



**WALTERBORO CITY COUNCIL
REGULAR MEETING
OCTOBER 6, 2020
6:00 P.M.**

Via Telephone/Video Conference
Phone Call-In Number 1 312 626 6799

Meeting ID: 946 0350 6067

Link to View Video:

<https://zoom.us/j/94603506067>

A G E N D A

I. Call to Order:

1. Invocation.
2. Pledge of Allegiance.

II. Public Input on Agenda Items:

Comments on agenda items must be submitted via email to jmolinari@walterborosc.org or by mail to Jeff Molinari, City Manager, City of Walterboro, P.O. Box 709, Walterboro, SC 29488. Comments will be distributed to the Mayor and City Council but will not be read during the meeting.

III. Public Hearing:

IV. Old Business:

V. New Business:

1. **Ordinance # 2020-10**, AN ORDINANCE TO AMEND ORDINANCE # 2020-04, SO AS TO AMEND THE FISCAL YEAR 2020-2021 GENERAL FUND BUDGET (Introduction and First Reading).
2. **Ordinance # 2020-11**, AN ORDINANCE TO AMEND ORDINANCE # 2020-05, SO AS TO AMEND THE FISCAL YEAR 2020-2021 ENTERPRISE FUND BUDGET (Introduction and First Reading).
3. **Ordinance # 2020-12**, AN ORDINANCE TO SELL TWO (2) LOTS LOCATED ON MOORE STREET IN THE CITY OF WALTERBORO, A SOUTH CAROLINA MUNICIPAL CORPORATION, IN ACCORDANCE WITH SECTION 5-7-260 (6) OF THE CODE OF LAWS OF SOUTH CAROLINA 1976, AS AMENDED (Introduction and First Reading).
4. **Resolution # 2020-R-09**, A RESOLUTION AUTHORIZING THE CITY MANAGER TO SUBMIT A COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) COMMUNITY INFRASTRUCTURE APPLICATION FOR THE DRY CLEANERS DEMO PROJECT AND TO COMMIT 10% IN LOCAL MATCH FUNDS.

VI. City Manager's Report:

1. Consideration of bids to finance the purchase of a 2020 Freightliner garbage truck in the amount of \$236,143.50 (Memorandum and materials attached).
2. Consideration of proposal for engineering, design, and construction observation services for the Black Street/Sub-Basin 12 Sewer Upgrade Project from Hybrid Engineering (Memorandum and materials attached).
3. Introduction of Madison Stieglitz, New Tourism Director.

VII. Executive Session:

1. Contractual Matter – I-95 Business Loop Project Phase 2.
2. Matters Encouraging the Location or Expansion of Industries or Other Businesses – Economic Development Incentive Ordinance.
3. Receipt of Legal Advice – State of Emergency.
4. Personnel Matter.

VIII. Open Session:

1. Council May Take Action on Matters Discussed in Executive Session.

IX. Adjournment.

ORDINANCE # 2020-10

**AN ORDINANCE TO AMEND THE FY 2020-2021 CITY OF WALTERBORO, SOUTH CAROLINA BUDGET
ORDINANCE # 2020-04 SO AS TO PROVIDE ADDITIONAL REVENUES AND EXPENDITURES**

WHEREAS, the fiscal year 2020-2021 budget was adopted with the passage of Ordinance # 2020-04 on June 23, 2020; and

WHEREAS, the Mayor and City Council has determined that a need exists to amend said budget to provide additional revenues and expenditures; and

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF WALTERBORO, SOUTH CAROLINA, IN COUNCIL, ASSEMBLED, that the fiscal year 2020-2021 Budget shall be amended as follows:

1. Additional expenditures totaling \$524,428 shall be authorized in the departmental line items specified in the budget document attached.
2. The 2020-2021 Amended City General Fund Budget is hereby adopted in the amount of \$7,514,431 with revenues and expenditures as set out in the budget document attached.

ADOPTED this _____ day of _____, 2020.

