



Town of James Island, Regular Town Council Meeting
January 20, 2022; 7:00 PM; 1122 Dills Bluff Road, James Island, SC 29412

VIRTUAL MEETING, SEE DETAILS BELOW

Notice of this meeting was published and posted in accordance with the Freedom of Information Act and the requirements of the Town of James Island.

The Town encourages the public to provide comments prior to its Town Council meeting. For residents wishing to address Council, you will be limited to three (3) minutes and must sign in to speak. You may also send in your comments ahead of the meeting by emailing to: info@jamesislandsc.us, mail to P.O. Box 12240, Charleston, SC 29422, or placed inside the drop box outside of Town Hall at 1122 Dills Bluff Rd.

1. Roll Call
2. Public Comment
3. Consent Agenda:
 - a. Minutes: December 16, Regular Town Council Meeting

4. Information Reports:
 - a. Finance Report
 - b. Administrator's Report
 - c. Public Works Report
 - d. Island Sheriffs' Patrol Report

5. Requests for Approval by Staff:
 - Dock Street Park ADA and other Improvements
 - Pipe/Apron Repair on Starboard Rd.
 - Budget Proposal to write Grant
 - Purchase of Two (2) Additional Radios
 - Scope and Fee for Camp & Folly Easement Improvements
 - New Website

6. Action Items:

- Donation to Assn. of the Blind and Visually Impaired
- Retain Joe Qualey as the Legal Counsel to assist with Property Tax Restructuring

7. Committee Reports:

- Land Use Committee
- Environment and Beautification Committee
- Children's Committee
- Public Safety Committee
- History Committee
- Rethink Folly Road
- Drainage Committee
- Business Development Committee
- Trees Advisory Committee
- James Island Intergovernmental Council

8. Proclamations and Resolutions:



Resolution # 2022 -01 TST Funding FY 2023 for Regatta Rd.



Resolution #2022-02 Requesting Staff to Investigate Affordable Housing Options

9. Ordinances up for First Reading: None

10. Ordinances up for Second/Final Reading: None

11. New Business:

12. Executive Session: The Town Council will/may enter into an Executive Session in accordance with 30-4-70(a) Code of Laws of South Carolina. Upon returning to Open Session. Council may act on matters discussed in Executive Session.

13. Return to Regular Session:
14. Announcements/Closing Comments:
15. Adjournment

Please click the link below to join the webinar:

<https://us02web.zoom.us/j/89278640269?pwd=TzhEMThwajBKZzlzN0grWXFrbHBtQT09>

Passcode: 299964

This meeting will also be live-streamed and available for public view via the Town's YouTube channel:

<https://www.youtube.com/channel/UCm9sFR-ivmaAT3wvHdAYZqw/>

The Town of James Island held its regularly scheduled meeting on Thursday, December 16, 2021 at the Town Hall, 1122 Dills Bluff Rd., James Island, SC. Mayor Woolsey requested, and it was granted to begin the meeting at 6:58 p.m. Councilmembers present: Boles, Mignano, Milliken, Mullinax, and Mayor Woolsey presided. Also, Town Administrator, Ashley Kellahan, Town Attorney, Bonum S. Wilson, Finance Director, Merrell Roe, Public Works Director, Mark Johnson, Island Sheriff's Patrol, Sgt. Herman Martin (for Lt. Shawn James) Planning Director, Kristen Crane, and Town Clerk, Frances Simmons. A quorum was present to conduct business.

Opening Exercises: Councilman Milliken opened by saying that we are very fortunate to live where we live but we cannot always rely on providence to deliver safety to us. This is the Christmas Season, a time of happiness, but we have a terrible tragedy that has taken place in the middle of our country where hundreds of people have lost their homes and lives and he think it would be appropriate for us to take a moment of silence and think about how grateful we are to be where we are. After the moment of silence, Councilman Milliken led Council in the Pledge of Allegiance.

Public Comments: Mayor Woolsey opened the floor to comments. The following persons spoke:

Daniel Jacobsohn, 1230 Stone Post Rd., thanked Council for their time and hope they can solve his problem. Mr. Jacobsohn played a recording of dogs howling and barking stating that a neighbor has between 15-30 hunting dogs that barks and howls all day and night. He complained about the smell of feces from the yard and has spoken to the neighbor but to no avail. He said the neighbor is irrational and has knocked on his door to say he is trespassing. He asked Council to imagine hearing dogs barking day and night. He said the people here tonight did not come to scare the neighbor; they just want sometime done because it is so bad. He said another neighbor has had to install \$5,000 windows to block the sound and another has moved away. The neighbors have tried to solve the problem by going to the magistrate, law enforcement, and the Town's code enforcer. Mr. Jacobsohn asked the Town to follow its ordinance because he is unable to sleep at night and is tired all the time.

Louis Kines, 1234 Stone Post Rd., thanked Council for their work. Mr. Kines address the same concerns as Mr. Jacobsohn that the dogs barking is a serious quality of life issue, and he will not rest until a solution is found. He asked Council for help about the neighbor with the 15-30 hunting dogs. He also complained about the barking day and night and the smell. He isn't asking for special attention, he is asking to be able to sleep at night for a long day of work the next day, to breathe fresh air, and to talk with friends and neighbors without having to yell. He said the neighbor is in violation of Town ordinance and something needs to change immediately. He has gotten written complaints from other neighbors who are afraid to come forward because of payback from the neighbor. He said if ever there is a time the Town could help its citizens that don't have power, it is now.

Comments from 21 Rivers Point Row Residents:

Melissa Golden, opposed to having a brewery in her back yard. The brewery is supposed to be family friendly but only to the people to don't live there; not to the mother who has to put a two-year old to bed at 7; the critical care nurses or firefighters that works 24-hour shifts. After a long day of work she does not want to deal with drunk people in her back yard. She is a critical care nurse and needs to rest to be able to take care of her family and ours. She asked Council if they would want this in their back yard..."no" so why would they allow it in hers. There are 136 families in the complex and this is the time for the Town's support. She is not against a brewery, just not 15ft from her back porch.

Bob Felan opposes the brewery for traffic reasons and talked about the amount of traffic already on Camp Rd at 5 pm. He said more traffic is not needed, also with people under the influence turning left onto Camp

Rd. trying to get into a place that doesn't have adequate parking or with golf carts. He asked Council to think about this.

Terry Wallace asked if any Councilmembers walked behind the brewery to see how close it is to people's property. She stressed that the comments made here are not exaggerated. She mentioned that people will go to the back of the property to relieve themselves and that is against SC law. She said the brewery sounds like a beautiful idea as a family-friendly place but encouraged Council to go there before taking a vote because it is so close. She said if the vote passes, a meeting should be held with the HOA, residents, and the owners; perhaps install a tall privacy fence.

Lauren Platt reiterated the comments made by the other residents. She met with WCBD today and they came and videotaped the area to see the close proximity of the brewery to residents' homes. She presented a petition to Council from residents opposing the brewery. She mentioned already having discussions about loud noise and music from a tenant in the garage next to the fence and imagines sounds amplified that would impact her quality of her life. Asked Council for its consideration.

Allison Hanf, read a portion of an article in the November 22 P&C about the opening of the bourbon bar in Park Circle and its effects on residents that lives less than half a mile. She told Council that she bought her property because it is James Island with great schools and for her son to attend Harbor View, not to have a brewery in her backyard. She asked Council to consider having the tower taken down. She also informed Council of an allergic reaction that she has to brewer's yeast and does not know how the brewery would affect her health.

Grace Cole, opposed.

Matt Woolsey said he cannot top anything that was already said. He is insulated from the property line of the brewery by being the third row in, but he feels for the residents whose patios are close and about the noise. He heard that some other businesses may be looking at the property such as a boat storage or dog kennel, but dogs makes a lot of noise.

Roman Rozek, owner of the brewery stated he has been looking at buildings for three years and wants to win over the residents who lives behind the brewery. He said parking would not be a problem as people could park at Hyams or at the bank.

Hilary Rozek, owner of the brewery said she understands the opposition and wants to be a good neighbor. They will do all they can if the business is allowed. They will not have anything late at night and will follow the ordinances.

Consent Agenda: Minutes of November 18, Regular Town Council Meeting and 2022 Town Council Meetings and Holiday Schedule: Motion to approve was made by Councilman Milliken, seconded by Councilman Mullinax, and passed unanimously.

Councilman Boles brought up that the meeting minutes of June 18, 2020 regarding the use of alcohol at Pinckney Park. He went back and listened to the tape and the motion passed to allow alcohol. He asked if the minutes could be amended to reflect that correction. Mayor Woolsey said it could and told Council if they ever notice a correction to speak to it.

Information Reports:

Finance Report: Written report was provided and summarized by Finance Director, Merrell Roe, who reviewed revenues and expenditures for the month.

Administrator’s Report: Written report provided and summarized by Town Administrator, Ashley Kellahan.

FY 2022-2023 Budget Schedule: Provided and accepted as information.

Public Works Report: Written report provided and summarized by Public Works Director, Mark Johnson and answered Councilman Mullinax question regarding the speed limit signs on Ft. Johnson Rd.

Island Sheriff’s Patrol Report: Sgt. Herman Martin provided the updated crime report in the Town in the absence of Lt. James.

Requests for Approval by Staff:

Pole Installation for HBVR LPR Camera: Mrs. Kellahan requested approval for the installation of the pole for the Harbor View LPR Camera of \$2,675.00 by Sierras Construction. Motion to approve by Councilman Milliken, seconded by Councilman Mullinax. Councilman Boles asked if the rep from NDR-IS who had given a presentation to Council be invited back at some point to give an update. Motion passed unanimously.

Scope and Fee – Dock St. Park Improvements: Mrs. Kellahan requested to defer this request to the January Town Council meeting for more information. Granted without objection.

Action Items:

Hire Legal Counsel to Assist with Tax Relief Restructuring: Motion in favor by Councilman Boles, seconded by Councilman Milliken.

Mayor Woolsey spoke that the Town Attorney is capable of providing any information that we need and moved to amend the motion that the Town Attorney assist with the tax relief restructuring; seconded by Councilman Mullinax.

Mayor Woolsey said we do not need to go through the process of finding an outside attorney when we could use our own Town Attorney if Council approves the amendment. Councilman Milliken said he is sure that our Town Attorney would do a good job; but it is not a bad idea, and it might be good to have a fresh set of eyes from someone familiar with these types of operations and not associated with our municipality. Councilman Boles agreed, he said the plan should not be for reasons it would not work, and he would be shocked if the County would not be interested in getting \$1 million from us for tax relief. Councilman Boles spoke in opposition to the amendment and asked Council to pass the motion as presented. He also spoke of having a fresh set of eyes and perhaps engage the public with the process. He said until we can examine our options we can’t make good decisions and we owe it to the residents to be able to lower their taxes, which is the primary function of the Town. He asked Council not to pass the Mayor’s amendment. Mayor Woolsey commented that it is inappropriate to the staff for the work they’ve done and to the Town Attorney who has the most expertise in this area. He is opposed to spending money to hire outside legal counsel to develop a plan to restructure taxes and it would not lower taxes. After further discussion, the vote follows:

Amendment Vote:

Mayor Woolsey	Yes
Councilman Mullinax	Yes
Councilman Boles	No
Councilwoman Mignano	No

Councilman Milliken No
Amendment Failed

Main Motion

Mayor Woolsey No
Councilman Boles Yes
Councilwoman Mignano Yes
Councilman Milliken Yes
Councilman Mullinax Yes
Main Motion Passed

Provide Additional Funds to Assn. of the Blind and Visually Impaired: Motion in favor by Councilman Boles, seconded by Councilman Mullinax. Mayor Woolsey informed Councilman Boles that his motion was vague; it did not include an amount or where the funds would be taken. Councilman Boles explained that a rep from the Assn. of the Blind and Visually Impaired contacted him and asked if the Town would provide \$50,000 in additional funding. The Town had previously awarded them \$2,000. However, due to their struggles with COVID, they are asking for additional funds. Councilman Boles said he told the rep. (Anne Smith Reid), that he would put the request on Council’s agenda, not that Council could provide the funds and no commitments were made by him. He said the Assn. is appreciative of the Town’s past support but is in need. The Assn. of the Blind and Visually Impaired serves the low country and West Ashley areas for persons with degenerate eye diseases (i.e., cataracts, and diabetes). Councilman Boles moved to amend to provide \$50,000 to fund to the Assn. and it failed lacking a second. As discussion continued, Councilwoman Mignano expressed the good work that the Assn. does. She said some of her patients speak of good benefits they have received from them. She asked if we could look at some line items (i.e. Repair Care) for unused funds that could be given. Councilman Mullinax moved to defer the request to January; to have staff look at the budget to see where and what amount could be given. Councilman Milliken seconded and the motion to defer passed.

Committee Reports:

Land Use Committee: No Report.

Environment and Beautification Committee: Councilman Milliken announced that James Island Pride in conjunction with the Town and the JI Arts & Cultural Center hosted the SC Arbor Day event on Friday, Dec. 3rd and planted three Red Cedar Trees at the JI Arts & Cultural Center. He thanked JI Pride, Town staff, JI Arts & Cultural Center, the Mayor and Councilman Mullinax for their support. James Island Pride will host a litter pickup on Saturday, Jan. 15 at 9 a.m. at the Town Hall. This event will include other adopt-a-highway teams in Charleston. A pizza lunch will be provided after the pickup. A gorilla litter pickup was held Dec. 11 and 20 bags of litter were picked up along Harbor View Rd and Dills Bluff Rd.

Children’s Committee: No Report

Public Safety Committee: Councilman Mullinax announced no meeting in December. Next meeting will be Jan. 27.

History Committee: Mayor Woolsey announced no meeting in December. Next meeting Jan. 4. The committee continues to work on information for the history trail.

ReThink Folly Road: Mayor Woolsey announced that the Steering Committee met Dec. 16 and discussed the next phase of the Folly Rd. Project. He also announced that Councilwoman Mignano has been added as a member of the Steering Committee.

Drainage Committee: Councilman Mullinax announced that the next meeting will be held in January. The date to be announced.

Business Development Committee: Councilman Boles announced no report but plan to have a meeting next week.

Trees Advisory Committee: Councilman Milliken announced that the committee did not meet in December.

James Island Intergovernmental Council: Mayor Woolsey announced that the next meeting will be held in January. Date to be announced.

Proclamations and Resolutions: None.

Ordinances up for First Reading: Ordinance #2021-12: An Ordinance amending the Town of James Island Zoning and Land Development Regulations Ordinance. Number 2013-07, Table 153.110, Replacing the Special Exception (S) Requirement in the RSL Zoning District for Apiculture (bee keeping) with Conditions (C) and Corresponding Applicable Ordinances in Livability Regulations (90.18) and ZLDR Section 153.211. Adding Provisions for Apiculture (bee keeping) on Residential Property. Motion in favor by Councilman Mullinax; no second. Motion failed.

Councilman Boles brought forth a point of order for the development of a plan and Mayor Woolsey advised to bring it up under New Business.

Ordinances up for Second/Final Reading: Ordinance #2021-11: Request to Rezone Property @1622 Camp Rd. from General Office (OG) to Community Commercial (CC) for Beverage and Related Products Manufacturing and Retail Sales and Services Uses. Motion in favor by Councilman Boles, seconded by Councilwoman Mignano. Councilman Boles stated that a lot of people have come out and spoke in opposition to this request. He went there, drove around the back, and looked at it. He has heard the people's concerns, but still think the brewery is a good idea. He asked the residents not to feel like their concerns have been disregarded. Councilman Milliken asked if conditions could be attached to the request. Mayor Woolsey answered that if the request passes, the property would be rezoned by the Planning Commission and then it would go before the BZA as a Special Exception for conditions, such as adding a fence or other restrictions. Motion passed. Mayor Woolsey voted in opposition.

New Business:

Councilman Boles moved to amend the agenda to add an action item to remove bee keeping from all sections and elements of Town Ordinances. Councilwoman Mignano seconded. Councilman Boles spoke briefly about neighbor relationships and that the Town should not make rules just because there are conflicts. He spoke to keeping the government small. Councilman Milliken asked if bee keeping is currently in our Land Use Ordinance, to which Mayor Woolsey answered yes, that it is permitted as a Special Exception in residential areas. He said the Ordinance proposed by staff would have made it an allowed use and not require a Special Exception, but there would be certain conditions. There was discussion of having less regulations and small government in the Town. Councilman Boles commented that just because there is no Ordinance, it does not mean that a law cannot be enforced, giving examples, and reiterating that we should not make Ordinances every time people complain.

Mayor Woolsey recognized that a vote did not come forward to amend the agenda. He then called for the vote to amend the agenda to continue discussion. Motion to amend the agenda was made by Councilman Boles, seconded by Councilwoman Mignano, and passed. After further discussion on ordinances and the enforcement of laws, Mayor Woolsey called for the vote to remove bee keeping from all elements of the Town's Ordinances. He said if the vote passes the Planning Commission it would amend the Zoning and Land Use Ordinance which would require a Public Hearing and two readings. Councilman Boles moved for approval; seconded by Councilwoman Mignano. Councilman Milliken asked about the Land Use Table and Mayor Woolsey answered that if it were to be allowed instead of completely removing it from the Use Table, an "A" would be placed on the table as an allowed use. Councilman Milliken raised concerns about the Town getting sued if it passes and if someone is allergic to bees. And more discussion followed. Mayor Woolsey explained that Ordinances cannot be amended by motions and Councilman Boles stated that is why he wanted a plan to be developed.

Vote

Councilman Boles	Yes
Councilwoman Mignano	Yes
Councilman Milliken	Yes
Councilman Mullinax	No
Mayor Woolsey	No
Passed 3-2	

Executive Session: Not needed.

Announcements/Closing Comments: All members of Council wished everyone a Merry Christmas and Happy New Year.

Adjournment: There being no further business to come before the body, the meeting adjourned at 8:19 p.m.

