dobson of Palmetto Parking stated that he was aware that the contract award would not be based on the bid dollars, but his company was the highest bidder; if the contract were to be re-bid, their best offer is available for any other bidder to meet or beat. Referring to the Administrator's comments about the fact that some bidders did not respond fully to the RFP, he stated that he understood the RFP to say that, if the bid is incomplete, the City has the right not to consider the bid. He continued that Palmetto Parking is a professional parking company with a huge infrastructure in downtown, Folly Beach and Mount Pleasant Waterfront Park; they have resources and people to be on the island for the residents and visitors.

Administrator Tucker asked Mr. Dobson to classify the roles that Palmetto Parking plays at each location. Mr. Dobson stated that, at Mount Pleasant Waterfront Park, Palmetto only collects

from the kiosks; at Folly Beach, Palmetto did ticketing, enforcement, collections, revenue deposits, and they lost that contract on Tuesday evening after seven (7) years servicing twenty-two (22) lots with approximately five hundred (500) spaces. Downtown, Palmetto has over sixty-five (65) lots, ranging from five (5) to one hundred twenty (120) spaces; they also have two (2) parking garages that they handle full time and another two (2) where they do enforcement on nights and weekends. At the busier lots downtown, Palmetto staffs multiple ingresses and egresses with uniformed attendants with flags who know how to direct traffic; in the past, Palmetto has done parking for Spoleto and the Cooper Bridge Run. In the downtown area, Palmetto's parking lots are both staffed and use honor boxes.

Responding to Councilmember Loftus' question, Mr. Dobson stated that their staff is composed of both full-time and part-time employees; at the Isle of Palms, staffing would depend upon day of the week and seasonality. In the proposal, Palmetto stated that its plan was to fill one (1) lot and to move staff to the second lot to full it. On a summer weekend, Palmetto would have several people here – directing traffic, collecting money and issuing tickets.

Jeff Evans stated that he and his partner, who make up Isle of Palms Beach Club, would be taking a different approach; they are looking into way to incentivize people to the municipal lots. He stated that they will focus on the facilities themselves and to have people want to be there; he indicated that he does not bring the level of experience of Palmetto Parking. On the subject of staffing, Mr. Evans explained that he will focus on hiring island and Mount Pleasant young people; he intends to be on site in the busy times. If the City decides to re-bid the contract, he assured the Committee that he would submit a bid.

**MOTION: Councilmember Loftus moved to go into Executive Session at 6:05 p.m. to discuss negotiations incident to proposed contractual agreements; Councilmember Buckhannon seconded and the motion PASSED UNANIMOUSLY.**

The Committee returned to regular session at 6:18 p.m.; Chair Stone stated that the Committee had not taken a vote or any action while in Executive Session.

**MOTION: Councilmember Loftus moved to reject the bids, modify the RFP and re-bid the RFP for the municipal parking lots; Chair Stone seconded.**

Councilmember Buckhannon stated that it was good that the City received four (4) bids for the project, but one (1) vendor met all of the criteria, and, therefore, he was reluctant to reject all bids.

**VOTE: The motion FAILED on a vote of 1 to 2; Chair Stone and Councilmember Buckhannon cast the dissenting votes.**

**MOTION: Councilmember Loftus moved to have the four (4) bidders make a presentation to the Ways and Means Committee on Tuesday, February 15; Councilmember Buckhannon seconded and the motion PASSED UNANIMOUSLY.**

**B. Discussion of Tidal Wave Dock Replacement and Reconfiguration of Balance of Docks**

Administrator Tucker related that she had read the minutes of the previous meeting when the long range plans for the marina were discussed and the meeting when the replacement of the Tidal Wave dock was discussed and found them to be somewhat contradictory; in addition, the FY13 budget includes funds for the replacement of the Tidal Wave dock and the design and engineering for the reconfiguration of the other marina docks. As the Administrator was trying to write the RFP for the work, she recognized that there is a task that needs immediate attention, the Tidal Wave dock, and there is a long-range project of renovating the marina docks which could include reconfiguration of the docks to maximize profits. In addition, with only five (5) months remaining in the fiscal year, the most realistic plan is the replacement of the Tidal Wave dock with the plan to re-budget the funds for the design and engineering for the marina docks.

Chair Stone noted that the Tidal Wave dock in its current condition is a safety hazard that must be addressed.

Councilmember Loftus expressed the opinion that the reconfiguration of the marina docks seems to be a multi-year project.

**MOTION: Councilmember Buckhannon moved for the Administrator to produce an RFP to replace the Tidal Wave dock; Councilmember Loftus seconded and the motion PASSED UNANIMOUSLY.**

**C. Status of Permit Modification – Shoal Management Project**

The City Administrator reported that OCRM has contacted Coastal Science and Engineering (CSE), who has been dialoguing with the Corps of Engineers, indicating that there will not be problems with what the City was proposing on the permit modification; the permit modification should be out on the fifteen (15) day public comment period. On the request for the time extension to have the two (2) permits coincide, CSE was reminded that legislation was passed a couple of years ago that all permits obtained in a certain window of time would be extended to allow for people to do their projects once the economy had recovered from the down-turn. The City's permit falls into that window and has been automatically extended. The City Attorney is currently investigating whether the City can re-open the contract with the original vendor for the shoal management contract; Baker Infrastructure Group did a good job at a fair price.

**8. Miscellaneous Business**

**Marina Rents Report**

Administrator Tucker reported that marina tenants are current, except for Morgan Creek Grill; they are past due on the December rent and will be past due on January if no payment is received tomorrow. Councilmember Loftus asked that the Ways and Means Committee be updated with the status of Morgan Creek Grill's rent.

**Next Meeting Date: 5:30 p.m., Thursday, February 7, 2013 in the Conference Room.**

**9. Executive Session** – held earlier in the meeting

**10. Adjourn**

**MOTION: Councilmember Loftus moved to adjourn the meeting at 6:35 p.m.;  
Chair Stone seconded and the motion PASSED UNANIMOUSLY.**

Respectfully submitted:

Marie Copeland  
City Clerk