William T. Young, Jr.
Mayor

ATTEST

Jeffrey P. Molinari
City Manager

First Reading: _____
Public Hearing: _____
Second Reading: _____

**CITY OF WALTERBORO
AMENDED FY 2020-2021 BUDGET
SUMMARY SHEET BY CATEGORY**

Attachment to Ordinance
#2020-10, Page 1

LINE ITEM	APPROVED FY 2020-2021 BUDGET	FY 2020-2021 MANAGER'S RECOMMENDATION	AMENDED FY 2020-2021 COUNCIL APPROVED
<u>REVENUE</u>			
GENERAL FUND	\$ 6,990,003	\$ 7,514,431	
<u>EXPENDITURES</u>			
CITY COUNCIL			
PERSONNEL	\$ 140,014	\$ 139,325	
OPERATING	\$ 83,253	\$ 83,253	
CAPITAL	\$ -	\$ -	
SUBTOTAL	\$ 223,267	\$ 222,578	\$ -
CITY MANAGER			
PERSONNEL	\$ 356,129	\$ 339,647	
OPERATING	\$ 20,950	\$ 35,223	
CAPITAL	\$ -	\$ -	
SUBTOTAL	\$ 377,079	\$ 374,870	\$ -
FINANCE			
PERSONNEL	\$ 218,650	\$ 218,983	
OPERATING	\$ 143,220	\$ 160,720	
CAPITAL	\$ -	\$ -	
SUBTOTAL	\$ 361,870	\$ 379,703	\$ -
PUBLIC WORKS			
PERSONNEL	\$ 521,173	\$ 535,345	
OPERATING	\$ 371,712	\$ 418,491	
CAPITAL	\$ -	\$ 180,000	
SUBTOTAL	\$ 892,885	\$ 1,133,836	\$ -
PLANNING & DEVELOPMENT			
PERSONNEL	\$ 113,428	\$ 118,238	
OPERATING	\$ 86,260	\$ 91,260	
CAPITAL	\$ -	\$ -	
SUBTOTAL	\$ 199,688	\$ 209,498	\$ -
POLICE			
PERSONNEL	\$ 2,171,719	\$ 2,174,187	
OPERATING	\$ 457,504	\$ 457,504	
CAPITAL	\$ -	\$ 102,750	
SUBTOTAL	\$ 2,629,223	\$ 2,734,441	\$ -

**CITY OF WALTERBORO
AMENDED FY 2020-2021 BUDGET
SUMMARY SHEET BY CATEGORY**

Attachment to Ordinance
#2020-10, Page 2

LINE ITEM	APPROVED FY 2020-2021 BUDGET	FY 2020-2021 MANAGER'S RECOMMENDATION	AMENDED FY 2020-2021 COUNCIL APPROVED
JUDICIAL			
PERSONNEL	\$ 133,219	\$ 132,626	
OPERATING	\$ 66,799	\$ 66,799	
CAPITAL	\$ -	\$ -	
SUBTOTAL	\$ 200,018	\$ 199,425	\$ -
FIRE			
PERSONNEL	\$ 1,061,385	\$ 1,061,862	
OPERATING	\$ 253,242	\$ 253,242	
CAPITAL	\$ -	\$ -	
SUBTOTAL	\$ 1,314,627	\$ 1,315,104	\$ -
PARKS			
PERSONNEL	\$ 381,967	\$ 366,555	
OPERATING	\$ 253,455	\$ 374,293	
CAPITAL	\$ -	\$ -	
SUBTOTAL	\$ 635,422	\$ 740,848	\$ -
TOURISM			
PERSONNEL	\$ 105,337	\$ 99,334	
OPERATING	\$ 50,587	\$ 50,587	
SUBTOTAL	\$ 155,924	\$ 149,921	\$ -
WILDLIFE CENTER			
PERSONNEL	\$ -	\$ 17,421	\$ -
OPERATING	\$ -	\$ 36,786	\$ -
SUBTOTAL	\$ -	\$ 54,207	\$ -
TOTAL ALL EXPENDITURES	\$ 6,990,003	\$ 7,514,431	\$ -
GENERAL FUND - FUND BALANCE			
BALANCE	\$ -	\$ -	\$ -

ORDINANCE # 2020-11

AN ORDINANCE TO AMEND THE FY 2020-2021 CITY OF WALTERBORO, SOUTH CAROLINA BUDGET ORDINANCE # 2020-05 SO AS TO PROVIDE ADDITIONAL REVENUES AND EXPENDITURES

WHEREAS, the fiscal year 2020-2021 budget was adopted with the passage of Ordinance # 2020-05 on June 23, 2020; and

WHEREAS, the Mayor and City Council has determined that a need exists to amend said budget to provide additional revenues and expenditures; and

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF WALTERBORO, SOUTH CAROLINA, IN COUNCIL, ASSEMBLED, that the fiscal year 2020-2021 Budget shall be amended as follows:

1. Additional expenditures totaling \$666,443 shall be authorized in the departmental line items specified in the budget document attached.
2. The 2020-2021 Amended City Enterprise Fund Budget is hereby adopted in the amount of \$4,404,830 with revenues and expenditures as set out in the budget document attached.

ADOPTED this _____ day of _____, 2020.