Respectfully submitted:

Frances Simmons
Town Clerk

Town of James Island

% FY Complete 50%

Monthly Budget Report

Fiscal Year 2021-22

1st Quarter			2nd Quarter			4th Quarter	TOTAL	BUDGET
July	August	September	October	November	December	June		

GENERAL FUND REVENUE

Accommodations Tax					14,665		14,665	25,000
Brokers & Insurance Tax			346			5	351	952,000
Building Permit Fees		884	812		1,620	1,636	4,952	11,000
Business Licenses	8,456	8,067	17,323	10,106	2,974	27,170	74,095	375,000
Contributions/Donations-Park						100	100	
Grant Reimbursement							-	
Franchise Fees	135,813			2,807	43,540		182,160	332,500
Interest Income	29	29	28	29	26		143	500
Alcohol Licenses -LOP							-	10,000
Local Assessment Fees			1,226			759	1,986	2,000
Local Option Sales Tax (PTCF)			121,262	120,719	93,904	189,826	525,711	1,100,050
Local Option Sales Tax (rev)			49,487	47,810	41,090	80,857	219,245	442,000
Miscellaneous	1		588		1,151	25,000	26,741	500
Planning & Zoning Fees	1,586	2,140	1,058	1,144	993	1,005	7,926	12,500
State Aid to Subdivisions					64,844		64,844	273,228
Telecommunications							-	17,000
Homestead Exemption Tax Receipts							-	50,000
Facility Rentals	302	606	152	604	456	300	2,420	5,400
Storm water Fees	900	700	300	400	500	400	3,200	
ARP Allocation			1,854,631				1,854,631	3,709,261
	146,188	11,726	192,283	183,218	265,765	326,658	Total 1,125,338	3,608,678
							% of Budget	31%

ADMINISTRATION

Salaries	31,627	21,068	21,261	21,297	21,261	36,244		152,759	289,306
Benefits, Taxes & Fees	12,966	8,742	8,898	8,902	8,877	13,921		62,308	107,562
Copier	330	337	609	337	337	733		2,682	5,500
Supplies	104	478	456	316	337	175		1,866	7,000
Postage		314	200	3,325	414			4,253	6,000
Information Services	412	4,398	4,281	5,556	3,844	9,550		28,040	67,800
MASC Membership								-	5,500
Insurance	15,216		1,563			13,582	17,801	48,162	48,615
Lobbying Services				2,000			4,000	6,000	
Legal & Professional Services		660	6,769	510	3,401			11,340	69,000
Town Codification		1,493	110	603				2,205	1,400
Advertising			524			24	7	554	5,000
Audit	4,000						8,500	12,500	15,500
Mileage Reimbursement	27	30	27	31	28			143	800
Employee Training & Wellness		540		540			675	1,755	3,800
Dues and Subscriptions	60			60				120	1,500
Training & Travel								-	2,000
Grant Writing Services		500		500	1,500	1,000		3,500	16,000
Employee Appreciation	22	25	25				21	93	800
Mobile Devices	118	171	219	189	106	184		987	2,620
Credit card (Square)	116	180	113	72	95	61		637	
Bank Charges (Payroll Expenses)	309	319	322	322	329	326		1,927	2,000
	65,308	39,254	45,376	44,559	54,135	93,197	Total	341,830	657,703
							% of Budget		52%

ELECTED OFFICIALS

Salaries	5,654	3,769	3,769	3,769	3,769	5,654		26,384	50,000
Benefit, Taxes & Fees	6,464	4,328	4,347	4,347	4,347	6,521		30,355	49,000
Mayor Expense	60			60				120	1,000
Council Expense								-	2,000
Mobile Devices	38	38	38	38	38	38		228	500
	12,216	8,136	8,154	8,214	8,154	12,213	Total	57,088	102,500
							% of Budget		56%

GENERAL OPERATIONS

Salaries	39,468	27,807	28,013	24,177	23,364	34,826		177,654	393,157
Benefits, Taxes & Fees	13,969	10,093	10,634	9,467	9,019	12,659		65,841	139,500
								243,495	532,657
							% of Budget		46%

PLANNING

Supplies						24		24	600
Advertising			105			79	222	407	1,500
Mileage Reimbursement								-	200
Dues and Subscriptions								-	715
Training & Travel								-	1,000
Mobile Devices	(109)	(59)	(70)	30	29	29		(151)	660
Equipment/Software	178	199	221	199	210	199		1,206	1,960
Uniform / PPE								-	500
Planning Commission		150	200	200				550	4,000
Board of Zoning Appeals	150	50						200	4,000
	218	340	456	429	342	450	Total	2,236	15,135
							% of Budget		15%

BUILDING INSPECTION

Mileage Reimbursement								-	500
Community Outreach								-	250
Mobile Devices	50	41	30					120	780
Supplies								-	600
Equipment / Software								-	300
Uniform / PPE								-	250
Dues & Subscriptions								-	800
Travel & Training								-	1,400
	50	41	30	-	-	-	Total	120	4,880
							% of Budget		2%

PUBLIC WORKS

Mileage Reimbursement					23			23	300
Training & Travel								-	1,925
Public Outreach					20			20	500
Projects		770	303	28,976		47		30,096	120,000
Signage	69	1,616						1,685	8,000
Mobile Devices	6	132	32	89	89	59		406	1,345
Uniform / PPE				195	100			295	700
Supplies	136	252	220	1,072		39		1,719	8,000
Emergency Management	492	552	590	542	542	557		3,275	25,000
Dues and Subscriptions		225		13				238	425
Asset Management	25,000	39	39	581	39	39		25,737	35,000
Tree Maintenance and Care						1,040		1,040	20,000
Groundskeeping	9,453	118	4,175	4,401	4,912	4,312		27,372	70,000
	35,156	3,705	5,359	35,869	5,725	6,093	Total	91,906	291,195
							% of Budget		32%

CODES & SAFETY

Mileage Reimbursement								-	100
Equipment								-	900
Radio Contract		342				342		684	1,400
Training								-	500
Supplies			828		27			855	250
Uniform / PPE								-	250
ISP Dedicated Officer Annual Expense					13,377			13,377	64,830
ISP Programs & Supplies	30	665	1,040	868	44	2,039		4,685	15,000
ISP Salaries	13,174	15,570	16,515	15,539	17,848	26,837		105,482	188,955
Benefits, Taxes & Fees-ISP	3,545	4,294	4,531	4,262	4,844	7,418		28,894	56,270
Unsafe Buildings Demolition		9,950						9,950	10,000
Overgrown Lot Clearing								-	2,000
Animal Control						3,000		3,000	500
Crime Watch Materials						273		273	250
Mobile Devices	30	30		30	29	29		147	360
Membership/Dues								-	250
	16,779	30,850	22,914	20,698	36,169	39,937	Total	167,347	341,815
							% of Budget		49%

PARKS & RECREATION

JIRC Contribution								-	4,750
Park Maintenance	1,170	4,868	559	1,039	479	529		8,645	12,000
Special Events			507	432				939	5,000
Youth Sports Program						1,400		1,400	14,725
		4,868	1,066	1,471	1,879	529	Total	10,984	36,475
							% of Budget		30%

FACILITIES & EQUIPMENT

Utilities		3,476	3,139	2,865	2,760	2,630		14,870	42,000
Security Monitoring	76	91	152		76	76		471	1,000
Janitorial	587	550	617	625	550	587		3,516	7,920
Equipment / Furniture				137				137	5,700
Facilities Maintenance			75	2,080	118	75		2,349	6,500
Vehicle Maintenance Expense	339	427	1,692	699	302	199		3,657	6,500
Fees and Taxes						407		407	
Generator Maintenance		1,566						1,566	2,410
Street Lights		12,983	12,971	13,377	14,346	12,906		66,584	154,000
	1,002	19,093	18,646	19,783	18,153	16,880	Total	93,556	226,030
							% of Budget		41%

COMMUNITY SERVICES

Repair Care Program	500		12,800			13,300	35,000
Teen Cert Program						-	500
Drainage Council						-	500
History Council	618			1,016		1,634	3,780
Neighborhood Council	34			11		45	3,750
Childrens Council						-	500
Business Development Council						-	3,500
James Island Pride		75				75	3,500
Helping Hands	375			34		409	500
Tree Council		299		101		401	3,500
Community Service Contributions				30,000		30,000	30,000
	1,152	375	12,800	31,163	-	Total	85,030
						% of Budget	54%

CAPITAL PROJECTS

<u>INFRASTRUCTURE</u>						-	
Dills Bluff Sidewalk Phase III				3016		3,016	174,570
Dills Bluff Sidewalk, Phase IV						-	28,000
Lighthouse Point & Ft. Johnson Intersection						-	38,000
Lighthouse Point Blvd Sidewalk and Drainage Phase I						-	55,000
Regatta Road Sidewalk				153		153	133,500
Town Hall Solar Panels						-	100,000
Capital Improvement Projects						-	25,000
Secessionville to Ft. Johnson Sidewalk Connector						-	13,000
Nabors Phase I						-	25,500
Underground Power Lines						-	60,636
Hazard Mitigation Project				339		339	
Traffic Calming Projects						-	30,000
Water Quality/Sewer Infrastructure Projects							1,854,630
						Total	2,537,836
						% of Budget	0%
<u>Capital Equipment</u>							
LPR Camera - HBVR						-	24,510

PARK IMPROVEMENTS									
Pinckney Park			11792		-17			11,775	14,030
Park Projects								-	69,000
DRAINAGE PROJECTS									
Greenhill/Honey Hill Drainage Phase I-II			5600			4450	4733	14,783	261,000
Lighthouse Pt. Sdwalk & Drainage Phase 1								-	55,000
Oceanview Stonepost Drainage Basin -I-II	3728		141	12563			1300	17,732	59,000
Drainage Outflow Valve Devices								-	48,000
Drainage Improvement Projects								-	2,004,631
James Island Creek Basin Drainage Improvements								-	145,500
Highwood Circle Drainage Improvements								-	29,600
Quail Run Drainage Improvements			5125			6000		11,125	35,000
Highland Ave Drainage Improvements								-	90,975
	0	3,728	22,658	12,546	10,789	9,202	Total	62,430	2,728,706
							% of Budget		2%

JIPSD FIRE & SOLID WASTE SERVICES

JIPSD Tax Relief	89,000	89,000	89,000	89,000	89,000	89,000		534,000	1,068,000
Auditor Expense								-	5,000
							Total	534,000	1,073,000
							% of Budget		50%

HOSPITALITY TAX

Hospitality Tax Revenue	58,426	57,651	54,835		92,873			263,785	540,000
Hospitality Tax Transfer In								-	210,600
TOTAL							Total	263,785	750,600
							% of Budget		0

<u>GENERAL</u>									
The Town Market								-	2,975
Rethink Folly Phase I-III, Staff Cost-Sharing				6,018		2,305		8,323	20,000
Santee Street Public Parking Lot	14,400							14,400	28,200
James Island Arts & Cultural Center Ops	1,339	6,584	10,662	6,853	8,688	9,756		43,882	105,200
Promotional Grants					7,000			7,000	20,000
Public Safety of Tourism Areas	5,583	6,802	7,362	6,890	12,038	12,098		50,772	108,101
Camp and Folly Landscaping Maintenance								-	5,400
Community Events		2,000			484	1,021		3,504	5,000
Total Non-Capital Expense							Total	127,881	294,876
							% of Budget		43%
<u>PROJECTS</u>									
Camp/Folly Bus Shelter								-	25,000
Hazzard Mitigation Project					339			339	
Wayfinding Signage								-	12,000
Folly Road Beautification								-	10,000
Brantley Park		4,156		11,275	189	5,453		21,073	234,837
Brantley Park Ops			600		200			800	
James Island Arts & Cultural Center	365	76,263	9,429	291	2,088	7,450		95,886	200,000
James Island Arts and Cultural Center Solar Panels								-	100,000
Ft. Johnson								-	100,000
Decorative Banners								-	8,400
Park Projects								-	23,000
Intersection Improvement at Camp/Dills Bluff								-	55,200
1248 Camp Center-Civil & Landscape								-	150,000
Folly Road Multi Use Path Wilton-Ft. Johnson								-	42,000
Other Tourism-Related Projects								-	50,000
							Total		1,010,437
	21,687	95,805	28,053	31,328	31,025	38,082	% of Budget	637,646	0%

TREE MITIGATION FUND

Tree Mitigation revenue								1,392	500
Tree Mitigation expense								-	500
	-	-	-	-	-	-	Total	1,392	

ADMINISTRATOR'S REPORT

Jan-22

ADMIN NOTES

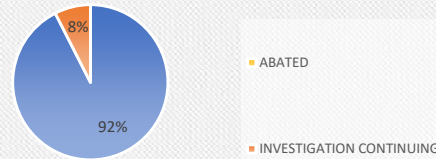
- 1) Capital Consulting Group Lastest Report distributed
- 2) PARD grant for Dock St improvements have been submitted
- 3) Highland Drainage Project began construction week of Jan 10th
- 4) Treasuruy has issued a final rule on the ARPA funds that gives guidance on spending. **Please find attached**
- 5) Staff met with HW Exhibits on a draft for history exhibit concepts - after edits are made, will go to History Council for recommendations, then Council
- 6) Town has 2 positions advertised: Town Administrator Position and Construction Specialist II position through P&C (Monster) and MASC.

Business Licenses	41
*21 of those processed at Town hall	
Code Enforcement Cases	
TOTAL CASES	773
ABATED	715
INVESTIGATION CONTINUING	58
RANK VEGETATION / SOLID WASTE	199
INOPERABLE VEHICLE	134
TREE CASES	66
NUISANCE PROPERTY	59

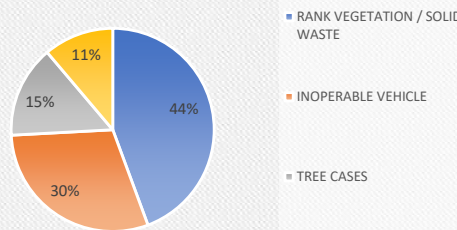
*5 new cases in Dec.
James Island Arts and Cultural Center

Jennifer Ashe Thompson led watercolor classes.
Youth Leadership classes on Tuesdays.
Newest rotation of art from Camp Road Middle School on exhibit.
James Island High School Art is on exhibit.
The Great Charleston Earthquake of 1886, a new traveling exhibit
Exhibiting artists are Mary Edna Frasier, Pat Hiott-Mason, Jennifer Ashe Thompson, Gloria Sherman, Sara La Bissoniere, Sherry Brown, Jack Morse, Jeanne Kay Juhos, Eva Arizmendi
2 watercolor groups met at the Center on Mondays and Tuesdays.
History Council met at the Center.
Homeschool art classes on Mondays and Wednesdays.
Watercolor classes on Wednesdays, drawing and color pencil drawing classes on Thursdays.
New Youth Leadership class on Tuesdays.
Vision Board party for teens.
New art rotations from Camp. Rd. Middle School and JIHS.

Code Enforcement - Case Status



Code Enforcement - Case Type



PERMIT TYPE	Dec-21
ACCESSORY STRUCTURE	
CLEARING & GRUBBING	
DEMOLITION PERMIT	
EXEMPT PLATS	
FIREWORK STAND	
HOME OCCUPATION	2
LSPR	
NON-EXEMPT PLAT	
PD AMENDMENT (REZONING)	
RESIDENTIAL ZONING	13
REZONING	
SPR	
SIGN PERMIT	-
SITE PLAN REVIEW	
SPECIAL EVENT	1
SPECIAL EXCEPTION	
TEMPORARY ZONING	4
TREE REMOVAL	3
TREE TRIMMING	
VARIANCE	
ZONING PERMIT	4
TOTAL	27

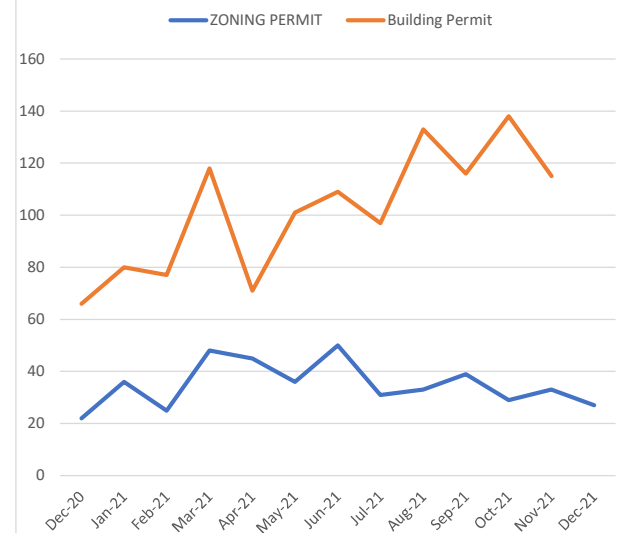
PUBLIC WORKS NOTES

- 1) There were 4 new requests for service in December. 2 were drainage related. Staff has responded to all requests.
- 2) Staff held the monthly meeting of stormwater managers.
- 3) Staff has been monitoring the Lighthouse Blvd Drainage and Sidewalk project. More of the drainage portion was continued up Lighthouse Blvd. to Fort Johnson
- 4) Staff participated in the preconstruction meeting for Brantley Park improvements.
- 5) Staff assisted with the annual Town Tree Lighting.
- 6) Staff arranged for Town staff to receive Active Shooter training.
- 7) Staff participated in the annual planning meeting for the South Carolina Association of Stormwater Managers.
- 8) Staff participated in the planning field visit for the next phase of the Dills Bluff Sidewalk.
- 9) Staff participated in the meeting of the James Island Creek Task Force.
- 10) Staff had Town vehicles fitted with devices allowing them to be fueled at Charleston County facilities.
- 11) Staff arranged for a facilities security evaluation. Staff replaced 5 street name sign in December and used 20 bags of pothole patch on 16 potholes. Staff cut vegetation on right of way to improve driver vision in various locations.

Building Permits & Inspections

Current Month	
Previous Month	115

PERMITS - 13 MONTH HISTORY





Coronavirus State & Local Fiscal Recovery Funds: Overview of the Final Rule

U.S. DEPARTMENT OF THE TREASURY

January 2022



The Overview of the Final Rule provides a summary of major provisions of the final rule for informational purposes and is intended as a brief, simplified user guide to the final rule provisions.

The descriptions provided in this document summarize key provisions of the final rule but are non-exhaustive, do not describe all terms and conditions associated with the use of SLFRF, and do not describe all requirements that may apply to this funding. Any SLFRF funds received are also subject to the terms and conditions of the agreement entered into by Treasury and the respective jurisdiction, which incorporate the provisions of the final rule and the guidance that implements this program.



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Introduction

The Coronavirus State and Local Fiscal Recovery Funds (SLFRF), a part of the American Rescue Plan, delivers \$350 billion to state, local, and Tribal governments across the country to support their response to and recovery from the COVID-19 public health emergency. The program ensures that governments have the resources needed to:

- Fight the pandemic and support families and businesses struggling with its public health and economic impacts,
- Maintain vital public services, even amid declines in revenue, and
- Build a strong, resilient, and equitable recovery by making investments that support long-term growth and opportunity.

EARLY PROGRAM IMPLEMENTATION

In May 2021, Treasury published the Interim final rule (IFR) describing eligible and ineligible uses of funds (as well as other program provisions), sought feedback from the public on these program rules, and began to distribute funds. The IFR went immediately into effect in May, and since then, governments have used SLFRF funds to meet their immediate pandemic response needs and begin building a strong and equitable recovery, such as through providing vaccine incentives, development of affordable housing, and construction of infrastructure to deliver safe and reliable water.

As governments began to deploy this funding in their communities, Treasury carefully considered the feedback provided through its public comment process and other forums. Treasury received over 1,500 comments, participated in hundreds of meetings, and received correspondence from a wide range of governments and other stakeholders.

KEY CHANGES AND CLARIFICATIONS IN THE FINAL RULE

The final rule delivers broader flexibility and greater simplicity in the program, responsive to feedback in the comment process. Among other clarifications and changes, the final rule provides the features below.

Replacing Lost Public Sector Revenue

The final rule offers a standard allowance for revenue loss of \$10 million, allowing recipients to select between a standard amount of revenue loss or complete a full revenue loss calculation. Recipients that select the standard allowance may use that amount – in many cases their full award – for government services, with streamlined reporting requirements.

Public Health and Economic Impacts

In addition to programs and services, the final rule clarifies that recipients can use funds for capital expenditures that support an eligible COVID-19 public health or economic response. For example, recipients may build certain affordable housing, childcare facilities, schools, hospitals, and other projects consistent with final rule requirements.



In addition, the final rule provides an expanded set of households and communities that are presumed to be “impacted” and “disproportionately impacted” by the pandemic, thereby allowing recipients to provide responses to a broad set of households and entities without requiring additional analysis. Further, the final rule provides a broader set of uses available for these communities as part of COVID-19 public health and economic response, including making affordable housing, childcare, early learning, and services to address learning loss during the pandemic eligible in all impacted communities and making certain community development and neighborhood revitalization activities eligible for disproportionately impacted communities.

Further, the final rule allows for a broader set of uses to restore and support government employment, including hiring above a recipient’s pre-pandemic baseline, providing funds to employees that experienced pay cuts or furloughs, avoiding layoffs, and providing retention incentives.

Premium Pay

The final rule delivers more streamlined options to provide premium pay, by broadening the share of eligible workers who can receive premium pay without a written justification while maintaining a focus on lower-income and frontline workers performing essential work.