William T. Young, Jr.
Mayor

ATTEST

Jeffrey P. Molinari
City Manager

First Reading: _____
Public Hearing: _____
Second Reading: _____

**CITY OF WALTERBORO
AMENDED FY 2020-2021 BUDGET
SUMMARY SHEET BY CATEGORY**

Attachment to Ordinance
#2020-11, Page 1

LINE ITEM	APPROVED FY 2020-2021 BUDGET	AMENDED FY 2020-2021 MANAGER'S RECOMMENDATION	AMENDED FY 2020-2021 COUNCIL APPROVED
STATEMENT OF CASH FLOWS	\$ 1,425,498	\$ 1,675,174	
<u>REVENUE</u>			
UTILITY FUND	\$ 4,181,400	\$ 4,333,830	
<u>EXPENDITURES</u>			
WATER			
PERSONNEL	\$ 498,538	\$ 498,992	
OPERATING	\$ 442,461	\$ 456,461	
CAPITAL	\$ -	\$ 379,000	
SUBTOTAL	\$ 940,999	\$ 1,334,453	\$ -
UTILITY SUPPORT			
PERSONNEL	\$ 177,723	\$ 177,986	
OPERATING	\$ 74,854	\$ 81,354	
DEBT	\$ 485,638	\$ 565,438	
SUBTOTAL	\$ 738,215	\$ 824,778	\$ -
SANITATION			
PERSONNEL	\$ 163,101	\$ 150,170	
OPERATING	\$ 131,987	\$ 131,468	
CAPITAL	\$ -	\$ -	
SUBTOTAL	\$ 295,088	\$ 281,638	\$ -
SEWER			
PERSONNEL	\$ 258,102	\$ 258,327	
OPERATING	\$ 487,575	\$ 487,575	
CAPITAL	\$ -	\$ 152,000	
SUBTOTAL	\$ 745,677	\$ 897,902	\$ -
SEWER SUPPORT			
PERSONNEL	\$ 301,447	\$ 301,788	
OPERATING	\$ 46,810	\$ 46,810	
CAPITAL	\$ -	\$ 10,036	
SUBTOTAL	\$ 348,257	\$ 358,634	\$ -
UTILITY SUPPORT TO GF	\$ 670,151	\$ 707,425	
UTILITY FUND SUBTOTAL	\$ 3,738,387	\$ 4,404,830	\$ -
USE OF NET POSITION	\$ -	\$ 71,000	
<u>ENDING NET POSITION</u>			
YEAR END STATEMENT OF CASH FLOW	\$ 1,868,511	\$ 1,604,174	\$ -

ORDINANCE # 2020-12

AN ORDINANCE TO SELL TWO (2) LOTS LOCATED ON MOORE STREET IN THE CITY OF WALTERBORO, A SOUTH CAROLINA MUNICIPAL CORPORATION, IN ACCORDANCE WITH SECTION 5-7-260 (6) OF THE CODE OF LAWS OF SOUTH CAROLINA 1976, AS AMENDED.

WHEREAS, pursuant to Contract of Sale, attached here and made a part hereof, Strait Lyle (the "Purchaser") has offered Ten Thousand and 00/100 Dollars (\$10,000.00) to purchase two (2) lots located on Moore Street in the City of Walterboro, in Colleton County, South Carolina, which are shown on the tax maps for Colleton County as TMS # 163-15-00-069.000 and TMS # 163-15-00-068.000.

WHEREAS, the Mayor and City Council of the City of Walterboro, South Carolina have determined that the Moore Street properties are surplus and not needed for municipal operations or other municipal considerations; and

WHEREAS, the Mayor and City Council of the City of Walterboro, South Carolina have determined that the offer is fair and equitable, and will serve the best interests of the City of Walterboro; and

NOW, THEREFORE BE IT ORDAINED by the Mayor and City Council of the City of Walterboro, South Carolina, in Council assembled, that said property owned by the City of Walterboro is hereby sold to the Strait Lyle for ten thousand dollars (\$10,000.00). The City Manager is hereby directed to do all things necessary to convey said property to the Purchaser.

DONE, this _____ day of November, 2020.

William T. Young, Jr
Mayor

ATTEST:

Jeffrey P. Molinari
City Manager

First Reading: _____
Public Hearing: _____
Second Reading: _____

STATE OF SOUTH CAROLINA)
)
COUNTY OF COLLETON)

CONTRACT OF SALE

THIS LEGALLY BINDING AGREEMENT made and concluded in the County and State aforesaid by and between the City of Walterboro, a municipal corporation hereinafter known as the Seller, and Strait Lyle and or his Assignee hereinafter known as the Purchaser.

WITNESSETH:

That the Seller agrees to sell and the Purchaser agrees to buy, subject to the rights of the tenants, if any, the real estate described as follows, in "AS IS CONDITION" upon the terms and conditions set forth below.

DESCRIPTION OF PROPERTY:

Two Lots located on Moore Street in the City of Walterboro, in Colleton County, South Carolina which are shown on the tax maps for Colleton County as TMS # 163-15-00-069.000 and TMS # 163-15-00-068.000.

PURCHASE PRICE:

The purchase price is Ten Thousand and 00/100 Dollars (\$10,000.00) and is to be paid in full to Seller at closing.

TERMS AND CONDITIONS OF SALE:

The parties hereto agree that all taxes and rents upon the real estate levied or to be levied in the calendar year in which deed is delivered, be prorated to date of delivery of deed as if levied for the calendar year in which deed is delivered.

Possession of said premises will be given Purchaser on closing.

Said property is being sold in "AS IS" condition and purchased subject to zoning ordinances and regulations; building restrictions; and conditions, restrictions and easements of Public Record.

Seller agrees to deliver good and marketable or insurable title to the property above described and title is to be conveyed by a good and sufficient limited warranty deed free and clear of all encumbrances. Should Seller's title to the property not prove to be good and marketable or insurable, then Purchaser may choose to close and receive a deed to such interest as Seller may have in the property or cancel this transaction and receive a refund of his escrow deposit.

Purchaser agrees to pay all costs of this transaction normally paid by Purchaser and Seller, including, but not limited to, state and county documentary stamps or other deed recording fees and preparation of the deed.

This transaction shall be closed, the moneys due to Seller shall be paid, and all documents signed by the parties hereto on or before November 6, 2020 (the closing date).

Purchaser agrees to place the sum of Five Hundred and 00/100 Dollars (\$500.00) in escrow with Purchaser's real estate broker, to wit: Coldwell Banker Todd Land Agency on account of the purchase price of the above described property, with two (2) days of the date the last party to this Contract of Sale signs it. Said deposit is to be held in escrow by said broker pending closing. It is expressly agreed that upon the event of any default or failure on the part of the Purchaser to comply with the terms and conditions of this contract, that one-half of said deposit is to be paid to the said broker not to exceed the commission due and the remaining portion of said escrow shall be paid to the Seller as liquidated damages; said deposit, however, to be refunded to the purchaser should the purchaser choose not to close under the terms of this Contract of Sale.



Seller initial here



Purchaser initial here

This contract shall be binding on both parties, their successors, principals, heirs, personal representatives, and assigns.

Purchaser may inspect the property prior to closing and may cancel this contract at anytime within thirty (30) days of the execution of this Contract of Sale, by the last party to sign.

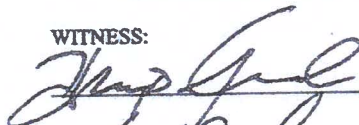
The Purchaser acknowledges that Coldwell Banker Todd Land Agency, and its agents are merely acting as sales agents in this transaction; and there is no guarantee or warranty expressed or implied by them.


The parties hereto further agree that this written contract expresses the entire agreement between the parties, and shall be enforceable by either by specific performance, and that there is no other agreement, oral or otherwise, modifying the terms hereunder.

This Contract of Sale shall not be binding on either party, unless executed by both parties and an executed copy provided to each party within a seven (7) calendar day period.

WITNESS our hands and seals as to each party hereto, as of the dates set out below.

WITNESS:



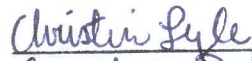


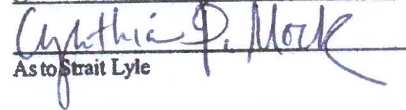
As to City of Walterboro

City of Walterboro (City Seal)

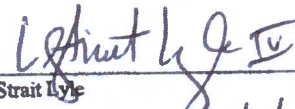
By:  _____

date signed: 9/2/2020





As to Strait Lyle

 (L.S.)

Strait Lyle
date signed: 9/8/2020

This is a legally binding contract.
If not understood, seek further advice.
Interest of Seller and Purchaser should be protected by Insurance at once.