Water, Sewer & Broadband Infrastructure

The final rule significantly broadens eligible broadband infrastructure investments to address challenges with broadband access, affordability, and reliability, and adds additional eligible water and sewer infrastructure investments, including a broader range of lead remediation and stormwater management projects.

FINAL RULE EFFECTIVE DATE

The final rule takes effect on April 1, 2022. Until that time, the interim final rule remains in effect; funds used consistently with the IFR while it is in effect are in compliance with the SLFRF program.

However, recipients can choose to take advantage of the final rule’s flexibilities and simplifications now, even ahead of the effective date. Treasury will not take action to enforce the interim final rule to the extent that a use of funds is consistent with the terms of the final rule, regardless of when the SLFRF funds were used. Recipients may consult the *Statement Regarding Compliance with the Coronavirus State and Local Fiscal Recovery Funds Interim Final Rule and Final Rule*, which can be found on Treasury’s website, for more information on compliance with the interim final rule and the final rule.



Overview of the Program

The Coronavirus State and Local Fiscal Recovery Funds (SLFRF) program provides substantial flexibility for each jurisdiction to meet local needs within the four separate eligible use categories. This Overview of the Final Rule addresses the four eligible use categories ordered from the broadest and most flexible to the most specific.

Recipients may use SLFRF funds to:

- **Replace lost public sector revenue**, using this funding to provide government services up to the amount of revenue loss due to the pandemic.
 - Recipients may determine their revenue loss by choosing between two options:
 - A standard allowance of up to \$10 million in aggregate, not to exceed their award amount, during the program;
 - Calculating their jurisdiction’s specific revenue loss each year using Treasury’s formula, which compares actual revenue to a counterfactual trend.
 - Recipients may use funds up to the amount of revenue loss for government services; generally, services traditionally provided by recipient governments are government services, unless Treasury has stated otherwise.
- **Support the COVID-19 public health and economic response** by addressing COVID-19 and its impact on public health as well as addressing economic harms to households, small businesses, nonprofits, impacted industries, and the public sector.
 - Recipients can use funds for programs, services, or capital expenditures that respond to the public health and negative economic impacts of the pandemic.
 - To provide simple and clear eligible uses of funds, Treasury provides a list of enumerated uses that recipients can provide to households, populations, or classes (i.e., groups) that experienced pandemic impacts.
 - Public health eligible uses include COVID-19 mitigation and prevention, medical expenses, behavioral healthcare, and preventing and responding to violence.
 - Eligible uses to respond to negative economic impacts are organized by the type of beneficiary: assistance to households, small businesses, and nonprofits.
 - Each category includes assistance for “impacted” and “disproportionately impacted” classes: impacted classes experienced the general, broad-based impacts of the pandemic, while disproportionately impacted classes faced meaningfully more severe impacts, often due to preexisting disparities.
 - To simplify administration, the final rule presumes that some populations and groups were impacted or disproportionately impacted and are eligible for responsive services.

Coronavirus State & Local Fiscal Recovery Funds: Overview of the Final Rule



- Eligible uses for assistance to impacted households include aid for re-employment, job training, food, rent, mortgages, utilities, affordable housing development, childcare, early education, addressing learning loss, and many more uses.
- Eligible uses for assistance to impacted small businesses or nonprofits include loans or grants to mitigate financial hardship, technical assistance for small businesses, and many more uses.
- Recipients can also provide assistance to impacted industries like travel, tourism, and hospitality that faced substantial pandemic impacts, or address impacts to the public sector, for example by re-hiring public sector workers cut during the crisis.
- Recipients providing funds for enumerated uses to populations and groups that Treasury has presumed eligible are clearly operating consistently with the final rule. Recipients can also identify (1) other populations or groups, beyond those presumed eligible, that experienced pandemic impacts or disproportionate impacts and (2) other programs, services, or capital expenditures, beyond those enumerated, to respond to those impacts.
- **Provide premium pay for eligible workers performing essential work**, offering additional support to those who have and will bear the greatest health risks because of their service in critical sectors.
 - Recipients may provide premium pay to eligible workers – generally those working in-person in key economic sectors – who are below a wage threshold or non-exempt from the Fair Labor Standards Act overtime provisions, or if the recipient submits justification that the premium pay is responsive to workers performing essential work.
- **Invest in water, sewer, and broadband infrastructure**, making necessary investments to improve access to clean drinking water, to support vital wastewater and stormwater infrastructure, and to expand affordable access to broadband internet.
 - Recipients may fund a broad range of water and sewer projects, including those eligible under the EPA’s Clean Water State Revolving Fund, EPA’s Drinking Water State Revolving Fund, and certain additional projects, including a wide set of lead remediation, stormwater infrastructure, and aid for private wells and septic units.
 - Recipients may fund high-speed broadband infrastructure in areas of need that the recipient identifies, such as areas without access to adequate speeds, affordable options, or where connections are inconsistent or unreliable; completed projects must participate in a low-income subsidy program.

While recipients have considerable flexibility to use funds to address the diverse needs of their communities, some restrictions on use apply across all eligible use categories. These include:

- **For states and territories:** No offsets of a reduction in net tax revenue resulting from a change in state or territory law.

Coronavirus State & Local Fiscal Recovery Funds: Overview of the Final Rule



- **For all recipients except for Tribal governments:** No extraordinary contributions to a pension fund for the purpose of reducing an accrued, unfunded liability.
- **For all recipients:** No payments for debt service and replenishments of rainy day funds; no satisfaction of settlements and judgments; no uses that contravene or violate the American Rescue Plan Act, Uniform Guidance conflicts of interest requirements, and other federal, state, and local laws and regulations.

Under the SLFRF program, funds must be used for costs incurred on or after March 3, 2021. Further, funds must be obligated by December 31, 2024, and expended by December 31, 2026. This time period, during which recipients can expend SLFRF funds, is the “period of performance.”

In addition to SLFRF, the American Rescue Plan includes other sources of funding for state and local governments, including the [Coronavirus Capital Projects Fund](#) to fund critical capital investments including broadband infrastructure; the [Homeowner Assistance Fund](#) to provide relief for our country’s most vulnerable homeowners; the [Emergency Rental Assistance Program](#) to assist households that are unable to pay rent or utilities; and the [State Small Business Credit Initiative](#) to fund small business credit expansion initiatives. Eligible recipients are encouraged to visit the Treasury website for more information.



Replacing Lost Public Sector Revenue

The Coronavirus State and Local Fiscal Recovery Funds provide needed fiscal relief for recipients that have experienced revenue loss due to the onset of the COVID-19 public health emergency. Specifically, SLFRF funding may be used to pay for “government services” in an amount equal to the revenue loss experienced by the recipient due to the COVID-19 public health emergency.

Government services generally include any service traditionally provided by a government, including construction of roads and other infrastructure, provision of public safety and other services, and health and educational services. Funds spent under government services are subject to streamlined reporting and compliance requirements.

In order to use funds under government services, recipients should first determine revenue loss. They may, then, spend up to that amount on general government services.

DETERMINING REVENUE LOSS

Recipients have two options for how to determine their amount of revenue loss. Recipients must choose one of the two options and cannot switch between these approaches after an election is made.

- 1. Recipients may elect a “standard allowance” of \$10 million to spend on government services through the period of performance.**

Under this option, which is newly offered in the final rule Treasury presumes that up to \$10 million in revenue has been lost due to the public health emergency and recipients are permitted to use that amount (not to exceed the award amount) to fund “government services.” The standard allowance provides an estimate of revenue loss that is based on an extensive analysis of average revenue loss across states and localities, and offers a simple, convenient way to determine revenue loss, particularly for SLFRF’s smallest recipients.

All recipients may elect to use this standard allowance instead of calculating lost revenue using the formula below, including those with total allocations of \$10 million or less. Electing the standard allowance does not increase or decrease a recipient’s total allocation.

- 2. Recipients may calculate their actual revenue loss according to the formula articulated in the final rule.**

Under this option, recipients calculate revenue loss at four distinct points in time, either at the end of each calendar year (e.g., December 31 for years 2020, 2021, 2022, and 2023) or the end of each fiscal year of the recipient. Under the flexibility provided in the final rule, recipients can choose whether to use calendar or fiscal year dates but must be consistent throughout the period of performance. Treasury has also provided several adjustments to the definition of general revenue in the final rule.

To calculate revenue loss at each of these dates, recipients must follow a four-step process:



- a. Calculate revenues collected in the most recent full fiscal year prior to the public health emergency (i.e., last full fiscal year before January 27, 2020), called the *base year revenue*.
- b. Estimate *counterfactual revenue*, which is equal to the following formula, where n is the number of months elapsed since the end of the base year to the calculation date:

$$\text{base year revenue} \times (1 + \text{growth adjustment})^{\frac{n}{12}}$$

The *growth adjustment* is the greater of either a standard growth rate—5.2 percent—or the recipient’s average annual revenue growth in the last full three fiscal years prior to the COVID-19 public health emergency.

- c. Identify *actual revenue*, which equals revenues collected over the twelve months immediately preceding the calculation date.

Under the final rule, recipients must adjust actual revenue totals for the effect of tax cuts and tax increases that are adopted after the date of adoption of the final rule (January 6, 2022). Specifically, the estimated fiscal impact of tax cuts and tax increases adopted after January 6, 2022, must be added or subtracted to the calculation of actual revenue for purposes of calculation dates that occur on or after April 1, 2022.

Recipients may subtract from their calculation of actual revenue the effect of tax increases enacted prior to the adoption of the final rule. Note that recipients that elect to remove the effect of tax increases enacted before the adoption of the final rule must also remove the effect of tax decreases enacted before the adoption of the final rule, such that they are accurately removing the effect of tax policy changes on revenue.

- d. Revenue loss for the calculation date is equal to *counterfactual revenue* minus *actual revenue* (adjusted for tax changes) for the twelve-month period. If actual revenue exceeds counterfactual revenue, the loss is set to zero for that twelve-month period. Revenue loss for the period of performance is the sum of the revenue loss on for each calculation date.

The supplementary information in the final rule provides an example of this calculation, which recipients may find helpful, in the Revenue Loss section.



SPENDING ON GOVERNMENT SERVICES

Recipients can use SLFRF funds on government services up to the revenue loss amount, whether that be the standard allowance amount or the amount calculated using the above approach. **Government services generally include *any service traditionally provided by a government***, unless Treasury has stated otherwise. Here are some common examples, although this list is not exhaustive:

- ✓ Construction of schools and hospitals
- ✓ Road building and maintenance, and other infrastructure
- ✓ Health services
- ✓ General government administration, staff, and administrative facilities
- ✓ Environmental remediation
- ✓ Provision of police, fire, and other public safety services (including purchase of fire trucks and police vehicles)

Government services is the most flexible eligible use category under the SLFRF program, and funds are subject to streamlined reporting and compliance requirements. Recipients should be mindful that certain restrictions, which are detailed further in the Restrictions on Use section and apply to all uses of funds, apply to government services as well.



Responding to Public Health and Economic Impacts of COVID-19

The Coronavirus State and Local Fiscal Recovery Funds provide resources for governments to meet the public health and economic needs of those impacted by the pandemic in their communities, as well as address longstanding health and economic disparities, which amplified the impact of the pandemic in disproportionately impacted communities, resulting in more severe pandemic impacts.

The eligible use category to respond to public health and negative economic impacts is organized around the types of assistance a recipient may provide and includes several sub-categories:

- public health,
- assistance to households,
- assistance to small businesses,
- assistance to nonprofits,
- aid to impacted industries, and
- public sector capacity.

In general, to identify eligible uses of funds in this category, recipients should (1) identify a COVID-19 public health or economic impact on an individual or class (i.e., a group) and (2) design a program that responds to that impact. Responses should be related and reasonably proportional to the harm identified and reasonably designed to benefit those impacted.

To provide simple, clear eligible uses of funds that meet this standard, Treasury provides a non-exhaustive list of enumerated uses that respond to pandemic impacts. Treasury also presumes that some populations experienced pandemic impacts and are eligible for responsive services. In other words, recipients providing enumerated uses of funds to populations presumed eligible are clearly operating consistently with the final rule.¹

Recipients also have broad flexibility to (1) identify and respond to other pandemic impacts and (2) serve other populations that experienced pandemic impacts, beyond the enumerated uses and presumed eligible populations. Recipients can also identify groups or “classes” of beneficiaries that experienced pandemic impacts and provide services to those classes.

¹ However, please note that use of funds for enumerated uses may not be grossly disproportionate to the harm. Further, recipients should consult the Capital Expenditures section for more information about pursuing a capital expenditure; please note that enumerated capital expenditures are not presumed to be reasonably proportional responses to an identified harm except as provided in the Capital Expenditures section.



Step	1. Identify COVID-19 public health or economic impact	2. Design a response that addresses or responds to the impact
Analysis	<ul style="list-style-type: none"> • Can identify impact to a specific household, business or nonprofit or to a class of households, businesses, or nonprofits (i.e., group) • Can also identify disproportionate impacts, or more severe impacts, to a specific beneficiary or to a class 	<ul style="list-style-type: none"> • Types of responses can include a program, service, or capital expenditure • Response should be related and reasonably proportional to the harm • Response should also be reasonably designed to benefit impacted individual or class
Simplifying Presumptions	<ul style="list-style-type: none"> • Final Rule presumes certain populations and classes are impacted and disproportionately impacted 	<ul style="list-style-type: none"> • Final Rule provides non-exhaustive list of enumerated eligible uses that respond to pandemic impacts and disproportionate impacts

To assess eligibility of uses of funds, recipients should first determine the sub-category where their use of funds may fit (e.g., public health, assistance to households, assistance to small businesses), based on the entity that experienced the health or economic impact.² Then, recipients should refer to the relevant section for more details on each sub-category.

While the same overall eligibility standard applies to all uses of funds to respond to the public health and negative economic impacts of the pandemic, each sub-category has specific nuances on its application. In addition:

- Recipients interested in using funds for capital expenditures (i.e., investments in property, facilities, or equipment) should review the Capital Expenditures section in addition to the eligible use sub-category.
- Recipients interested in other uses of funds, beyond the enumerated uses, should refer to the section on “Framework for Eligible Uses Beyond Those Enumerated.”

² For example, a recipient interested in providing aid to unemployed individuals is addressing a negative economic impact experienced by a household and should refer to the section on assistance to households. Recipients should also be aware of the difference between “beneficiaries” and “sub-recipients.” Beneficiaries are households, small businesses, or nonprofits that can receive assistance based on impacts of the pandemic that they experienced. On the other hand, sub-recipients are organizations that carry out eligible uses on behalf of a government, often through grants or contracts. Sub-recipients do not need to have experienced a negative economic impact of the pandemic; rather, they are providing services to beneficiaries that experienced an impact.



RESPONDING TO THE PUBLIC HEALTH EMERGENCY

While the country has made tremendous progress in the fight against COVID-19, including a historic vaccination campaign, the disease still poses a grave threat to Americans' health and the economy. Providing state, local, and Tribal governments the resources needed to fight the COVID-19 pandemic is a core goal of the Coronavirus State and Local Fiscal Recovery Funds, as well as addressing the other ways that the pandemic has impacted public health. Treasury has identified several public health impacts of the pandemic and enumerated uses of funds to respond to impacted populations.

- **COVID-19 mitigation and prevention.** The pandemic has broadly impacted Americans and recipients can provide services to prevent and mitigate COVID-19 to the general public or to small businesses, nonprofits, and impacted industries in general. Enumerated eligible uses include:
 - ✓ Vaccination programs, including vaccine incentives and vaccine sites
 - ✓ Testing programs, equipment and sites
 - ✓ Monitoring, contact tracing & public health surveillance (e.g., monitoring for variants)
 - ✓ Public communication efforts
 - ✓ Public health data systems
 - ✓ COVID-19 prevention and treatment equipment, such as ventilators and ambulances
 - ✓ Medical and PPE/protective supplies
 - ✓ Support for isolation or quarantine
 - ✓ Ventilation system installation and improvement
 - ✓ Technical assistance on mitigation of COVID-19 threats to public health and safety
 - ✓ Transportation to reach vaccination or testing sites, or other prevention and mitigation services for vulnerable populations
 - ✓ Support for prevention, mitigation, or other services in congregate living facilities, public facilities, and schools
 - ✓ Support for prevention and mitigation strategies in small businesses, nonprofits, and impacted industries
 - ✓ Medical facilities generally dedicated to COVID-19 treatment and mitigation (e.g., ICUs, emergency rooms)
 - ✓ Temporary medical facilities and other measures to increase COVID-19 treatment capacity
 - ✓ Emergency operations centers & emergency response equipment (e.g., emergency response radio systems)
 - ✓ Public telemedicine capabilities for COVID-19 related treatment



- **Medical expenses.** Funds may be used for expenses to households, medical providers, or others that incurred medical costs due to the pandemic, including:
 - ✓ Unreimbursed expenses for medical care for COVID-19 testing or treatment, such as uncompensated care costs for medical providers or out-of-pocket costs for individuals
 - ✓ Paid family and medical leave for public employees to enable compliance with COVID-19 public health precautions
 - ✓ Emergency medical response expenses
 - ✓ Treatment of long-term symptoms or effects of COVID-19

- **Behavioral health care, such as mental health treatment, substance use treatment, and other behavioral health services.** Treasury recognizes that the pandemic has broadly impacted Americans' behavioral health and recipients can provide these services to the general public to respond. Enumerated eligible uses include:
 - ✓ Prevention, outpatient treatment, inpatient treatment, crisis care, diversion programs, outreach to individuals not yet engaged in treatment, harm reduction & long-term recovery support
 - ✓ Enhanced behavioral health services in schools
 - ✓ Services for pregnant women or infants born with neonatal abstinence syndrome
 - ✓ Support for equitable access to reduce disparities in access to high-quality treatment
 - ✓ Peer support groups, costs for residence in supportive housing or recovery housing, and the 988 National Suicide Prevention Lifeline or other hotline services
 - ✓ Expansion of access to evidence-based services for opioid use disorder prevention, treatment, harm reduction, and recovery
 - ✓ Behavioral health facilities & equipment

- **Preventing and responding to violence.** Recognizing that violence – and especially gun violence – has increased in some communities due to the pandemic, recipients may use funds to respond in these communities through:
 - ✓ Referrals to trauma recovery services for victims of crime
 - ✓ Community violence intervention programs, including:
 - Evidence-based practices like focused deterrence, with wraparound services such as behavioral therapy, trauma recovery, job training, education, housing and relocation services, and financial assistance
 - ✓ In communities experiencing increased gun violence due to the pandemic:
 - Law enforcement officers focused on advancing community policing
 - Enforcement efforts to reduce gun violence, including prosecution
 - Technology & equipment to support law enforcement response



RESPONDING TO NEGATIVE ECONOMIC IMPACTS

The pandemic caused severe economic damage and, while the economy is on track to a strong recovery, much work remains to continue building a robust, resilient, and equitable economy in the wake of the crisis and to ensure that the benefits of this recovery reach all Americans. While the pandemic impacted millions of American households and businesses, some of its most severe impacts fell on low-income and underserved communities, where pre-existing disparities amplified the impact of the pandemic and where the most work remains to reach a full recovery.

The final rule recognizes that the pandemic caused broad-based impacts that affected many communities, households, and small businesses across the country; for example, many workers faced unemployment and many small businesses saw declines in revenue. The final rule describes these as “impacted” households, communities, small businesses, and nonprofits.

At the same time, the pandemic caused disproportionate impacts, or more severe impacts, in certain communities. For example, low-income and underserved communities have faced more severe health and economic outcomes like higher rates of COVID-19 mortality and unemployment, often because pre-existing disparities exacerbated the impact of the pandemic. The final rule describes these as “disproportionately impacted” households, communities, small businesses, and nonprofits.