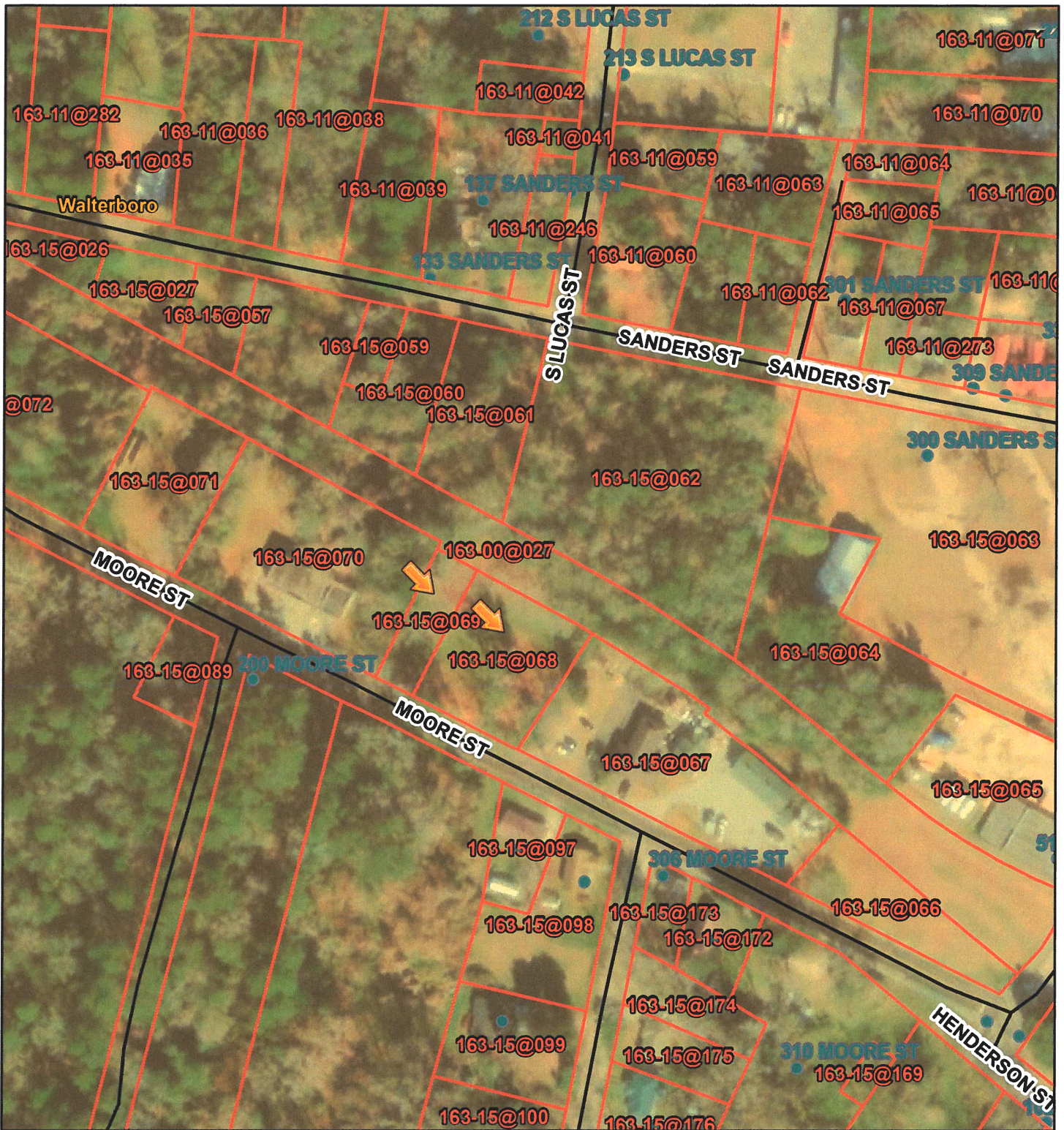


Seller initial here



Purchaser initial here

Moore Street Lots



8/26/2020, 3:43:41 PM



Override 1

— Road Centerlines



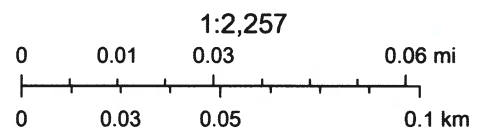
Parcel Boundaries



Municipal Boundaries



Address Points



Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

RESOLUTION NO. 2020-R-09

WHEREAS, the need to address quality of life issues for the City of Walterboro, and addressing the concerns and issues of LMI residents is a priority for the City, and addressing existing nuisance properties through code enforcement and demolition have been identified as a priority community need for City of Walterboro; and

WHEREAS, the City of Walterboro wishes to address this need by making application to the South Carolina Department of Commerce, Grants Administration for Community Enrichment Funds to demolish an attractive nuisance structure in the City's downtown; and

WHEREAS, the completion of this project would directly benefit residents of the City of Walterboro, of which at least 48.98% qualify as having low-to-moderate incomes; and

NOW THEREFORE BE IT RESOLVED by the Mayor and City Council of Walterboro, South Carolina, that:

1. City Council hereby endorses the Dry Cleaners Demo Project because it will greatly improve the quality of life for the residents of the City of Walterboro.

2. The City Manager is authorized to prepare and submit a Community Development Block Grant (CDBG) Community Infrastructure Application for the City of Walterboro – Dry Cleaners Demo Project and is authorized to commit matching funds in the amount of 10% of the grant request to meet the local commitment of the Community Development Program.

3. Additionally to commit to sharing cost savings on a pro rata basis.

ADOPTED, THIS 6th DAY OF OCTOBER 2020.

William T. Young, Jr.
Mayor

ATTEST:

Jeffrey P. Molinari
City Manager



MEMORANDUM

TO: Mayor and City Council
FROM: City Manager
DATE: September 30, 2020
SUBJECT: Consideration of Lease Purchase Proposals for 2020 Freightliner Sanitation Truck

The Finance Department solicited proposals from seven (7) local financial institutions to finance the purchase of a 2020 Freightliner Sanitation truck. The City received three (3) proposals:

<u>Financial Institution</u>	<u>Term</u>	<u>Rate</u>	<u>Fees</u>
South State Bank	5 years	1.43% APR	None
BB&T	5 years	1.67% APR	None
REV Federal Credit Union (Heritage Trust)	5 years	3.00% APR	\$250.00

City staff recommends South State Bank to finance the purchase of the sanitation truck with an interest rate of 1.43%. If you have any questions, comments or concerns, please do not hesitate to contact me or come by City Hall at your convenience.

Sincerely,


Jeffrey P. Molinari
City Manager

Attachments



MEMORANDUM

To: Jeffrey P. Molinari
City Manager

From: Amy J. Risher 
Finance Director

Date: September 30, 2020

Subject: Consideration of financing proposals
2020 Freightliner garbage truck

On September 3, 2020, the Finance Department solicited seven (7) local financial institutions for the financing of the 2020 Freightliner garbage truck in the amount of \$236,143.50. The City received three (3) proposals.