To simplify administration of the program, the final rule presumes that certain populations were “impacted” and “disproportionately impacted” by the pandemic; these populations are presumed to be eligible for services that respond to the impact they experienced. The final rule also enumerates a non-exhaustive list of eligible uses that are recognized as responsive to the impacts or disproportionate impacts of COVID-19. Recipients providing enumerated uses to populations presumed eligible are clearly operating consistently with the final rule.

As discussed further in the section Framework for Eligible Uses Beyond Those Enumerated, recipients can also identify other pandemic impacts, impacted or disproportionately impacted populations or classes, and responses.



Assistance to Households

Impacted Households and Communities

Treasury presumes the following households and communities are impacted by the pandemic:

- ✓ Low- or-moderate income households or communities
- ✓ Households that experienced unemployment
- ✓ Households that experienced increased food or housing insecurity
- ✓ Households that qualify for the Children’s Health Insurance Program, Childcare Subsidies through the Child Care Development Fund (CCDF) Program, or Medicaid
- ✓ *When providing affordable housing programs:* households that qualify for the National Housing Trust Fund and Home Investment Partnerships Program
- ✓ *When providing services to address lost instructional time in K-12 schools:* any student that lost access to in-person instruction for a significant period of time

Low- or moderate-income households and communities are those with (i) income at or below 300 percent of the Federal Poverty Guidelines for the size of the household based on the most recently published poverty guidelines or (ii) income at or below 65 percent of the area median income for the county and size of household based on the most recently published data. For the vast majority of communities, the Federal Poverty Guidelines are higher than the area’s median income and using the Federal Poverty Guidelines would result in more households and communities being presumed eligible. Treasury has provided an easy-to-use spreadsheet with Federal Poverty Guidelines and area median income levels on its website.

Recipients can measure income for a specific household or the median income for the community, depending on whether the response they plan to provide serves specific households or the general community. The income thresholds vary by household size; recipients should generally use income thresholds for the appropriate household size but can use a default household size of three when easier for administration or when measuring income for a general community.

The income limit for 300 percent of the Federal Poverty Guidelines for a household of three is \$65,880 per year.³ In other words, recipients can always presume that a household earning below this level, or a community with median income below this level, is impacted by the pandemic and eligible for services to respond. Additionally, by following the steps detailed in the section Framework for Eligible Uses Beyond Those Enumerated, recipients may designate additional households as impacted or disproportionately impacted beyond these presumptions, and may also pursue projects not listed below in response to these impacts consistent with Treasury’s standards.

³ For recipients in Alaska, the income limit for 300 percent of the Federal Poverty Guidelines for a household of three is \$82,350 per year. For recipients in Hawaii, the income limit for 300 percent of the Federal Poverty Guidelines for a household of three is \$75,780 per year.



Treasury recognizes the enumerated projects below, which have been expanded under the final rule, as eligible to respond to impacts of the pandemic on households and communities:

- ✓ Food assistance & food banks
- ✓ Emergency housing assistance: rental assistance, mortgage assistance, utility assistance, assistance paying delinquent property taxes, counseling and legal aid to prevent eviction and homelessness & emergency programs or services for homeless individuals, including temporary residences for people experiencing homelessness
- ✓ Health insurance coverage expansion
- ✓ Benefits for surviving family members of individuals who have died from COVID-19
- ✓ Assistance to individuals who want and are available for work, including job training, public jobs programs and fairs, support for childcare and transportation to and from a jobsite or interview, incentives for newly-employed workers, subsidized employment, grants to hire underserved workers, assistance to unemployed individuals to start small businesses & development of job and workforce training centers
- ✓ Financial services for the unbanked and underbanked
- ✓ Burials, home repair & home weatherization
- ✓ Programs, devices & equipment for internet access and digital literacy, including subsidies for costs of access
- ✓ Cash assistance
- ✓ Paid sick, medical, and family leave programs
- ✓ Assistance in accessing and applying for public benefits or services
- ✓ Childcare and early learning services, home visiting programs, services for child welfare-involved families and foster youth & childcare facilities
- ✓ Assistance to address the impact of learning loss for K-12 students (e.g., high-quality tutoring, differentiated instruction)
- ✓ Programs or services to support long-term housing security: including development of affordable housing and permanent supportive housing
- ✓ Certain contributions to an Unemployment Insurance Trust Fund⁴

⁴ Recipients may only use SLFRF funds for contributions to unemployment insurance trust funds and repayment of the principal amount due on advances received under Title XII of the Social Security Act up to an amount equal to (i) the difference between the balance in the recipient's unemployment insurance trust fund as of January 27, 2020 and the balance of such account as of May 17, 2021, plus (ii) the principal amount outstanding as of May 17, 2021 on any advances received under Title XII of the Social Security Act between January 27, 2020 and May 17, 2021. Further, recipients may use SLFRF funds for the payment of any interest due on such Title XII advances. Additionally, a recipient that deposits SLFRF funds into its unemployment insurance trust fund to fully restore the pre-pandemic balance may not draw down that balance and deposit more SLFRF funds, back up to the pre-pandemic balance. Recipients that deposit SLFRF funds into an unemployment insurance trust fund, or use SLFRF funds to repay principal on Title XII advances, may not take action to reduce benefits available to unemployed workers by changing the computation method governing regular unemployment compensation in a way that results in a reduction of average weekly benefit amounts or the number of weeks of benefits payable (i.e., maximum benefit entitlement).



Disproportionately Impacted Households and Communities

Treasury presumes the following households and communities are disproportionately impacted by the pandemic:

- ✓ Low -income households and communities
- ✓ Households residing in Qualified Census Tracts
- ✓ Households that qualify for certain federal benefits⁵
- ✓ Households receiving services provided by Tribal governments
- ✓ Households residing in the U.S. territories or receiving services from these governments

Low-income households and communities are those with (i) income at or below 185 percent of the Federal Poverty Guidelines for the size of its household based on the most recently published poverty guidelines or (ii) income at or below 40 percent of area median income for its county and size of household based on the most recently published data. For the vast majority of communities, the Federal Poverty Guidelines level is higher than the area median income level and using this level would result in more households and communities being presumed eligible. Treasury has provided an easy-to-use spreadsheet with Federal Poverty Guidelines and area median income levels on its website.

Recipients can measure income for a specific household or the median income for the community, depending on whether the service they plan to provide serves specific households or the general community. The income thresholds vary by household size; recipients should generally use income thresholds for the appropriate household size but can use a default household size of three when easier for administration or when measuring income for a general community.

The income limit for 185 percent of the Federal Poverty Guidelines for a household of three is \$40,626 per year.⁶ In other words, recipients can always presume that a household earning below this level, or a community with median income below this level, is disproportionately impacted by the pandemic and eligible for services to respond.

⁵ These programs are Temporary Assistance for Needy Families (TANF), Supplemental Nutrition Assistance Program (SNAP), Free- and Reduced-Price Lunch (NSLP) and/or School Breakfast (SBP) programs, Medicare Part D Low-Income Subsidies, Supplemental Security Income (SSI), Head Start and/or Early Head Start, Special Supplemental Nutrition Program for Women, Infants, and Children (WIC), Section 8 Vouchers, Low-Income Home Energy Assistance Program (LIHEAP), and Pell Grants. For services to address educational disparities, Treasury will recognize Title I eligible schools as disproportionately impacted and responsive services that support the school generally or support the whole school as eligible.

⁶ For recipients in Alaska, the income limit for 185 percent of the Federal Poverty Guidelines for a household of three is \$50,783 per year. For recipients in Hawaii, the income limit for 185 percent of the Federal Poverty Guidelines for a household of three is \$46,731 per year



Treasury recognizes the enumerated projects below, which have been expanded under the final rule, as eligible to respond to disproportionate impacts of the pandemic on households and communities:

- ✓ Pay for community health workers to help households access health & social services
- ✓ Remediation of lead paint or other lead hazards
- ✓ Primary care clinics, hospitals, integration of health services into other settings, and other investments in medical equipment & facilities designed to address health disparities
- ✓ Housing vouchers & assistance relocating to neighborhoods with higher economic opportunity
- ✓ Investments in neighborhoods to promote improved health outcomes
- ✓ Improvements to vacant and abandoned properties, including rehabilitation or maintenance, renovation, removal and remediation of environmental contaminants, demolition or deconstruction, greening/vacant lot cleanup & conversion to affordable housing⁷
- ✓ Services to address educational disparities, including assistance to high-poverty school districts & educational and evidence-based services to address student academic, social, emotional, and mental health needs
- ✓ Schools and other educational equipment & facilities

⁷ Please see the final rule for further details and conditions applicable to this eligible use. This includes Treasury’s presumption that demolition of vacant or abandoned residential properties that results in a net reduction in occupiable housing units for low- and moderate-income individuals in an area where the availability of such housing is lower than the need for such housing is ineligible for support with SLFRF funds.



Assistance to Small Businesses

Small businesses have faced widespread challenges due to the pandemic, including periods of shutdown, declines in revenue, or increased costs. The final rule provides many tools for recipients to respond to the impacts of the pandemic on small businesses, or disproportionate impacts on businesses where pre-existing disparities like lack of access to capital compounded the pandemic's effects.

Small businesses eligible for assistance are those that experienced negative economic impacts or disproportionate impacts of the pandemic and meet the definition of "small business," specifically:

1. Have no more than 500 employees, or if applicable, the size standard in number of employees [established](#) by the Administrator of the Small Business Administration for the industry in which the business concern or organization operates, and
2. Are a small business concern as defined in section 3 of the Small Business Act⁸ (which includes, among other requirements, that the business is independently owned and operated and is not dominant in its field of operation).

Impacted Small Businesses

Recipients can identify small businesses impacted by the pandemic, and measures to respond, in many ways; for example, recipients could consider:

- ✓ Decreased revenue or gross receipts
- ✓ Financial insecurity
- ✓ Increased costs
- ✓ Capacity to weather financial hardship
- ✓ Challenges covering payroll, rent or mortgage, and other operating costs

Assistance to small businesses that experienced negative economic impacts includes the following enumerated uses:

- ✓ Loans or grants to mitigate financial hardship, such as by supporting payroll and benefits, costs to retain employees, and mortgage, rent, utility, and other operating costs
- ✓ Technical assistance, counseling, or other services to support business planning

Disproportionately Impacted Small Businesses

Treasury presumes that the following small businesses are disproportionately impacted by the pandemic:

⁸ 15 U.S.C. 632.



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- ✓ Small businesses operating in Qualified Census Tracts
- ✓ Small businesses operated by Tribal governments or on Tribal lands
- ✓ Small businesses operating in the U.S. territories

Assistance to disproportionately impacted small businesses includes the following enumerated uses, which have been expanded under the final rule:

- ✓ Rehabilitation of commercial properties, storefront improvements & façade improvements
- ✓ Technical assistance, business incubators & grants for start-up or expansion costs for small businesses
- ✓ Support for microbusinesses, including financial, childcare, and transportation costs



Assistance to Nonprofits

Nonprofits have faced significant challenges due to the pandemic’s increased demand for services and changing operational needs, as well as declines in revenue sources such as donations and fees.

Nonprofits eligible for assistance are those that experienced negative economic impacts or disproportionate impacts of the pandemic and meet the definition of “nonprofit”—specifically those that are 501(c)(3) or 501(c)(19) tax-exempt organizations.

Impacted Nonprofits

Recipients can identify nonprofits impacted by the pandemic, and measures to respond, in many ways; for example, recipients could consider:

- ✓ Decreased revenue (e.g., from donations and fees)
- ✓ Financial insecurity
- ✓ Increased costs (e.g., uncompensated increases in service need)
- ✓ Capacity to weather financial hardship
- ✓ Challenges covering payroll, rent or mortgage, and other operating costs

Assistance to nonprofits that experienced negative economic impacts includes the following enumerated uses:

- ✓ Loans or grants to mitigate financial hardship
- ✓ Technical or in-kind assistance or other services that mitigate negative economic impacts of the pandemic

Disproportionately Impacted Nonprofits

Treasury presumes that the following nonprofits are disproportionately impacted by the pandemic:

- ✓ Nonprofits operating in Qualified Census Tracts
- ✓ Nonprofits operated by Tribal governments or on Tribal lands
- ✓ Nonprofits operating in the U.S. territories

Recipients may identify appropriate responses that are related and reasonably proportional to addressing these disproportionate impacts.



Aid to Impacted Industries

Recipients may use SLFRF funding to provide aid to industries impacted by the COVID-19 pandemic. Recipients should first designate an impacted industry and then provide aid to address the impacted industry's negative economic impact.

This sub-category of eligible uses does not separately identify disproportionate impacts and corresponding responsive services.

1. **Designating an impacted industry.** There are two main ways an industry can be designated as "impacted."
 1. If the industry is in the travel, tourism, or hospitality sectors (including Tribal development districts), the industry is impacted.
 2. If the industry is outside the travel, tourism, or hospitality sectors, the industry is impacted if:
 - a. The industry experienced at least 8 percent employment loss from pre-pandemic levels,⁹ or
 - b. The industry is experiencing comparable or worse economic impacts as the national tourism, travel, and hospitality industries as of the date of the final rule, based on the totality of economic indicators or qualitative data (if quantitative data is unavailable), and if the impacts were generally due to the COVID-19 public health emergency.

Recipients have flexibility to define industries broadly or narrowly, but Treasury encourages recipients to define narrow and discrete industries eligible for aid. State and territory recipients also have flexibility to define the industries with greater geographic precision; for example, a state may identify a particular industry in a certain region of a state as impacted.

2. **Providing eligible aid to the impacted industry.** Aid may only be provided to support businesses, attractions, and Tribal development districts operating prior to the pandemic and affected by required closures and other efforts to contain the pandemic. Further, aid should be generally broadly available to all businesses within the impacted industry to avoid potential conflicts of interest, and Treasury encourages aid to be first used for operational expenses, such as payroll, before being used on other types of costs.

⁹ Specifically, a recipient should compare the percent change in the number of employees of the recipient's identified industry and the national Leisure & Hospitality sector in the three months before the pandemic's most severe impacts began (a straight three-month average of seasonally-adjusted employment data from December 2019, January 2020, and February 2020) with the latest data as of the final rule (a straight three-month average of seasonally-adjusted employment data from September 2021, October 2021, and November 2021). For parity and simplicity, smaller recipients without employment data that measure industries in their specific jurisdiction may use data available for a broader unit of government for this calculation (e.g., a county may use data from the state in which it is located; a city may use data for the county, if available, or state in which it is located) solely for purposes of determining whether a particular industry is an impacted industry.



Treasury recognizes the enumerated projects below as eligible responses to impacted industries.

- ✓ Aid to mitigate financial hardship, such as supporting payroll costs, lost pay and benefits for returning employees, support of operations and maintenance of existing equipment and facilities
- ✓ Technical assistance, counseling, or other services to support business planning
- ✓ COVID-19 mitigation and infection prevention measures (see section Public Health)

As with all eligible uses, recipients may pursue a project not listed above by undergoing the steps outlined in the section Framework for Eligible Uses Beyond Those Enumerated.



PUBLIC SECTOR CAPACITY

Recipients may use SLFRF funding to restore and bolster public sector capacity, which supports government’s ability to deliver critical COVID-19 services. There are three main categories of eligible uses to bolster public sector capacity and workforce: Public Safety, Public Health, and Human Services Staff; Government Employment and Rehiring Public Sector Staff; and Effective Service Delivery.

Public Safety, Public Health, and Human Services Staff

SLFRF funding may be used for payroll and covered benefits for public safety, public health, health care, human services and similar employees of a recipient government, for the portion of the employee’s time spent responding to COVID-19. Recipients should follow the steps below.

1. **Identify eligible public safety, public health, and human services staff.** Public safety staff include:

- ✓ Police officers (including state police officers)
- ✓ Sheriffs and deputy sheriffs
- ✓ Firefighters
- ✓ Emergency medical responders
- ✓ Correctional and detention officers
- ✓ Dispatchers and supervisor personnel that directly support public safety staff

Public health staff include:

- ✓ Employees involved in providing medical and other physical or mental health services to patients and supervisory personnel, including medical staff assigned to schools, prisons, and other such institutions
- ✓ Laboratory technicians, medical examiners, morgue staff, and other support services essential for patient care
- ✓ Employees of public health departments directly engaged in public health matters and related supervisory personnel

Human services staff include:

- ✓ Employees providing or administering social services and public benefits
- ✓ Child welfare services employees
- ✓ Child, elder, or family care employees

2. **Assess portion of time spent on COVID-19 response for eligible staff.**

Recipients can use a variety of methods to assess the share of an employees’ time spent responding to COVID-19, including using reasonable estimates—such as estimating the share of time based on discussions with staff and applying that share to all employees in that position.

For administrative convenience, recipients can consider public health and safety employees entirely devoted to responding to COVID-19 (and their payroll and benefits fully covered by SLFRF) if the



employee, or his or her operating unit or division, is “primarily dedicated” to responding to COVID-19. Primarily dedicated means that more than half of the employee, unit, or division’s time is dedicated to responding to COVID-19.

Recipients must periodically reassess their determination and maintain records to support their assessment, although recipients do not need to track staff hours.

3. **Use SLFRF funding for payroll and covered benefits for the portion of eligible staff time spent on COVID-19 response.** SLFRF funding may be used for payroll and covered benefits for the portion of the employees’ time spent on COVID-19 response, as calculated above, through the period of performance.

Government Employment and Rehiring Public Sector Staff

Under the increased flexibility of the final rule, SLFRF funding may be used to support a broader set of uses to restore and support public sector employment. Eligible uses include hiring up to a pre-pandemic baseline that is adjusted for historic underinvestment in the public sector, providing additional funds for employees who experienced pay cuts or were furloughed, avoiding layoffs, providing worker retention incentives, and paying for ancillary administrative costs related to hiring, support, and retention.

- **Restoring pre-pandemic employment.** Recipients have two options to restore pre-pandemic employment, depending on the recipient’s needs.
 - *If the recipient simply wants to hire back employees for pre-pandemic positions:* Recipients may use SLFRF funds to hire employees for the same positions that existed on January 27, 2020 but that were unfilled or eliminated as of March 3, 2021. Recipients may use SLFRF funds to cover payroll and covered benefits for such positions through the period of performance.
 - *If the recipient wants to hire above the pre-pandemic baseline and/or would like to have flexibility in positions:* Recipients may use SLFRF funds to pay for payroll and covered benefits associated with the recipient increasing its number of budgeted FTEs up to 7.5 percent above its pre-pandemic baseline. Specifically, recipients should undergo the following steps:
 - a. Identify the recipient’s budgeted FTE level on January 27, 2020. This includes all budgeted positions, filled and unfilled. This is called the *pre-pandemic baseline*.
 - b. Multiply the pre-pandemic baseline by 1.075. This is called the *adjusted pre-pandemic baseline*.
 - c. Identify the recipient’s budgeted FTE level on March 3, 2021, which is the beginning of the period of performance for SLFRF funds. Recipients may, but are not required to, exclude the number of FTEs dedicated to responding to the COVID-19 public health emergency. This is called the *actual number of FTEs*.
 - d. Subtract the *actual number of FTEs* from the *adjusted pre-pandemic baseline* to calculate the number of FTEs that can be covered by SLFRF funds. Recipients do not have to hire for the same roles that existed pre-pandemic.

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Recipients may use SLFRF funds to cover payroll and covered benefits through the period of performance; these employees must have begun their employment on or after March 3, 2021. Recipients may only use SLFRF funds for additional FTEs hired over the March 3, 2021 level (i.e., the *actual number of FTEs*).