The following is a tabulation of the proposals:

<u>Financial Institution</u>	<u>Term</u>	<u>Rate</u>	<u>Fees</u>
South State Bank	5 years	1.43% APR	NONE
BB&T	5 years	1.67% APR	NONE
REV (Heritage Trust)	5 years	3.00% APR	\$250.00

South State Bank has offered the best financing terms for the purchase of the Freightliner garbage truck. City staff recommends financing through South State Bank.



520 N. Jefferies Blvd.
Walterboro, SC 29488

September 28, 2020

City of Walterboro
Amy Risher, Finance Director
300 Hampton Street
Walterboro, SC 29488

Re: Proposal for a \$236,143.50 tax exempt lease-purchase financing

Dear Ms. Risher;

For all, but not part, of the \$236,143.50 tax exempt lease purchase financing for the acquisition of a 2020 Freightliner garbage truck as more fully described in the attached Request for Proposal (RFP), which is, by reference, hereby made a part of this bid, we will fund \$236,143.50.

Term: Issue date on or about October 1, 2020. As described in the RFP, the Note will have five (5) annual principle plus accrued interest payments due on October 1 of each year beginning October 1, 2021 until maturity or prior redemption. All outstanding principle and interest due October 1, 2025.

Rate: Bank Qualified Tax Free rate equaling 1.43%. Rate shall be fixed for the duration of the term.

Payment: Annual payments of principle and interest shall be due and payable beginning on October 1, 2021 and continuing annually thereafter until paid in full. Interest component of payments to be calculated on a 30/360 basis.

Fees: None will be paid to or on behalf of the Bank. This includes the initial closing of the Agreement and on an annual basis. All fees incurred by the City's Bond Counsel and associated with the document preparation and closing of this note will be the responsibility of the City.

Requirements: It is understood that the City's Bond Counsel will prepare documents to be reviewed by Bank and its counsel. The legal opinion of bond counsel satisfactory to Bank that the Note constitutes a valid and binding obligation of Borrower; will be "Qualified Tax Exempt Obligation" within the meaning of Section 265 (b)(3)(B) of the Internal Revenue Code of 1986, as amended; and will be exempt from all Federal, State, County, and Municipal taxes.



520 N. Jefferies Blvd. |
Walterboro, SC 29488

Security: A lien upon the garbage truck, as further described in the RFP.

Prepayment: No prepayment penalty.

Acquisition/Escrow Account: Funds will be deposited into an interest bearing account at South State Bank unless the funds have already been spent and equipment acquired.

We acknowledge that the City may reject any and all proposals as well as negotiate with the lowest responsible proposer. We acknowledge that we may not alter, modify, or withdraw our bid after we have submitted it to the City.

We acknowledge that the aggregate principle amount is subject to adjustment, both before and after the receipt and opening of sealed bids for their purchase. We acknowledge that the dollar amount bid for the principle by the successful bidder may be adjusted to reflect and reduction in the aggregate principle amount of the Agreement, but the interest rate specified by the successful bidder for the Agreement will not change.

Respectfully submitted;

Lee Petrolawicz

Lee T. Petrolawicz
Senior Vice President, City Executive
South State Bank
(843) 599-2223

Accepted this _____ day of _____, 2020

City of Walterboro, South Carolina:

By: _____

Its: _____



Branch Banking & Trust Company

Governmental Finance

5130 Parkway Plaza Boulevard
Charlotte, North Carolina 28217
Phone (704) 954-1700
Fax (704) 954-1799

September 30, 2020

Ms. Amy Risher
City of Walterboro, SC
300 Hampton St.
Walterboro, SC 29488

Dear Ms. Risher:

Truist Bank ("Lender") is pleased to offer this proposal for the financing requested by the City of Walterboro, SC ("Borrower").

PROJECT: Freightliner Garbage Truck

AMOUNT: \$236,143.50

TERM: 5 years

INTEREST RATE: 1.67%

TAX STATUS: Tax Exempt – Bank Qualified

PAYMENTS: Interest: Annual
Principal: Annual

**INTEREST RATE
CALCULATION:** 30/360

SECURITY: Vehicles and Equipment

**PREPAYMENT
TERMS:** Prepayable in whole at any time without penalty

**RATE
EXPIRATION:** November 13, 2020

**DOCUMENTATION/
LEGAL REVIEW
FEE:** N/A

FUNDING: Proceeds will be deposited into an account held at Lender pending disbursement unless equipment is delivered prior to closing.

DOCUMENTATION: Lender proposes to use its standard form financing contracts and related documents for this installment financing. We shall provide a sample of those documents to you should Lender be the successful proposer.

The financing documents shall include provisions that will outline appropriate changes to be implemented in the event that this transaction is determined to be taxable or non-bank qualified in accordance with the Internal Revenue Service Code. All documentation must be deemed appropriate by Lender before closing.