- **Supporting and retaining public sector workers.** Recipients can also use funds in other ways that support the public sector workforce.¹⁰ These include:
 - **Providing additional funding for employees who experienced pay reductions or were furloughed** since the onset of the pandemic, up to the difference in the employee’s pay, taking into account unemployment benefits received.
 - **Maintaining current compensation levels to prevent layoffs.** SLFRF funds may be used to maintain current compensation levels, with adjustments for inflation, in order to prevent layoffs that would otherwise be necessary.
 - **Providing worker retention incentives, including reasonable increases in compensation** to persuade employees to remain with the employer as compared to other employment options. Retention incentives must be entirely additive to an employee’s regular compensation, narrowly tailored to need, and should not exceed incentives traditionally offered by the recipient or compensation that alternative employers may offer to compete for the employees. Treasury presumes that retention incentives that are less than 25 percent of the rate of base pay for an individual employee or 10 percent for a group or category of employees are reasonably proportional to the need to retain employees, as long as other requirements are met.
- **Covering administrative costs associated with administering the hiring, support, and retention programs above.**

Effective Service Delivery

SLFRF funding may be used to improve the efficacy of public health and economic programs through tools like program evaluation, data, and outreach, as well as to address administrative needs caused or exacerbated by the pandemic. Eligible uses include:

- **Supporting program evaluation, data, and outreach through:**

¹⁰ Recipients should be able to substantiate that these uses of funds are substantially due to the public health emergency or its negative economic impacts (e.g., fiscal pressures on state and local budgets) and respond to its impacts. See the final rule for details on these uses.



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- ✓ Program evaluation and evidence resources
 - ✓ Data analysis resources to gather, assess, share, and use data
 - ✓ Technology infrastructure to improve access to and the user experience of government IT systems, as well as technology improvements to increase public access and delivery of government programs and services
- **Addressing administrative needs, including:**
 - ✓ Administrative costs for programs responding to the public health emergency and its economic impacts, including non-SLFRF and non-federally funded programs
 - ✓ Address administrative needs caused or exacerbated by the pandemic, including addressing backlogs caused by shutdowns, increased repair or maintenance needs, and technology infrastructure to adapt government operations to the pandemic (e.g., video-conferencing software, data and case management systems)



CAPITAL EXPENDITURES

As described above, the final rule clarifies that recipients may use funds for programs, services, and capital expenditures that respond to the public health and negative economic impacts of the pandemic. Any use of funds in this category for a capital expenditure must comply with the capital expenditure requirements, in addition to other standards for uses of funds.

Capital expenditures are subject to the same eligibility standard as other eligible uses to respond to the pandemic’s public health and economic impacts; specifically, they must be related and reasonably proportional to the pandemic impact identified and reasonably designed to benefit the impacted population or class.

For ease of administration, the final rule identifies enumerated types of capital expenditures that Treasury has identified as responding to the pandemic’s impacts; these are listed in the applicable sub-category of eligible uses (e.g., public health, assistance to households, etc.). Recipients may also identify other responsive capital expenditures. Similar to other eligible uses in the SLFRF program, no pre-approval is required for capital expenditures.

To guide recipients’ analysis of whether a capital expenditure meets the eligibility standard, recipients (with the exception of Tribal governments) must complete and meet the requirements of a written justification for capital expenditures equal to or greater than \$1 million. For large-scale capital expenditures, which have high costs and may require an extended length of time to complete, as well as most capital expenditures for non-enumerated uses of funds, Treasury requires recipients to submit their written justification as part of regular reporting. Specifically:

If a project has total capital expenditures of	and the use is enumerated by Treasury as eligible, then	and the use is beyond those enumerated by Treasury as eligible, then
Less than \$1 million	No Written Justification required	No Written Justification required
Greater than or equal to \$1 million, but less than \$10 million	Written Justification required but recipients are not required to submit as part of regular reporting to Treasury	Written Justification required and recipients must submit as part of regular reporting to Treasury
\$10 million or more	Written Justification required and recipients must submit as part of regular reporting to Treasury	

A Written Justification includes:

- *Description of the harm or need to be addressed.* Recipients should provide a description of the specific harm or need to be addressed and why the harm was exacerbated or caused by the public health emergency. Recipients may provide quantitative information on the extent and the type of harm, such as the number of individuals or entities affected.



- *Explanation of why a capital expenditure is appropriate.* For example, recipients should include an explanation of why existing equipment and facilities, or policy changes or additional funding to pertinent programs or services, would be inadequate.
- *Comparison of proposed capital project against at least two alternative capital expenditures and demonstration of why the proposed capital expenditure is superior.* Recipients should consider the effectiveness of the capital expenditure in addressing the harm identified and the expected total cost (including pre-development costs) against at least two alternative capital expenditures.

Where relevant, recipients should consider the alternatives of improving existing capital assets already owned or leasing other capital assets.

Treasury presumes that the following capital projects are generally ineligible:

- ✗ Construction of new correctional facilities as a response to an increase in rate of crime
- ✗ Construction of new congregate facilities to decrease spread of COVID-19 in the facility
- ✗ Construction of convention centers, stadiums, or other large capital projects intended for general economic development or to aid impacted industries

In undertaking capital expenditures, Treasury encourages recipients to adhere to strong labor standards, including project labor agreements and community benefits agreements that offer wages at or above the prevailing rate and include local hire provisions. Treasury also encourages recipients to prioritize in their procurements employers with high labor standards and to prioritize employers without recent violations of federal and state labor and employment laws.



FRAMEWORK FOR ELIGIBLE USES BEYOND THOSE ENUMERATED

As described above, recipients have broad flexibility to identify and respond to other pandemic impacts and serve other populations that experienced pandemic impacts, beyond the enumerated uses and presumed eligible populations. Recipients should undergo the following steps to decide whether their project is eligible:

Step	1. Identify COVID-19 public health or economic impact	2. Design a response that addresses or responds to the impact
Analysis	<ul style="list-style-type: none"> • Can identify impact to a specific household, business or nonprofit or to a class of households, businesses or nonprofits (i.e., group) • Can also identify disproportionate impacts, or more severe impacts, to a specific beneficiary or to a class 	<ul style="list-style-type: none"> • Types of responses can include a program, service, or capital expenditure • Response should be related and reasonably proportional to the harm • Response should also be reasonably designed to benefit impacted individual or class

1. Identify a COVID-19 public health or negative economic impact on an individual or a class.

Recipients should identify an individual or class that is “impacted” or “disproportionately impacted” by the COVID-19 public health emergency or its negative economic impacts as well as the specific impact itself.

- “Impacted” entities are those impacted by the disease itself or the harmful consequences of the economic disruptions resulting from or exacerbated by the COVID-19 public health emergency. For example, an individual who lost their job or a small business that saw lower revenue during a period of closure would both have experienced impacts of the pandemic.
- “Disproportionately impacted” entities are those that experienced disproportionate public health or economic outcomes from the pandemic; Treasury recognizes that pre-existing disparities, in many cases, amplified the impacts of the pandemic, causing more severe impacts in underserved communities. For example, a household living in a neighborhood with limited access to medical care and healthy foods may have faced health disparities before the pandemic, like a higher rate of chronic health conditions, that contributed to more severe health outcomes during the COVID-19 pandemic.

The recipient may choose to identify these impacts at either the individual level or at a class level. If the recipient is identifying impacts at the individual level, they should retain documentation supporting the impact the individual experienced (e.g., documentation of lost revenues from a small business). Such documentation can be streamlined in many cases (e.g., self-attestation that a household requires food assistance).

Recipients also have broad flexibility to identify a “class” – or a group of households, small businesses, or nonprofits – that experienced an impact. In these cases, the recipients should



first identify the class and the impact that it faced. Then, recipients only need to document that the individuals served fall within that class; recipients do not need to document a specific impact to each individual served. For example, a recipient could identify that restaurants in the downtown area faced substantial declines in revenue due to decreased foot traffic from workers; the recipient could develop a program to respond to the impact on that class and only needs to document that the businesses being served are restaurants in the downtown area.

Recipients should keep the following considerations in mind when designating a class:

- **There should be a relationship between the definition of the class and the proposed response.** Larger and less-specific classes are less likely to have experienced similar harms, which may make it more difficult to design a response that appropriately responds to those harms.
 - **Classes may be determined on a population basis or on a geographic basis,** and the response should be appropriately matched. For example, a response might be designed to provide childcare to single parents, regardless of which neighborhood they live in, or a response might provide a park to improve the health of a disproportionately impacted neighborhood.
 - **Recipients may designate classes that experienced disproportionate impact,** by assessing the impacts of the pandemic and finding that some populations experienced meaningfully more severe impacts than the general public. To determine these disproportionate impacts, recipients:
 - May designate classes based on academic research or government research publications (such as the citations provided in the supplementary information in the final rule), through analysis of their own data, or through analysis of other existing data sources.
 - May also consider qualitative research and sources to augment their analysis, or when quantitative data is not readily available. Such sources might include resident interviews or feedback from relevant state and local agencies, such as public health departments or social services departments.
 - Should consider the quality of the research, data, and applicability of analysis to their determination in all cases.
 - **Some of the enumerated uses may also be appropriate responses to the impacts experienced by other classes of beneficiaries.** It is permissible for recipients to provide these services to other classes, so long as the recipient determines that the response is also appropriate for those groups.
 - **Recipients may designate a class based on income level, including at levels higher than the final rule definition of "low- and moderate-income."** For example, a recipient may identify that households in their community with incomes above the final rule threshold for low-income nevertheless experienced disproportionate impacts from the pandemic and provide responsive services.
2. **Design a response that addresses or responds to the impact.** Programs, services, and other interventions must be reasonably designed to benefit the individual or class that experienced



the impact. They must also be related and reasonably proportional to the extent and type of impact experienced. For example, uses that bear no relation or are grossly disproportionate to the type or extent of the impact would not be eligible.

“Reasonably proportional” refers to the scale of the response compared to the scale of the harm, as well as the targeting of the response to beneficiaries compared to the amount of harm they experienced; for example, it may not be reasonably proportional for a cash assistance program to provide a very small amount of aid to a group that experienced severe harm and a much larger amount to a group that experienced relatively little harm. Recipients should consider relevant factors about the harm identified and the response to evaluate whether the response is reasonably proportional. For example, recipients may consider the size of the population impacted and the severity, type, and duration of the impact. Recipients may also consider the efficacy, cost, cost-effectiveness, and time to delivery of the response.

For disproportionately impacted communities, recipients may design interventions that address broader pre-existing disparities that contributed to more severe health and economic outcomes during the pandemic, such as disproportionate gaps in access to health care or pre-existing disparities in educational outcomes that have been exacerbated by the pandemic.



Premium Pay

The Coronavirus State and Local Fiscal Recovery Funds may be used to provide premium pay to eligible workers performing essential work during the pandemic. Premium pay may be awarded to eligible workers up to \$13 per hour. Premium pay must be in addition to wages or remuneration (i.e., compensation) the eligible worker otherwise receives. Premium pay may not exceed \$25,000 for any single worker during the program.

Recipients should undergo the following steps to provide premium pay to eligible workers.

- 1. Identify an “eligible” worker.** Eligible workers include workers “needed to maintain continuity of operations of essential critical infrastructure sectors.” These sectors and occupations are eligible:

- ✓ Health care
- ✓ Emergency response
- ✓ Sanitation, disinfection & cleaning
- ✓ Maintenance
- ✓ Grocery stores, restaurants, food production, and food delivery
- ✓ Pharmacy
- ✓ Biomedical research
- ✓ Behavioral health
- ✓ Medical testing and diagnostics
- ✓ Home and community-based health care or assistance with activities of daily living
- ✓ Family or child care
- ✓ Social services
- ✓ Public health
- ✓ Mortuary
- ✓ Critical clinical research, development, and testing necessary for COVID-19 response
- ✓ State, local, or Tribal government workforce
- ✓ Workers providing vital services to Tribes
- ✓ Educational, school nutrition, and other work required to operate a school facility
- ✓ Laundry
- ✓ Elections
- ✓ Solid waste or hazardous materials management, response, and cleanup
- ✓ Work requiring physical interaction with patients
- ✓ Dental care
- ✓ Transportation and warehousing
- ✓ Hotel and commercial lodging facilities that are used for COVID-19 mitigation and containment

Beyond this list, the chief executive (or equivalent) of a recipient government may designate additional non-public sectors as critical so long as doing so is necessary to protecting the health and wellbeing of the residents of such jurisdictions.

- 2. Verify that the eligible worker performs “essential work,”** meaning work that:

- Is not performed while teleworking from a residence; and
- Involves either:
 - a. regular, in-person interactions with patients, the public, or coworkers of the individual that is performing the work; or
 - b. regular physical handling of items that were handled by, or are to be handled by, patients, the public, or coworkers of the individual that is performing the work.



- 3. Confirm that the premium pay “responds to” workers performing essential work during the COVID-19 public health emergency.** Under the final rule, which broadened the share of eligible workers who can receive premium pay without a written justification, recipients may meet this requirement in one of three ways:
- Eligible worker receiving premium pay is earning (with the premium included) at or below 150 percent of their residing state or county’s average annual wage for all occupations, as defined by the Bureau of Labor Statistics’ [Occupational Employment and Wage Statistics](#), whichever is higher, on an annual basis; or
 - Eligible worker receiving premium pay is not exempt from the Fair Labor Standards Act overtime provisions; or
 - If a worker does not meet either of the above requirements, the recipient must submit written justification to Treasury detailing how the premium pay is otherwise responsive to workers performing essential work during the public health emergency. This may include a description of the essential worker’s duties, health, or financial risks faced due to COVID-19, and why the recipient determined that the premium pay was responsive. Treasury anticipates that recipients will easily be able to satisfy the justification requirement for front-line workers, like nurses and hospital staff.

Premium pay may be awarded in installments or lump sums (e.g., monthly, quarterly, etc.) and may be awarded to hourly, part-time, or salaried or non-hourly workers. Premium pay must be paid in addition to wages already received and may be paid retrospectively. A recipient may not use SLFRF to merely reimburse itself for premium pay or hazard pay already received by the worker, and premium pay may not be paid to volunteers.



Water & Sewer Infrastructure

The Coronavirus State and Local Fiscal Recovery Funds may be used to make necessary investments in water and sewer infrastructure. State, local, and Tribal governments have a tremendous need to address the consequences of deferred maintenance in drinking water systems and removal, management, and treatment of sewage and stormwater, along with additional resiliency measures needed to adapt to climate change.

Recipients may undertake the eligible projects below:

PROJECTS ELIGIBLE UNDER EPA'S CLEAN WATER STATE REVOLVING FUND (CWSRF)

Eligible projects under the CWSRF, and the final rule, include:

- ✓ Construction of publicly owned treatment works
- ✓ Projects pursuant to implementation of a nonpoint source pollution management program established under the Clean Water Act (CWA)
- ✓ Decentralized wastewater treatment systems that treat municipal wastewater or domestic sewage
- ✓ Management and treatment of stormwater or subsurface drainage water
- ✓ Water conservation, efficiency, or reuse measures
- ✓ Development and implementation of a conservation and management plan under the CWA
- ✓ Watershed projects meeting the criteria set forth in the CWA
- ✓ Energy consumption reduction for publicly owned treatment works
- ✓ Reuse or recycling of wastewater, stormwater, or subsurface drainage water
- ✓ Security of publicly owned treatment works

Treasury encourages recipients to review the EPA handbook for the [CWSRF](#) for a full list of eligibilities.

PROJECTS ELIGIBLE UNDER EPA'S DRINKING WATER STATE REVOLVING FUND (DWSRF)

Eligible drinking water projects under the DWSRF, and the final rule, include:

- ✓ Facilities to improve drinking water quality
- ✓ Transmission and distribution, including improvements of water pressure or prevention of contamination in infrastructure and lead service line replacements
- ✓ New sources to replace contaminated drinking water or increase drought resilience, including aquifer storage and recovery system for water storage
- ✓ Green infrastructure, including green roofs, rainwater harvesting collection, permeable pavement
- ✓ Storage of drinking water, such as to prevent contaminants or equalize water demands
- ✓ Purchase of water systems and interconnection of systems
- ✓ New community water systems

Treasury encourages recipients to review the EPA handbook for the [DWSRF](#) for a full list of eligibilities.

Coronavirus State & Local Fiscal Recovery Funds: Overview of the Final Rule



ADDITIONAL ELIGIBLE PROJECTS

With broadened eligibility under the final rule, SLFRF funds may be used to fund additional types of projects— such as additional stormwater infrastructure, residential wells, lead remediation, and certain rehabilitations of dams and reservoirs — beyond the CWSRF and DWSRF, if they are found to be “necessary” according to the definition provided in the final rule and outlined below.

- ✓ Culvert repair, resizing, and removal, replacement of storm sewers, and additional types of stormwater infrastructure
- ✓ Infrastructure to improve access to safe drinking water for individual served by residential wells, including testing initiatives, and treatment/remediation strategies that address contamination
- ✓ Dam and reservoir rehabilitation if primary purpose of dam or reservoir is for drinking water supply and project is necessary for provision of drinking water
- ✓ Broad set of lead remediation projects eligible under EPA grant programs authorized by the Water Infrastructure Improvements for the Nation (WIIN) Act, such as lead testing, installation of corrosion control treatment, lead service line replacement, as well as water quality testing, compliance monitoring, and remediation activities, including replacement of internal plumbing and faucets and fixtures in schools and childcare facilities

A “necessary” investment in infrastructure must be:

- (1) responsive to an identified need to achieve or maintain an adequate minimum level of service, which may include a reasonable projection of increased need, whether due to population growth or otherwise,
- (2) a cost-effective means for meeting that need, taking into account available alternatives, and
- (3) for investments in infrastructure that supply drinking water in order to meet projected population growth, projected to be sustainable over its estimated useful life.

Please note that DWSRF and CWSRF-eligible projects are generally presumed to be necessary investments. Additional eligible projects generally must be responsive to an identified need to achieve or maintain an adequate minimum level of service. Recipients are only required to assess cost-effectiveness of projects for the creation of new drinking water systems, dam and reservoir rehabilitation projects, or projects for the extension of drinking water service to meet population growth needs. Recipients should review the supplementary information to the final rule for more details on requirements applicable to each type of investment.

APPLICABLE STANDARDS & REQUIREMENTS

Treasury encourages recipients to adhere to strong labor standards, including project labor agreements and community benefits agreements that offer wages at or above the prevailing rate and include local hire provisions. Treasury also encourages recipients to prioritize in their procurements employers with high labor standards and to prioritize employers without recent violations of federal and state labor and employment laws.

Coronavirus State & Local Fiscal Recovery Funds: Overview of the Final Rule



Broadband Infrastructure

The Coronavirus State and Local Fiscal Recovery Funds may be used to make necessary investments in broadband infrastructure, which has been shown to be critical for work, education, healthcare, and civic participation during the public health emergency. The final rule broadens the set of eligible broadband infrastructure investments that recipients may undertake.

Recipients may pursue investments in broadband infrastructure meeting technical standards detailed below, as well as an expanded set of cybersecurity investments.

BROADBAND INFRASTRUCTURE INVESTMENTS

Recipients should adhere to the following requirements when designing a broadband infrastructure project:

1. **Identify an eligible area for investment.** Recipients are encouraged to prioritize projects that are designed to serve locations without access to reliable wireline 100/20 Mbps broadband service (meaning service that reliably provides 100 Mbps download speed and 20 Mbps upload speed through a wireline connection), but are broadly able to invest in projects designed to provide service to locations with an identified need for additional broadband investment. Recipients have broad flexibility to define need in their community. Examples of need could include:

- ✓ Lack of access to a reliable high-speed broadband connection
- ✓ Lack of affordable broadband
- ✓ Lack of reliable service

If recipients are considering deploying broadband to locations where there are existing and enforceable federal or state funding commitments for reliable service of at least 100/20 Mbps, recipients must ensure that SLFRF funds are designed to address an identified need for additional broadband investment that is not met by existing federal or state funding commitments. Recipients must also ensure that SLFRF funds will not be used for costs that will be reimbursed by the other federal or state funding streams.

2. **Design project to meet high-speed technical standards.** Recipients are required to design projects to, upon completion, reliably meet or exceed symmetrical 100 Mbps download and upload speeds. In cases where it is not practicable, because of the excessive cost of the project or geography or topography of the area to be served by the project, eligible projects may be designed to reliably meet or exceed 100/20 Mbps and be scalable to a minimum of symmetrical 100 Mbps download and upload speeds.

Treasury encourages recipients to prioritize investments in fiber-optic infrastructure wherever feasible and to focus on projects that will achieve last-mile connections. Further, Treasury encourages recipients to prioritize support for broadband networks owned, operated by, or affiliated with local governments, nonprofits, and co-operatives.



3. **Require enrollment in a low-income subsidy program.** Recipients must require the service provider for a broadband project that provides service to households to either:

- ✓ Participate in the FCC’s Affordable Connectivity Program (ACP)
- ✓ Provide access to a broad-based affordability program to low-income consumers that provides benefits commensurate to ACP

Treasury encourages broadband services to also include at least one low-cost option offered without data usage caps at speeds sufficient for a household with multiple users to simultaneously telework and engage in remote learning. Recipients are also encouraged to consult with the community on affordability needs.

CYBERSECURITY INVESTMENTS

SLFRF may be used for modernization of cybersecurity for existing and new broadband infrastructure, regardless of their speed delivery standards. This includes modernization of hardware and software.

APPLICABLE STANDARDS & REQUIREMENTS

Treasury encourages recipients to adhere to strong labor standards, including project labor agreements and community benefits agreements that offer wages at or above the prevailing rate and include local hire provisions. Treasury also encourages recipients to prioritize in their procurements employers with high labor standards and to prioritize employers without recent violations of federal and state labor and employment laws.



Restrictions on Use

While recipients have considerable flexibility to use Coronavirus State and Local Fiscal Recovery Funds to address the diverse needs of their communities, some restrictions on use of funds apply.

OFFSET A REDUCTION IN NET TAX REVENUE

- **States and territories may not use this funding to directly or indirectly offset a reduction in net tax revenue resulting from a change in law, regulation, or administrative interpretation beginning on March 3, 2021, through the last day of the fiscal year in which the funds provided have been spent.** If a state or territory cuts taxes during this period, it must demonstrate how it paid for the tax cuts from sources other than SLFRF, such as by enacting policies to raise other sources of revenue, by cutting spending, or through higher revenue due to economic growth. If the funds provided have been used to offset tax cuts, the amount used for this purpose must be repaid to the Treasury.

DEPOSITS INTO PENSION FUNDS

- **No recipients except Tribal governments may use this funding to make a deposit to a pension fund.** Treasury defines a “deposit” as an extraordinary contribution to a pension fund for the purpose of reducing an accrued, unfunded liability. While pension deposits are prohibited, recipients may use funds for routine payroll contributions connected to an eligible use of funds (e.g., for public health and safety staff). Examples of extraordinary payments include ones that:
 - × Reduce a liability incurred prior to the start of the COVID-19 public health emergency and occur outside the recipient's regular timing for making the payment
 - × Occur at the regular time for pension contributions but is larger than a regular payment would have been

ADDITIONAL RESTRICTIONS AND REQUIREMENTS

Additional restrictions and requirements that apply across all eligible use categories include:

- **No debt service or replenishing financial reserves.** Since SLFRF funds are intended to be used prospectively, recipients may not use SLFRF funds for debt service or replenishing financial reserves (e.g., rainy day funds).
- **No satisfaction of settlements and judgments.** Satisfaction of any obligation arising under or pursuant to a settlement agreement, judgment, consent decree, or judicially confirmed debt restructuring in a judicial, administrative, or regulatory proceeding is itself not an eligible use. However, if a settlement requires the recipient to provide services or incur other costs that are an eligible use of SLFRF funds, SLFRF may be used for those costs.
- **Additional general restrictions.** SLFRF funds may not be used for a project that conflicts with or contravenes the purpose of the American Rescue Plan Act statute (e.g., uses of funds that

Coronavirus State & Local Fiscal Recovery Funds: Overview of the Final Rule



U.S. DEPARTMENT OF THE TREASURY

undermine COVID-19 mitigation practices in line with CDC guidance and recommendations) and may not be used in violation of the Award Terms and Conditions or conflict of interest requirements under the Uniform Guidance. Other applicable laws and regulations, outside of SLFRF program requirements, may also apply (e.g., laws around procurement, contracting, conflicts-of-interest, environmental standards, or civil rights).



Program Administration

The Coronavirus State and Local Fiscal Recovery Funds final rule details a number of administrative processes and requirements, including on distribution of funds, timeline for use of funds, transfer of funds, treatment of loans, use of funds to meet non-federal match or cost-share requirements, administrative expenses, reporting on use of funds, and remediation and recoupment of funds used for ineligible purposes. This section provides a summary for the most frequently asked questions.

TIMELINE FOR USE OF FUNDS

Under the SLFRF, funds must be used for costs incurred on or after March 3, 2021. Further, costs must be obligated by December 31, 2024, and expended by December 31, 2026.

TRANSFERS

Recipients may undertake projects on their own or through subrecipients, which carry out eligible uses on behalf of a recipient, including pooling funds with other recipients or blending and braiding SLFRF funds with other sources of funds. Localities may also transfer their funds to the state through section 603(c)(4), which will decrease the locality's award and increase the state award amounts.

LOANS

Recipients may generally use SLFRF funds to provide loans for uses that are otherwise eligible, although there are special rules about how recipients should track program income depending on the length of the loan. Recipients should consult the final rule if they seek to utilize these provisions.

NON-FEDERAL MATCH OR COST-SHARE REQUIREMENTS

Funds available under the "revenue loss" eligible use category (sections 602(c)(1)(C) and 603(c)(1)(C) of the Social Security Act) generally may be used to meet the non-federal cost-share or matching requirements of other federal programs. However, note that SLFRF funds may not be used as the non-federal share for purposes of a state's Medicaid and CHIP programs because the Office of Management and Budget has approved a waiver as requested by the Centers for Medicare & Medicaid Services pursuant to 2 CFR 200.102 of the Uniform Guidance and related regulations.

SLFRF funds beyond those that are available under the revenue loss eligible use category may not be used to meet the non-federal match or cost-share requirements of other federal programs, other than as specifically provided for by statute. As an example, the Infrastructure Investment and Jobs Act provides that SLFRF funds may be used to meet the non-federal match requirements of authorized Bureau of Reclamation projects and certain broadband deployment projects. Recipients should consult the final rule for further details if they seek to utilize SLFRF funds as a match for these projects.

ADMINISTRATIVE EXPENSES

SLFRF funds may be used for direct and indirect administrative expenses involved in administering the program. For details on permissible direct and indirect administrative costs, recipients should refer to Treasury's [Compliance and Reporting Guidance](#). Costs incurred for the same purpose in like circumstances must be treated consistently as either direct or indirect costs.

Coronavirus State & Local Fiscal Recovery Funds: Overview of the Final Rule



REPORTING, COMPLIANCE & RECOUPMENT

Recipients are required to comply with Treasury's [Compliance and Reporting Guidance](#), which includes submitting mandatory periodic reports to Treasury.

Funds used in violation of the final rule are subject to remediation and recoupment. As outlined in the final rule, Treasury may identify funds used in violation through reporting or other sources. Recipients will be provided with an initial written notice of recoupment with an opportunity to submit a request for reconsideration before Treasury provides a final notice of recoupment. If the recipient receives an initial notice of recoupment and does not submit a request for reconsideration, the initial notice will be deemed the final notice. Treasury may pursue other forms of remediation and monitoring in conjunction with, or as an alternative to, recoupment.



Stantec Consulting Services Inc.
4969 Centre Pointe Drive, Suite 200
North Charleston SC 29418
Tel: (843) 740-7700
Fax: (843) 740-7707

January 10, 2022

Ms. Ashley Kellahan
Town Administrator
Town of James Island
1122 Dills Bluff Road
James Island, SC 29412

Reference: Design services for Dock Street Park, James Island, SC

Dear Ashley,

Stantec Consulting Services Inc. (Stantec) appreciates the opportunity to design services to the Town of James Island (Client) to provide engineering services for concept planning landscape architectural services for the existing Dock Street Park on Patterson Avenue. The Park is approximately 0.75 acres at the intersection of Patterson Avenue and Sprague Street (TMS 425-04-00-156). This proposal has been structured to provide you with a detailed listing of our understanding of the required Scope of Services we shall provide and our proposed fee.

Scope of Services:

Stantec understands that it is the Town's desire to masterplan the park to provide greater accessibility for park users and to evaluate the playground area for possible upgrades. Park planning to consider:

- accessible parking and accessible pedestrian circulation throughout the park (initial coordination with SCDOT may be needed to understand possible parking options due to the existing parking directly accessed from the roadway)
- pedestrian dock access and use options to be investigated based on ADA guidelines.
- consider future use options (i.e.– kayak launch)
- possible new playground equipment, surface, and edge treatment (playground footprint to maintain current size)
- site furniture locations to include benches, picnic tables, trash receptacles and drinking fountain.

Task 1: Survey

This effort will require a survey in order to provide an accurate base map for master planning efforts and may also be used for future construction documents. Existing conditions survey will include property lines, topography, trees (8" and larger), visible utilities and other existing conditions of the above referenced parcel. At this time a critical line delineation is not required for master planning and is not included in this proposal. The top/ bottom of slope will be picked up for master planning purposes. A critical line delineation/ survey may be required in the future for permitting submittals.

Approximate survey area as shown in Exhibit A:

Task 2: Conceptual Master Planning

- Prepare Conceptual Master Plan (maximum of one concept) to depict the options for improving the park to include precedent images. Plan will be hand drawn.
- An estimate of probable cost (conceptual) will be provided and reviewed with the Client.



Reference: **Design services for Dock Street Park, James Island, SC**

- Stantec will meet with the Client to review the conceptual plan and estimate of probable cost. Our team will take all comments provided to direct us to a final conceptual option.
- After receiving comments from the Client, the design team will then edit the conceptual plan which will be rendered so that the Client may present to stakeholders. The conceptual 2-D site plan will be in color and overlaid onto a GIS aerial for presentation purposes. (Before our team renders the final option, we will obtain Client feedback on final changes/revisions).

FEE PROPOSAL

This is a Fixed Fee contract except for items noted otherwise. Stantec will request Client’s authorization prior to increasing the Hourly budgets.

Item	Fee
Task 1: Survey	\$3,000
Task 2: Master Planning Services	\$5,000

REIMBURSABLES

Stantec will invoice the Client for reimbursable expenses associated with cost of reproduction of plans for submittal to review agencies, Client, and to bidders; travel; deliveries, including in-house courier, local services, and overnight services. These expenses will be charged separately at cost plus 10%.

Invoices will be sent each month based upon estimated percentage completion of work for each task and actual hours worked on the hourly/ time and materials. Client requesting large format printing and copying, and any additional services are based on hourly rates. Invoices are due 30 days following the date of the invoice.

ADDITIONAL (OUT OF SCOPE) SERVICES

Stantec will bill on an hourly basis for any services that are not part of the Scope of Services outlined above per attached hourly rates. Stantec will seek Client’s authorization prior to proceeding with the work. Additional services include, but are not necessarily limited to, the following:

1. Flood study or base flood elevation studies of any nature;
2. Wetland or critical line delineation.
3. Construction documents
4. Any Services not explicitly defined in the above Scope of Services;

Please do not hesitate to contact me should you need additional information or have questions.




Reference: **Design services for Dock Street Park, James Island, SC**

Regards,

STANTEC CONSULTING SERVICES INC.


Kevin Vollnogle, PLA
Senior Landscape Architect
Tel: (843) 743-6353
Cell: (843) 460-3384
kevin.vollnogle@stantec.com


Jenny Horne, PLA
Senior Associate
Tel: (843) 740-6344
Cell: (843) 513-8025
jenny.horne@stantec.com

Name: _____

Signature: _____
Approved by (Client)

Date: _____

**STANDARD
BILLING RATE SCHEDULE TABLE
2022**

BILLING RATES	
CLASSIFICATION	BILLING RATE (\$ Per Hour)
Professional	Rate
Senior Associate / Senior Project Manager	\$172
Project Manager / Senior Landscape Architect	\$166
Landscape Architect	\$141
Landscape Designer/Land Planner	\$127

Notes:

- 1) Billing Rates indicated above are applicable to hourly services not included in the attached Scope of Services.
- 2) Rates shown above are the highest for each respective employee classification. Actual rates may therefore be lower than those indicated.



December 3, 2021
Page 4 of 4

Reference: **Design services for Dock Street Park, James Island, SC**

Exhibit A – Approximate Survey Area





Charleston County Public Works Task Estimate

BASIC INFORMATION

Est Start Date 1/1/2022 Request ID 13034
 Requesting Agency / Billable Dept : Town of James Island
 Contact : Mark Johnson Phone : 843-709-2394
 Details : At 1051 Starboard Rd. remove failed section of concrete, wrap all joints with fabric and pour new concrete. Approximately 9'x12'

Total Labor Cost \$5,601.60
Total Equipment Cost \$2,745.15

Material

ID	Description	Usage	Material Cost
			\$0.00

Other

Date	Short Description	Purchase Order	Vendor	Cost
1/1/2022	4 yards concrete		Knight's Redi Mix	\$1,500.00
1/1/2022	pipe wrap fabric		CP&P - Concrete Pipe And Precast	\$150.00
Total Other				\$1,650.00
Sub Total				\$9,996.75
10% Contingency				\$999.68
Grand Total Estimate				\$10,996.43

Agency Signature : _____

Date: _____

Org Key (For non-General Fund Request) : _____

Obj Code: _____

(For Public Works Use Only)
 F/O Manager/Director Approval : _____

Date: _____





Date: January 12, 2022

To: Ashley R. Kellahan
Town Administrator
Town of James Island, SC

From: Patrick J. Patterson
President
Global Partners for Fathers and Families, LLC

Re: Budget estimate to complete one grant

This budget proposal is a follow-up to our recent discussion after sharing the funding opportunity listed below with the Town of James Island. Per your request, below is a budget estimate to complete the grant.

Proposed Scope of Work and Budget:

The Global Partners for Fathers and Families, LLC team will provide the following:

Deliverable(s)	Scope of Work	Proposed Budget
1. Complete the 2022 Land and Water Conservation Fund (LWCF) grant application.	<ul style="list-style-type: none"> • Purpose: Write and submit the 2022 Land and Water Conservation Fund (LWCF) grant application for the Town of James Island. • Max Grant Award: \$50,000 - \$300,000 • Grant Deadline: March 4, 2022 • Invoicing: Payment is made in two parts: (1) Deposit for 50% to begin grant-writing process and (2) Balance payment for the remaining 50% once proposal submitted. 	<ul style="list-style-type: none"> • \$2,000 (contracted rate for government grants)

Next Steps:

- Please reply via e-mail with your approval or any feedback.
- Once you approve, we will begin working on the application and will send the deposit invoice.

Thanks for the invite to submit this proposal. We look forward to your guidance with respect to next steps. Finally, please call my cell phone with questions at (803) 622 0319 or e-mail me at patrick@globalpartners4ff.com

Billing Address:
 JAMES ISLAND, TOWN OF
 PO BOX 12240
 CHARLESTON, SC 29422
 US

Shipping Address:
 JAMES ISLAND, TOWN OF
 1122 DILLS BLUFF RD
 JAMES ISLAND, SC 29412
 US

Quote Date:01/05/2022
 Expiration Date:04/05/2022
 Quote Created By:
 Martin (Wes) Porter
 wesporter@callmc.com

End Customer:
 JAMES ISLAND, TOWN OF
 Mark Johnson
 mjohanson@jamesislandsc.us

Contract: 19009 - SOUTH CAROLINA,
 STATE OF
 Payment Terms:30 NET

Summary:

Any sales transaction resulting from Motorola's quote is based on and subject to the applicable Motorola Standard Terms and Conditions, notwithstanding terms and conditions on purchase orders or other Customer ordering documents. Motorola Standard Terms and Conditions are found at www.motorolasolutions.com/product-terms.

Line #	Item Number	Description	Qty	List Price	Sale Price	Ext. Sale Price
	APX™ 900					
1	H92UCF9PW6AN	APX 900 7/800 MHZ MODEL 2 PORTABLE	2	\$3,704.00	\$2,347.89	\$4,695.78
1a	QA06765AA	ALT: IMPRESS LI-ION 3000MAH	2			
1b	Q667BB	ADD: ADP ONLY (NON-P25 CAP COMPLIANT) (US ONLY)	2			
1c	G996AZ	ADD: PROGRAMMING OVER P25 (OTAP)	2			
1d	QA04096AA	ENH: P25 TRUNKING	2			
1e	QA09008AA	ADD: GROUP SERVICES	2			
1f	QA03399AA	ADD: ENHANCED DATA APX	2			
1g	H885BK	ADD: 3Y ESSENTIAL SERVICE	2			
2	HKVN4691A	5YR PREPAID DMS ADVANCE APX RM SUBSCRIPTION*	1	\$0.00	\$0.00	\$0.00



Any sales transaction following Motorola's quote is based on and subject to the terms and conditions of the valid and executed written contract between Customer and Motorola (the "Underlying Agreement") that authorizes Customer to purchase equipment and/or services or license software (collectively "Products"). If no Underlying Agreement exists between Motorola and Customer, then Motorola's Standard Terms of Use and Motorola's Standard Terms and Conditions of Sales and Supply shall govern the purchase of the Products.
 Motorola Solutions, Inc.: 500 West Monroe, United States - 60661 ~ #: 36-1115800

Line #	Item Number	Description	Qty	List Price	Sale Price	Ext. Sale Price
3	HKVN4692A	5YR PREPAID DMS ADVANCE APX RM LICENSE Email address: wesporter@callmc.com*	2	\$160.00	\$160.00	\$320.00
4	PMPN4174A	CHGR DESKTOP SINGLE UNIT IMPRES, US/NA	2	\$76.00	\$57.00	\$114.00
Product Services						
5	LSV00Q00202A	DEVICE PROGRAMMING	2	\$50.00	\$50.00	\$100.00
Subtotal						\$5,229.78
Estimated Tax						\$432.88
Grand Total					\$5,662.66(USD)	

Notes:

- Additional information is required for one or more items on the quote for an order.



Purchase Order Checklist

Marked as PO/ Contract/ Notice to Proceed on Company Letterhead
(PO will not be processed without this)

PO Number/ Contract Number

PO Date

Vendor = Motorola Solutions, Inc.

Payment (Billing) Terms/ State Contract Number

Bill-To Name on PO must be equal to the *Legal* Bill-To Name

Bill-To Address

Ship-To Address (If we are shipping to a MR location, it must be documented on PO)

Ultimate Address (If the Ship-To address is the MR location then the Ultimate Destination address must be documented on PO)

PO Amount must be equal to or greater than Order Total

Non-Editable Format (Word/ Excel templates cannot be accepted)

Bill To Contact Name & Phone # and EMAIL for customer accounts payable dept

Ship To Contact Name & Phone #

Tax Exemption Status

Signatures (As required)



Stantec Consulting Services, Inc.
4969 Centre Pointe Drive Suite 200
North Charleston, SC 29418-6952
Tel: (843) 740-7700
Fax: (843) 740-7707
Address

January 14, 2022

Mrs. Ashley Kellahan
Town Administrator
Town of James Island
1238-B Camp Road
James Island, SC 29412
(843) 795-4141

Reference: Planning Services for 896 Folly Road Gateway Entry Sign, James Island, SC

Dear Mrs. Kellahan,

Stantec Consulting Services Inc. (Stantec) is pleased to submit this proposal to the Town of James Island (Client) for conceptual planning for 896 Folly Road Gateway Entry Sign at the intersection of Folly and Camp Road in James Island.