REPORTING

REQUIREMENTS: Lender will require financial statements to be delivered within 270 days after the conclusion of each fiscal year-end throughout the term of the financing.

Should we become the successful proposer, we have attached the form of a resolution that your governing board can use to award the financing to Lender. If your board adopts this resolution, then Lender shall not require any further board action prior to closing the transaction.

Lender shall have the right to cancel this offer by notifying the Borrower of its election to do so (whether this offer has previously been accepted by the Borrower) if at any time prior to the closing there is a material adverse change in the Borrower's financial condition, if we discover adverse circumstances of which we are currently unaware, if we are unable to agree on acceptable documentation with the Borrower or if there is a change in law (or proposed change in law) that changes the economic effect of this financing to Lender.

Costs of counsel for the Borrower and any other costs will be the responsibility of the Borrower.

The stated interest rate assumes that the Borrower expects to borrow no more than \$10,000,000 in the current calendar year and that the financing will qualify as qualified tax-exempt financing under the Internal Revenue Code. Lender reserves the right to terminate this bid or to negotiate a mutually acceptable interest rate if the financing is not qualified tax-exempt financing.

We appreciate the opportunity to offer this financing proposal. Please call me at (803) 251-1328 with your questions and comments. We look forward to hearing from you.

Sincerely,

Truist Bank



Andrew G. Smith
Senior Vice President



TERM SHEET-FOR DISCUSSION PURPOSES ONLY

September 14, 2020

Amy J Risher
City of Walterboro
300 Hampton Street
Walterboro, SC 29488

Dear Ms. Risher:

REV Federal Credit Union, hereafter "Credit Union", appreciates the opportunity to provide this term sheet in response to your request for a proposal for financing. **This term sheet is presented to provide the terms and conditions generally offered with loans similar to the request you have made. This term sheet is for discussion only and is not a commitment to lend. A commitment can only be issued when the credit union has completed its review and analysis of all information necessary for underwriting and analysis. Our suggested terms and conditions are as follow:**

Borrower: City of Walterboro

Guarantor(s): N/A

Loan Purpose: To Purchase 2020 Freightliner garbage truck

Loan Amount: Up to \$188,914.80. Final amount of the loan will be limited to 80% of lesser of the two of the collateral valuation or purchase price and cash flow analysis at 1.25 or better.

Loan Facility: Term Loan

Loan Term: Up to 5 year term, principal and accrued interest payable annually, with all then unpaid interest and principal due at maturity.

Loan Rate: 3% fixed for 5 years.

Interest rates are based on market conditions as of September 14th and are subject to change between now and a commitment or subsequent loan closing based on changes in the market.

Loan Fee: \$250 loan document fee.

Collateral: 2020 Freightliner garbage truck

Insurance: Borrower will be required to maintain full coverage insurance on the truck with a deductible not to exceed \$1000.00 and policy naming REV Federal Credit Union as lienholder/loss payee.

Financials: Borrower may be required to provide Credit Union with its federal tax returns within 30 days of filing.

Please be advised this term sheet DOES NOT CONSTITUTE A LOAN COMMITMENT OR LOAN APPROVAL. It is provided for discussion purpose only and should not be construed, either explicitly or implicitly, as a commitment to lend. The term sheet outlines general terms and conditions upon which Credit Union may offer should your loan request meet our underwriting guidelines and be approved by our Loan Committee. If approved, Credit Union will provide a formal commitment letter outlining all approved terms and conditions for the loan. Borrower should take no action, make any commitment, fund or pay any expense, based on the contents of this Term Sheet.

Sincerely,



Tricia Haggerty

Business Relationship Specialist

8435 Dorchester Road, N. Charleston SC 29420

Office (843) 832-7570 | Mobile (843) 708-3011 | NMLS # 698887

thaggerty@revfcu.com | www.REVfcu.com



MEMORANDUM

TO: Mayor and City Council
FROM: City Manager
DATE: October 1, 2020
SUBJECT: Engineering Services for Black Street/Sub-Basin 12 Sewer Upgrade Project

The City received a CDBG grant in the amount of \$1,348,758 to rehabilitate sewer lines in the Black Street area. The rehab project will ensure reliable and improved sewer service by replacing or relining sewer mains, services, and manholes that are failing. Hybrid Engineering has provided a proposal for design, contract administration, and construction observation services in the amount of **\$153,490.00**. The cost will be used as part of the City's required 10% match for the project.

City staff asks for Council's favorable consideration of Hybrid Engineering's proposal in the amount of \$153,490.00. The expenditure will be paid from a revenue bond that will be issued during the 1st quarter of 2021. There is sufficient capacity in the Enterprise Fund to absorb any expenditures incurred prior to the issuance of the bond. If you have any questions, comments, suggestions, or concerns, please do not hesitate to come by City Hall or call me anytime.