Project Information

The Client has requested conceptual plans and graphic the Towns Gateway entry sign at the intersection of Camp and Folly Road. The new Chase Bank has been constructed.

Stantec assumes that this design effort is conceptual and will utilize existing survey, pdfs and other data as provided by the Client. It is our understanding that the Client wants to incorporate some of the ideas from the 2018 rendering that illustrates the low seat wall with the Towns name. Additionally, Town Council would like us to study incorporating the American Flag into the concept and possibly with the option to add more. (See attached exhibit for graphic)

Stantec will coordinate with Artie Horne with Signature Signs as this company provides the signage for the Town.

Scope of Services

Stantec will provide the following scope of work on the referenced property:

Stantec will provide the Client with a plan view option to incorporate how the gateway entry feature could work with the corner of Folly and Camp Road with the new improvements. Concept plan will layout items to meet local and state regulatory codes/guidelines.

Stantec will coordinate with Artie Horne with Signature Signs to incorporate his efforts into plan.

Stantec will provide the owner with a draft concept plan view drafted in AutoCad with draft/sketch 3D vignette(hand graphic) to understand better how the concept is incorporated at the corner.

After receiving comments from the Client, the design team will then develop the final conceptual plan (2D and 3D) which will be rendered so that the Client may present to Council. The conceptual plan will be in color and overlaid onto a GIS aerial for presentation purposes. (Before our team renders the final option, we will obtain Client feedback on final changes/revisions).



January 14, 2022
Mrs. Kellahan
Page 2 of 3

Reference: Planning Services for 896 Folly Road Gateway Entry, James Island, SC

FEE PROPOSAL

Stantec will perform the services described in the Scope of Services in accordance with the attached terms and conditions. Stantec will perform these services for a lump sum fee of **\$3,800**.

EXCLUSIONS

The following items are not included in this scope, but can be offered as additional services:

1. Any Services not explicitly defined in the above Scope of Services
2. Opinions of Probable Construction Cost
3. Technical Design Drawings

ACCEPTANCE

We appreciate the opportunity to offer these services to the Town and look forward to working with you on this project. Your signature below will serve as our notice to proceed. If you have any questions, please don't hesitate to call me at (843) 740-6344.

Sincerely,

STANTEC CONSULTING SERVICES INC.

Jenny Horne, PLA
Senior Associate
Phone: (843) 740-6344
Jenny.horne@stantec.com

TOWN OF JAMES ISLAND

Approved by (Please Print)

Signature



Reference: Planning Services for 896 Folly Road Gateway Entry, James Island, SC

**STANDARD
BILLING RATE SCHEDULE TABLE
2022**

BILLING RATES	
CLASSIFICATION	BILLING RATE (\$ Per Hour)
Professional	Rate
Senior Associate / Senior Project Manager / Professional Engineer	\$207
Project Manager / Landscape Architect	\$172
Design Engineer / Landscape Architect / Land Planner	\$147
Landscape Architect	\$120
Technician	\$95

Notes:

- 1) Billing Rates indicated above are applicable to hourly services not included in the attached Scope of Services.
- 2) Rates shown above are the highest for each respective employee classification. Actual rates may therefore be lower than those indicated.

The following Terms and Conditions are attached to and form part of a proposal for services to be performed by Consultant and together, when the CLIENT authorizes Consultant to proceed with the services, constitute the AGREEMENT. Consultant means the Stantec entity issuing the Proposal.

DESCRIPTION OF WORK: Consultant shall render the services described in the Proposal (hereinafter called the "SERVICES") to the CLIENT.

DESCRIPTION OF CLIENT: The CLIENT confirms and agrees that the CLIENT has authority to enter into this AGREEMENT on its own behalf and on behalf of all parties related to the CLIENT who may have an interest in the PROJECT.

TERMS AND CONDITIONS: No terms, conditions, understandings, or agreements purporting to modify or vary these Terms and Conditions shall be binding unless hereafter made in writing and signed by the CLIENT and Consultant. In the event of any conflict between the Proposal and these Terms and Conditions, these Terms and Conditions shall take precedence. This AGREEMENT supercedes all previous agreements, arrangements or understandings between the parties whether written or oral in connection with or incidental to the PROJECT

COMPENSATION: Payment is due to Consultant upon receipt of invoice. Failure to make any payment when due is a material breach of this AGREEMENT and will entitle Consultant, at its option, to suspend or terminate this AGREEMENT and the provision of the SERVICES. Interest will accrue on accounts overdue by 30 days at the lesser of 1.5 percent per month (18 percent per annum) or the maximum legal rate of interest. Unless otherwise noted, the fees in this agreement do not include any value added, sales, or other taxes that may be applied by Government on fees for services. Such taxes will be added to all invoices as required.

NOTICES: Each party shall designate a representative who is authorized to act on behalf of that party. All notices, consents, and approvals required to be given hereunder shall be in writing and shall be given to the representatives of each party.

TERMINATION: Either party may terminate the AGREEMENT without cause upon thirty (30) days notice in writing. If either party breaches the AGREEMENT and fails to remedy such breach within seven (7) days of notice to do so by the non-defaulting party, the non-defaulting party may immediately terminate the Agreement. Non-payment by the CLIENT of Consultant's invoices within 30 days of Consultant rendering same is agreed to constitute a material breach and, upon written notice as prescribed above, the duties, obligations and responsibilities of Consultant are terminated. On termination by either party, the CLIENT shall forthwith pay Consultant all fees and charges for the SERVICES provided to the effective date of termination.

ENVIRONMENTAL: Except as specifically described in this AGREEMENT, Consultant's field investigation, laboratory testing and engineering recommendations will not address or evaluate pollution of soil or pollution of groundwater.

PROFESSIONAL RESPONSIBILITY: In performing the SERVICES, Consultant will provide and exercise the standard of care, skill and diligence required by customarily accepted professional practices normally provided in the performance of the SERVICES at the time and the location in which the SERVICES were performed.

LIMITATION OF LIABILITY: The CLIENT releases Consultant from any liability and agrees to defend, indemnify and hold Consultant harmless from any and all claims, damages, losses, and/or expenses, direct and indirect, or consequential damages, including but not limited to attorney's fees and charges and court and arbitration costs, arising out of, or claimed to arise out of, the performance of the SERVICES, excepting liability arising from the sole negligence of Consultant. It is further agreed that the total amount of all claims the CLIENT may have against Consultant under this AGREEMENT, including but not limited to claims for negligence, negligent misrepresentation and/or breach of contract, shall be strictly limited to the lesser of professional fees paid to Consultant for the SERVICES or \$50,000.00. No claim may be brought against Consultant more than two (2) years after the cause of action arose. As the CLIENT's sole and exclusive remedy under this AGREEMENT any claim, demand or suit shall be directed and/or asserted only against Consultant and not against any of Consultant's employees, officers or directors.

Consultant's liability with respect to any claims arising out of this AGREEMENT shall be absolutely limited to direct damages arising out of the SERVICES and Consultant shall bear no liability whatsoever for any consequential loss, injury or damage incurred by the CLIENT, including but not limited to claims for loss of use, loss of profits and/or loss of markets.

INDEMNITY FOR MOLD CLAIMS: It is understood by the parties that existing or constructed buildings may contain mold substances that can present health hazards and result in bodily injury, property damage and/or necessary remedial measures. If, during performance of the SERVICES, Consultant knowingly encounters any such substances, Consultant shall notify the CLIENT and, without liability for consequential or any other damages, suspend performance of services until the CLIENT retains a qualified specialist to abate and/or remove the mold substances. The CLIENT agrees to release and waive all claims, including consequential damages, against Consultant, its subconsultants and their officers, directors and employees arising from or in any way connected with the existence of mold on or about the project site whether during or after completion of the SERVICES. The CLIENT further agrees to indemnify and hold Consultant harmless from and against all claims, costs, liabilities and damages, including reasonable attorneys' fees and costs, arising in any way from the existence of mold on the project site whether during or after completion of the SERVICES, except for those claims, liabilities, costs or damages caused by the sole gross negligence and/or knowing or willful misconduct of Consultant. Consultant and the CLIENT waive all rights against each other for mold damages to the extent that such damages sustained by either party are covered by insurance.

DOCUMENTS: All of the documents prepared by or on behalf of Consultant in connection with the PROJECT are instruments of service for the execution of the PROJECT. Consultant retains the property and copyright in these documents, whether the PROJECT is executed or not. These documents may not be used for any other purpose without the prior written consent of Consultant. In the event Consultant's documents are subsequently reused or modified in any material respect without the prior consent of Consultant, the CLIENT agrees to defend, hold harmless and indemnify Consultant from any claims advanced on account of said reuse or modification.

Any document produced by Consultant in relation to the Services is intended for the sole use of Client. The documents may not be relied upon by any other party without the express written consent of Consultant, which may be withheld at Consultant's discretion. Any such consent will provide no greater rights to the third party than those held by the Client under the contract, and will only be authorized pursuant to the conditions of Consultant's standard form reliance letter.

Consultant cannot guarantee the authenticity, integrity or completeness of data files supplied in electronic format ("Electronic Files"). CLIENT shall release, indemnify and hold Consultant, its officers, employees, Consultant's and agents harmless from any claims or damages arising from the use of Electronic Files. Electronic files will not contain stamps or seals, remain the property of Consultant, are not to be used for any purpose other than that for which they were transmitted, and are not to be retransmitted to a third party without Consultant's written consent.

FIELD SERVICES: Consultant shall not be responsible for construction means, methods, techniques, sequences or procedures, or for safety precautions and programs in connection with work on the PROJECT, and shall not be responsible for any contractor's failure to carry out the work in accordance with the contract documents. Consultant shall not be responsible for the acts or omissions of any contractor, subcontractor, any of their agents or employees, or any other persons performing any of the work in connection with the PROJECT. Consultant shall not be the prime contractor or similar under any occupational health and safety legislation.

GOVERNING LAW/COMPLIANCE WITH LAWS: The AGREEMENT shall be governed, construed and enforced in accordance with the laws of the jurisdiction in which the majority of the SERVICES are performed. Consultant shall observe and comply with all applicable laws, continue to provide equal employment opportunity to all qualified persons, and to recruit, hire, train, promote and compensate persons in all jobs without regard to race, color, religion, sex, age, disability or national origin or any other basis prohibited by applicable laws.

DISPUTE RESOLUTION: If requested in writing by either the CLIENT or Consultant, the CLIENT and Consultant shall attempt to resolve any dispute between them arising out of or in connection with this AGREEMENT by entering into structured non-binding negotiations with the assistance of a mediator on a without prejudice basis. The mediator shall be appointed by agreement of the parties. If a dispute cannot be settled within a period of thirty (30) calendar days with the mediator, if mutually agreed, the dispute shall be referred to arbitration pursuant to laws of the jurisdiction in which the majority of the SERVICES are performed or elsewhere by mutual agreement.

ASSIGNMENT: The CLIENT and Consultant shall not, without the prior written consent of the other party, assign the benefit or in any way transfer the obligations under these Terms and Conditions or any part hereof.

SEVERABILITY: If any term, condition or covenant of the AGREEMENT is held by a court of competent jurisdiction to be invalid, void, or unenforceable, the remaining provisions of the AGREEMENT shall be binding on the CLIENT and Consultant.



Town of James Island

TOWN HALL
SOCCER FIELDS
JAMES ISLAND HIGH SCHOOL
HIGH SCHOOL

W. 1st

Ideas for Wayfinding Signage Content

FRONT SIDE FACING FOLLY

WELCOME to the TOWN OF JAMES ISLAND
James Island Arts & Cultural Center ↑ 1.2 mi
Camp and Dills Bluff Business District ↑ 1.3 mi
James Island Town Hall ↑ 1.4 mi
James Island Charter High School ↑ 2.4 mi
Bayview Soccer Fields / James Island Youth Soccer Club / ↑ 2.2 mi / 2.7 mi
Demetre "Sunrise" Park ↑ 5 mi
Pinckney Park ↑ 4.4 mi
Historic Fort Johnson ↑ 4.8 mi

BACK SIDE FACING CAMP

WELCOME to the TOWN OF JAMES ISLAND
Camp Road Middle School ↑ 0.2 mi
James Island County Park ↑ 0.9 mi
Low Country Senior Center ↑ 1.4 mi
Brantley Park → 0.5 mi
Dock Street Park → 1 mi
McLeod Plantation → 2.3 mi
Baxter-Patrick Library ← 2.7 mi
Historic Sol Legare Community ← 3.6 mi

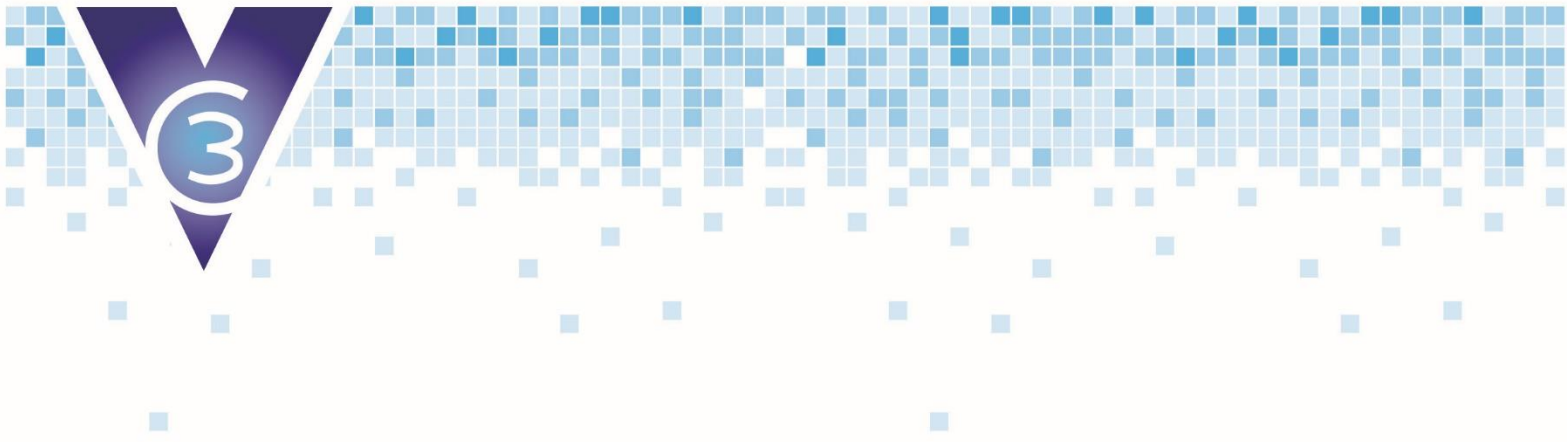


Town of James Island

Memo

To: Mayor and Town Council
From: Ashley Kellahan, TA
Date: January, 13, 2021
Re: New Website

- As a part of the 2021/2022 Approved budget, the Town has allotted funds to redesign the website with the goal of making it more informative, intuitive, and accessible.
- Staff recommends utilizing our existing IT partner, VC3, as they have a new Website Partnership Program that I believe fits the Town's needs and streamlining our IT services is very beneficial. There is an upfront redesign cost and monthly maintenance and hosting cost. Every four years as a part of the program, a redesign of the website is included.
- Benefits of the partnership plan include:
 - Free subscription to Cognito Forms
 - Technical Support Included
 - Ensure website is ADA compliant and accessible
 - Features for embedded Youtube and other video platform hosting
 - Large data storage capacity
 - Adapts to a wide variety of mobile devices
 - User friendly so multiple staff members can update frequently themselves
 - Options for online payments and form submission
- Staff compared pricing with other similarly sized cities websites. Lowest price found was upfront cost of 20-24k and annual hosting/maint. fee of \$4,000.
- Staff recommends award to VC3 for a cost of \$12,500 and monthly cost of \$350.
- **See attached Proposal.**



Town of James Island, SC

Website Partnership Plan

Under Master Services Agreement

February 24, 2021

1301 Gervais Street Suite 1800 | Columbia, SC 29201

800.787.1160

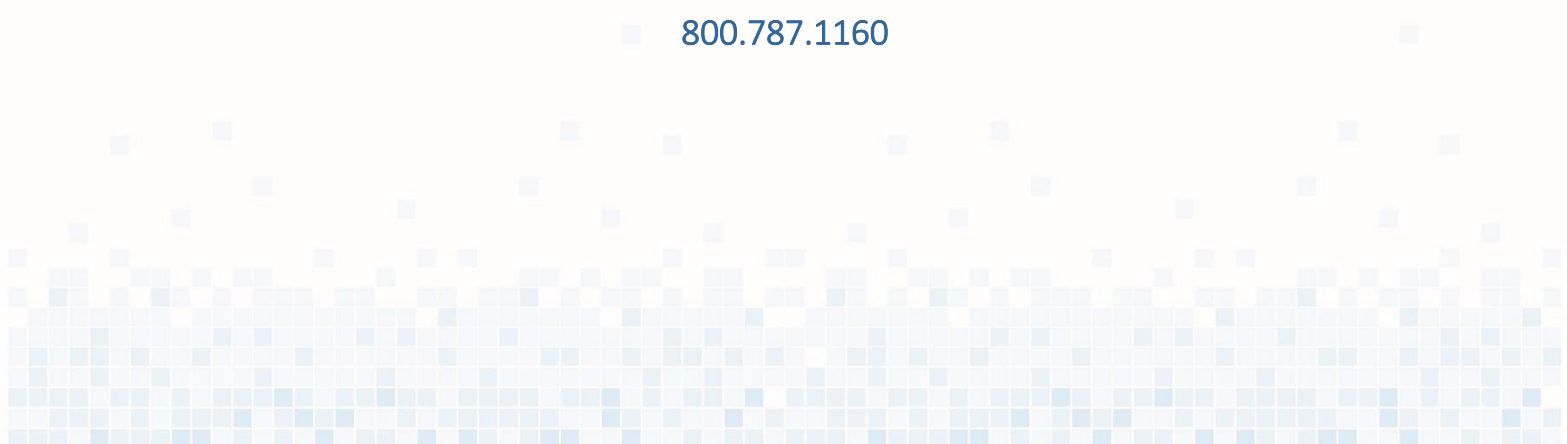


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VC3 Overview

VC3, Inc. is a Southeast-based managed IT services company with offices in South Carolina, North Carolina, Georgia, Alabama, and Tennessee. With over 25 years of experience and focus on local governments, VC3, Inc. is well positioned to ensure that the products and services we provide will exceed your expectations. We are the strategic technology partner for the Municipal Association of South Carolina and the North Carolina League of Municipalities. VC3's clients include over 340 municipal and local government organizations throughout the United States.

Current service offerings include:

- **Website Design, Development, and Hosting**
- Managed IT Services
- Hosted Desktops
- Backups and Disaster Recovery
- Email Hosting and Archiving
- Telephony
- SharePoint Development and Hosting
- Application Development

Since 1994, VC3 has been consistently recognized as a leader in developing Internet-based applications and web technologies, network technology solutions, and world-class support services. In our 26th year, VC3 remains committed to incorporating the latest technological advances that profoundly impact our clients in the applications and solutions we provide. To that end, VC3 is firmly committed to using industry leading products from vendors such as Cisco and Microsoft, resulting in consistent success in providing our clients with the highest level of return and satisfaction.

VC3's multi-dimensional offerings and ongoing success rely heavily on our ability to build solid, long-term relationships with our clients. We sincerely look forward to providing your organization with the highest quality solution.