Sincerely,

Jeffrey P. Molinari
City Manager

Attachment

To: Jeff Molinari

From: Michael Crosby

Date: 9/30/2020

Re: Agreement Between Owner and Engineer for Professional Services

The City of Walterboro's Public Works Department has received a grant in the amount of \$1,348,758 from the Community Development Block Grant funding through the Community Infrastructure Program. This grant will be used for the rehabilitation of sewer mains in a portion of the City's service area. Rehabilitation will ensure reliable and improved sewer service for our citizens for many years to come. The scope of the project is to replace or reline 40 plus year old sewer mains, services, and manholes in the area that have been determined to be failing.

The total projected cost for this sewer rehabilitation project is \$1,452,247.00.

Hybrid Engineering has provided a contract for the performance of design, and contract administration services for a lump sum amount of \$97,997.00. The proposed fee associated with Construction Observation is \$55,492.00. The total for the Agreement between the City of Walterboro and Hybrid Engineering would be \$153,490.00. The cost may be used as a portion of the required match funds as specified in the grant agreement with CDBG.

I have attached a copy of the agreement as supporting documentation.

It is this departments recommendation to approve Hybrid Engineering Inc. as our engineering firm for this project and authorize the execution of the Agreement Between the City of Walterboro and Hybrid Engineering, Inc. in the amount of \$153,490.00.



Revised Task Order No. 9

Master Agreement for Professional Engineering Services

Client: City of Walterboro

Project: Black Street/Sub-Basin 12 Sewer Upgrade Project

Date: September 29, 2020

Scope of Services:

Perform administrative, investigative, design, permitting, contract administration, and construction observation services for the Black Street/Sub-Basin 12 Sewer Upgrade Project located in Walterboro, South Carolina. The improvements will be located within existing highway rights-of-way or permanent easements generally as depicted on the attached map. Includes the following tasks:

1. Project Kickoff Meeting w/ City of Walterboro & LCOG
2. Field Investigations & Verifications (Approximately 102 Manholes)
3. Design
4. Project Manual (Contract Instruments & Technical Specifications)
5. Construction Drawings
6. Project Review Meeting with City of Walterboro
7. Bid Solicitation
8. Contract Award Activities
9. Preconstruction Conference
10. Submittal Data Review
11. Periodic Construction Observation Site Visits (Avg. 2 Visits/Week for 26 Weeks of Activity)
12. Review & Process Contractor's Application for Payment (6)
13. Coordination with LCOG on Contractor's Applications for Payment, Change Orders & Certified Payrolls
14. Record Construction Drawings
15. Final Site Visit & Project Closeout

Payment:

Payment shall consist of an amount equal to the cumulative hours charged to the Project by each class of Engineer's employees times Standard Hourly Rates for each applicable billing class plus Reimbursable Expenses, the total of which shall not exceed \$153,490 without prior written approval. The Engineer's Labor & Fee Projection is attached.

City of Walterboro Approval: _____

Date: _____

Attachment: Project Map
Engineering Labor & Fee Projection

REVISED ENGINEERING LABOR AND FEE PROJECTION
Black Street/Sub-Basin 12 Sewer Upgrade Project
City of Walterboro
Walterboro, South Carolina
September 29, 2020



LABOR PROJECTION						
Task	Project Manager Manhours	Design Engineer II Manhours	Engineering Technologist Manhours	Project Administrator Manhours	Field Investigator Manhours	Construction Manager Manhours
Project Kickoff Meeting w/ City of Walterboro & LCOG	6	6			4	
Field Investigations & Verifications (102 Manholes)	8	100	50		150	
Design	16	96	88			
Project Manual (Contract Instruments & Technical Specifications)	4		8	16		
Construction Drawings	2	40	16			
Project Review Meeting with City of Walterboro	6	6				4
Bid Solicitation	6	6	20	24		4
Contract Award Activities	2	8		16		
Preconstruction Conference	6	6				4
Submittal Data Review		16	16			4
Periodic Construction Observation Site Visits (Avg. 2 Visits/Week for 26 Weeks of Activity)		24				416
Review & Process Contractor's Application for Payment (6)		12				18
Coordination with LCOG on Contractor's Applications for Payment, Change Orders & Certified Payrolls		12				40
Record Construction Drawings		16				16
Final Site Visit & Project Closeout	8	8				6
Total Manhours	64	356	198	56	154	512

COST PROJECTION			
Labor	Manhours	Hourly Rate*	Total
Project Manager	64	\$170	\$10,880
Design Engineer II	356	\$120	\$42,720
Engineering Technologist	198	\$100	\$19,800
Project Administrator	56	\$80	\$4,480
Field Investigator	154	\$100	\$15,400
Construction Manager	512	\$100	\$51,200
			\$144,480
Expenses			
	Mileage:	13,500 miles @ \$0.60/mile	\$8,100
	Per Diem:	91 days @ \$10/day	\$910
	Expenses Subtotal:		\$9,010
Total Projected Cost			\$153,490

**Black Street/Sub-Basin 12
Sewer Upgrade Project
City of Walterboro
Walterboro, SC**

**MAP
SUB-SYSTEM 12**