Since 2015, VC3 has been named as one of the Top 100 private companies in South Carolina through the Grant Thornton South Carolina 100™ ("The South Carolina 100™"), the only ranking of the state's largest privately held companies. For ten consecutive years, VC3 has been named as one of the Best Places to Work in South Carolina, sponsored by the South Carolina Chamber of Commerce. In 2014, we were awarded the national When Work Works Award for use of effective workplace strategies to increase business and employee success. We were the only business in the Midlands honored with this award and just one of four honorees in South Carolina. VC3 is also compliant SOC 2 Type 2.

References

Company Name	Contact Name	Telephone Number
Town of Wake Forest, NC	Bill Crabtree	919.435.9400
Town of Weddington, NC	Lisa Thompson	704.846.2709
City of Valdosta, GA	Sementha Matthews	229.259.3548
Town of Forest City, NC	Emily Sain	828.248.5202

Partial Client List

City of Boiling Spring Lakes, NC

City of Hendersonville, NC

City of Isle of Palms, SC

City of Valdosta, GA

Greenville Utilities Commission, NC

Irmo Chapin Recreation Commission, SC

Newberry County, SC

Tennessee Municipal League

Vermont League of Cities and Towns

Town of Lewisville, NC

Town of Rolesville, NC

Town of Wake Forest, NC

Town of Winterville, NC

City of Liberty, SC

City of Orangeburg, SC

City of Pinson, AL

City of Snellville, GA

City of Sumter, SC

Town of Biltmore Forest, NC

Town of Edisto Beach, SC

Town of Forest City, NC

Town of Knightdale, NC

Town of Leland, NC

Town of Yadkinville, NC

Town of Zebulon, NC

Town of Weddington, NC

Strategic Endorsed Partnerships

VC3 is proud to be the strategic technology partner with the Municipal Association of South Carolina (MASC) since 1999 and has also been the sole endorsed IT partner with the North Carolina League of Municipalities (NCLM) since 2007. VC3 became a strategic technology partner with the Tennessee Municipal League in 2018.

Municipal Association of South Carolina (MASC)

1411 Gervais Street

Columbia, SC 29201

Contact: Krystal Dailey

Title: Information Technology Manager

Email: kdailey@masc.sc

Phone: (803) 933-1249



North Carolina League of Municipalities (NCLM)

434 Fayetteville Street, Suite 1900

Raleigh, NC 27601

Contact: Jennifer Cohen

Title: Director of Business and Membership Development

Email: jcohen@nclm.org

Phone: 919-715-7895



Tennessee Municipal League (TML)

226 Capitol Blvd, Suite 710

Nashville, TN

Contact: Mark Barrett

Title: Legislative Research Analyst

Email: mbarrett@tml1.org

Phone: 615-425-3909



Website Design and Development

Needs Assessment & Strategic Planning

VC3 begins each project with a discovery phase to learn all about Town of James Island, SC, its departments, audiences and the needs and requirements for the new website. Employing both internal and external online surveys and one-on-one interviews with department heads, VC3 will gather input from all audiences. VC3 will also evaluate Town of James Island, SC's current website, content, available analytics, and social media presence to fully understand Town of James Island, SC's self-image, audiences, goals, and initiatives.

VC3 will then work closely with a defined Website Committee to collaborate on the development strategy to create a web presence that focuses on audience access, communication, and participation.

“VC3 has made it easier than ever before for our local government to serve our citizens by providing us with modern web tools and a team of talented and courteous professionals. Our website had integrity and purpose and is utilized by staff and citizens alike for most public information and service needs. Thank you VC3! You rock!”

-Sementha Mathews, Public Information Officer at Valdosta, GA

With the experience of successfully creating and managing over 100 municipal & county websites, VC3 brings to the table vast knowledge of sitemap creation, content strategy, and technology and systems integration.

Design

VC3's Web Design Team understands the balance needed to create a beautiful website that conveys the true character of Town of James Island, SC with a user experience that is clean and easy to use. VC3 will create a unique, modern, and flexible design that addresses all facets of the user experience, including typography, imagery, navigation, and accessibility. The design phase will be a collaborative effort with Town of James Island, SC, allowing for input, review, and revisions to ensure the design is a source of pride for Town of James Island, SC.

Page layouts will be created to cleanly organize and display content and features, with the forethought of how each page will display on various devices and screen sizes in a consistent manner.

Development & Testing

During the website redesign project, VC3 will change the website's CMS to the new Drupal-based system. VC3 will migrate all existing content into the new website.

The website will be written using modern HTML5/CSS3 W3C standards, with graceful degradation for out-of-date browsers. VC3 extensively tests for compatibility across all modern browsers and devices to ensure a consistent user experience - IE10+, Edge, Chrome, Firefox, Safari.

Accessibility

VC3 will develop and test the site for Section 508 ADA (American Disability Act) WCAG 2.0 compliance standards that state all electronic and information technology must be accessible to people with disabilities.

Mobile / Tablet Accessibility

To create the best viewing experience for users of mobile phones (iPhone, Android phones, Windows Mobile) and tablet devices (iPad, Android tablets, Kindle Fire), VC3 will develop the website using "Responsive Web Design". This design technique automatically adjusts the website's layout and usability based on the user's screen size and orientation. Since this approach is completely device independent, current and future platforms and devices will automatically be accommodated. Responsive design also eliminates the need for a mobile-specific version of the site.



Content Management

Our enhanced content management system (CMS) leverages the power of Drupal, an open source, web-based site publishing tool that allows editors to easily manage and update their website. Our CMS uses a common word processing paradigm for content editing, similar to Microsoft Word, while maintaining a secure environment with login requirements and approval structures, all done in an online web browser, and without having to know or use HTML.

The [Drupal](#) software system is a leader in providing the backbone for government websites throughout the world. US Government websites using Drupal include:

- NC.gov, Boston.gov, LACity.org, NY.gov, Georgia.gov
- Department of Energy, Department of Transportation, National Cancer Institute, NASA

The benefits of using VC3's CMS for managing your website are:

- **The Control You Need** – Change text, upload images, and documents, post news or events, whenever, wherever you can access the web.
- **No Extensive Training Needed** – Managing content is as simple as logging in, browsing the website and making changes via our easy-to-use editor that works just like a typical word processor.
- **Configurable and Flexible** – The power and flexibility of Drupal allows VC3 to create and implement custom features and configurations on-the-fly, without the need for a site rebuild or downtime.
- **Change Management & Workflow** – An approval process can be set up that allows changes to be routed to approvers before changes are applied to the live website.
- **Grow Over Time** – Add as many pages as you like and your website can grow with your organization over time, including the addition of links to the site's navigation bars.

Application Development

VC3 offers a team of web application developers with expertise in custom applications, systems integration, and data migration. VC3's software engineers can create or integrate any custom application requirements needed for your website. If you desire custom application development, it can be scoped for you by our application development team.

SHAREPOINT INTEGRATION (Optional)

In addition to custom applications, VC3's development team is well versed in Microsoft SharePoint intranets and custom integrations. If integrations between the website and SharePoint are desired, VC3 will work with you to define the integrations and develop the website to integrate with Microsoft

SharePoint. This will allow employees to manage content from one area rather than multiple areas whether it is managed from the website and pushed to SharePoint or vice versa. Some examples of content that can be integrated include:

- News and Events
- Employee Information
- Documents and Forms

Training

VC3 provides training to all Town of James Island, SC employees that will be using the website's CMS. In this training, employees will learn how to edit and add content, add images and videos, create, move and delete pages, and add content features to pages. Help documentation is always available within the CMS and our support team will always be available to help with any questions. VC3 will also guide employees on best practices for content, usability, and how to maintain an ADA compliant website.

Hosting

VC3 includes robust, managed hosting of your website. VC3's hosting environments for both your core code and databases are fast, resilient and secure. Your website will be actively monitored for page delivery speed and uptime, while regularly scheduled daily, weekly, and monthly backups provide peace of mind.

VC3 hosting meets the following criteria:

- Hosting in SSAE 16 Type II compliant data centers with redundancies for ISP providers, power, and backups.
- Guaranteed uptime of 99.9% backed by a Service Level Agreement (SLA).
- Full disaster recovery to a backup data center.
- Complete Distributed Denial of Service (DDoS) mitigation solution to detect and mitigate malicious cyber-attacks.

Website Core Features



WYSIWYG CONTENT EDITOR

Our Content Management System allows editors to create content via an easy-to-use visual content editor. No coding necessary.

- Format text with bold, italic, underline.
- Align text and images to the left, center, right, or fully justified.
- Insert hyperlinks to web pages, documents, or email addresses.
- Upload multiple files at once.
- Insert, resize, and crop images.
- Create bulleted lists, numbered lists, and tables.
- Format text with headings and site-specific styles.
- Insert embed codes.
- Undo and redo changes.
- View and edit HTML source.



USER MANAGEMENT & CONTENT APPROVAL WORKFLOW

In order to affect any changes to the website, a user must login with a username and password. Each authenticated user will have a defined role such as administrator, content author or content publisher.

- **Content Authors** can login into the website and edit content on their designated or departmental pages, but they cannot directly publish content to the live website. Content Authors must submit their changes for approval by Content Publishers.
- **Content Publishers** can log in, edit content on their designated pages, and can approve or reject content in order to publish it to the live website.
- **Administrators** can manage users and assign users to roles.



CONTENT VERSIONING

Content Versioning keeps a history of every edit for a page's content. Once versioning is enabled, a grid will appear below the editor with links to the previous versions of the content. Any previous version can be compared side by side with the current version or restored to the editor.



CONTENT SCHEDULING

Each content module has the concept of a publishing start and end date which allows content administrators to choose when their content will appear on the site.



SITE SEARCH

As content is created and updated it is indexed into the search module which allows users to instantly find this content in the search results.



SEARCH ENGINE OPTIMIZATION (SEO)

The best strategy for search engine optimization is creating relevant content for the search terms you want the site to be found for, creating proper semantic markup, having friendly URLs, and providing relevant meta descriptions.



SSL Secure Certificate

Your site will include an SSL Secure Certificate, ensuring your site and any data passing through it will be fully secure and encrypted.

Website Content Features

News

The news module allows users to post and categorize news stories. The news module produces an RSS feed of posts and administrators can manage whether to show a calendar, tag cloud, Google map or archive links.

Meeting and Event Calendars

The Event Calendar provides a feature rich solution for publishing calendars. Instances of the Event Calendar can be added to as many pages in your site as you like, so you can have multiple calendars with different events.

Agendas & Minutes

The Agendas and Minutes module allows users to easily upload and post documents that can be easily sorted, filtered, and searched.

Project Tracker

For maximum transparency, VC3's Project Tracker allows you to easily share plans, milestones and status on public projects of interest to your citizens. We provide a simple interface to create projects by adding milestones, descriptions, photos, and progress updates over time to keep your citizens informed and engaged.

Directories

Easily incorporate filterable, sortable, and searchable directories for items such as staff, board members, companies, etc.

Emergency Alert Notices

Adding an Alert allows you to create messages to appear above all other content as soon as the user enters the site. This feature is perfect for notifying the public of emergency situations.

Image Galleries

The image gallery feature allows administrators to upload pictures and display them in a gallery (thumbnail view) or display the images in a slideshow mode.

Video Embedding

Video that is hosted at video hosting services such as YouTube or Vimeo can easily be embedded into any page on the site.

Google Maps

The Google Maps module allows users to add a map to any page and configure the location for display. Administrators can choose the size, type, zoom level, and whether to enable driving directions for the map.

Google Translate

The Google Translate module can be added to any page in order to use the Google service to translate the page's content into any of the available languages.

Social Media Integration

Seamless integration of Social Media accounts such as Twitter, Facebook, and Instagram.

Freedom of Information Act (FOIA) Retrieval Tool

FOIA information requests can be challenging to fulfill. North Carolina requires you to retain content for this purpose. With our FOIA retrieval tool, you can retrieve any content that may have been deleted from your VC3 website at any time in the past.

VC3 Website Partnership Plan

Ensuring that your website meets your online goals and your visitors' needs does not stop when you launch your site. Web technologies and user expectations are constantly evolving, and VC3 is your

“Having worked with VC3 for more than 10 years, our new website not only makes information easier to access for our citizens, it also accurately reflects the character of our community, thereby serving as an appealing ‘front porch’ for the Town of Wake Forest.”

-Bill Crabtree, Town of Wake Forest, NC

partner in ensuring the long-term success of your newly developed website going above and beyond the typical support model.

Free Redesign

Never let your website fall out of date again! VC3’s Partnership Plan includes a **free redesign** of your website every four

(4) years, ensuring that not only your technology is up to date, but that your visual design is keeping up with current trends and is appealing to your website's visitors. During this redesign, we will also make recommendations on improving your navigation and content.

Annual Site Reviews

Once a year, we will assess the overall health of your website, provide you with an actionable report, and discuss with you how to keep exceeding your visitors' expectations. During this annual review, we will address keeping your content fresh, relevant and organized while making recommendations on changes to your content structure, formatting, communication of information, and new features.

- Discuss ongoing and upcoming goals and review the role of the website in accomplishing these goals.
- Provide website statistical reports and discuss whether your site is meeting your objectives.
- Provide a website health report including identification of any browser compatibility issues, broken links, or any technical issues that need to be addressed.
- Alert you to new trends or features that are relevant to you and your citizens.

Supplemental Training

VC3 will offer an annual supplemental content management training class to allow your editors a chance to reinforce their previous learning or to introduce new staff members to content management features and processes.

Free Unlimited Technical Support

When issues arise or if you just have a question about your website or content management system, VC3's Service Desk is the best way to make sure your needs are addressed as quickly as possible. The Service Desk is available 24x7x365.

You may contact VC3's Service Desk by phone, by email, or through the Support website.

- Telephone: 800-422-5941 (toll-free)
- Email: websupport@vc3.com
- Website: <http://support.vc3.com>

All Incidents are assigned an "Incident number" and are tracked to resolution.

Free Content Management System Upgrades

Web technologies and browsers are constantly evolving. VC3 will ensure your CMS will work well with all current technologies by seamlessly updating the system over time. Every six months, the System is evaluated and tested to assess the current need for updates. System updates will always occur at low site usage times and you will be notified prior to any updates or anticipated down time.

Free Subscription to Cognito Forms

VC3, in partnership with Cognito Forms, a powerful, online form builder, will include a subscription to the Team Plan with a value of over \$1,000 throughout the life of the



contract. Cognito Forms is a software-as-a-service offering that will allow Town of James Island, SC to design forms that can be embedded on the website and completed online including registration forms, permits, surveys, and applications.

Features:

- **Security** – Forms are protected with SSL encryption and data is encrypted at rest.
- **Payment** – Securely collect payment through our integrations with PayPal and Stripe.
- **Notifications** – Email appropriate staff when a new form is submitted.
- **E-Signatures** – Allow citizens to sign their submissions online.
- **Save & Resume** – Allow your citizens to save their submission progress and complete their form at a later date.
- **Advanced Calculations** – Forms can calculate the amount due based on user's input on the form.

To review all the features and benefits of this subscription, please visit www.cognitoforms.com.

Managed Cognito Forms (Optional)

Cognito Forms is a self-service form builder, meant to empower you to build your own online forms. If you would prefer to have VC3 build and support your Cognito Online Forms, we offer a fully managed offering.

The recurring monthly fee includes modifications and support to existing forms built within the Managed Cognito Forms offering.

Pricing Schedule

	One-time Cost	Monthly Cost
Online Form (1 page)	\$470.00	\$35.90
Each additional Form Page	\$117.50	\$9.79
Custom PDF Merge (1 Page)	\$1,410.00	\$34.27
Each additional Merge Page	\$352.50	\$14.69

Free Website Analytics Reports

The ability to analyze how visitors are finding and using your website is an important step in keeping your website relevant and useful for your clients.

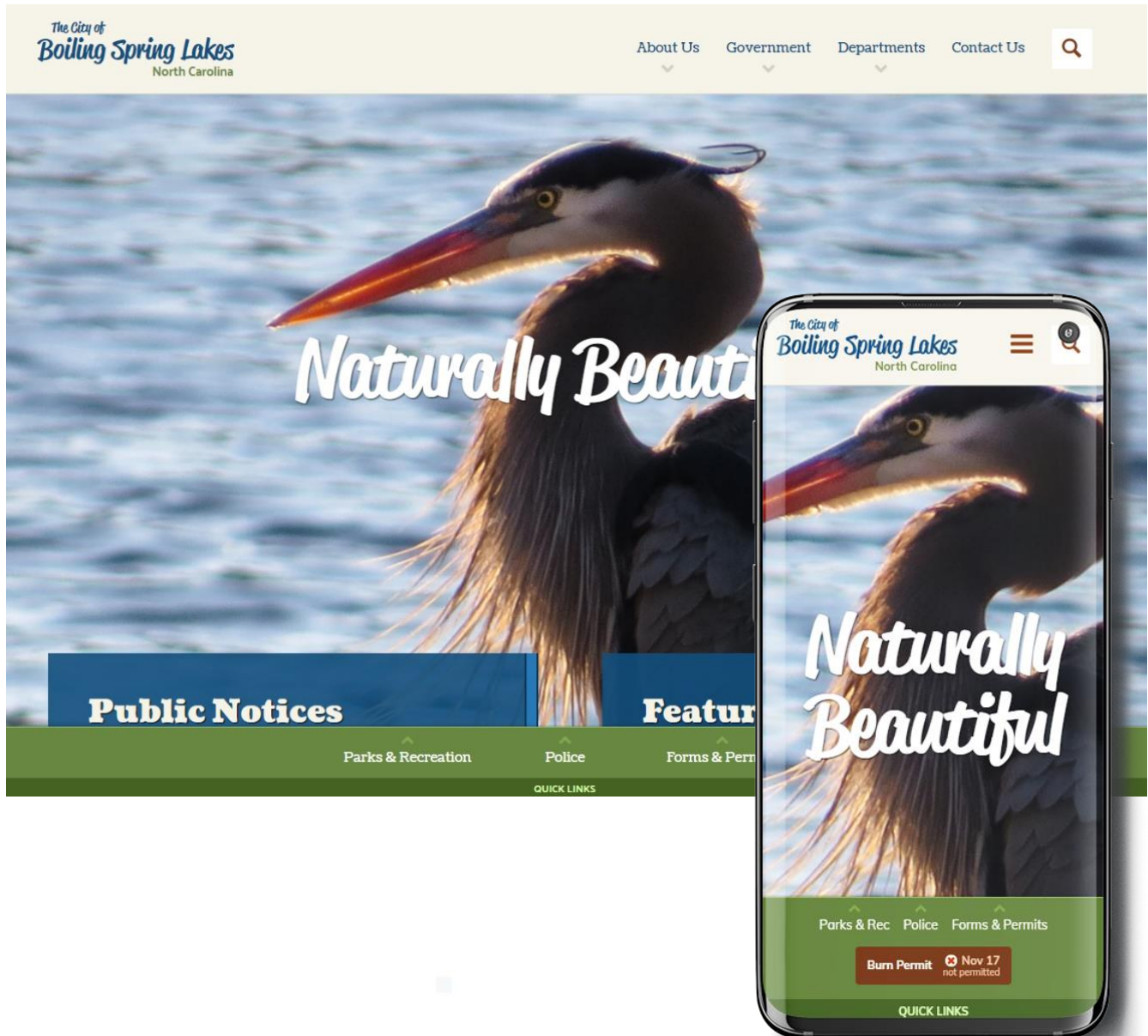
Google Analytics allows website administrators to track visitor statistics and view sessions and page views for their site, any directory, or specific page filtered by any date range. Administrators can also view information about their website visitor's client systems and search phrases entered into search engines to find their site.

As part of the partnership plan, VC3 will send Town of James Island, SC reports on a monthly basis and discuss any changes that may need to be made based on the reports.

Client Examples

City of Boiling Spring Lakes, NC

Cityofbsl.org



City of Sumter, SC

sumtersc.gov



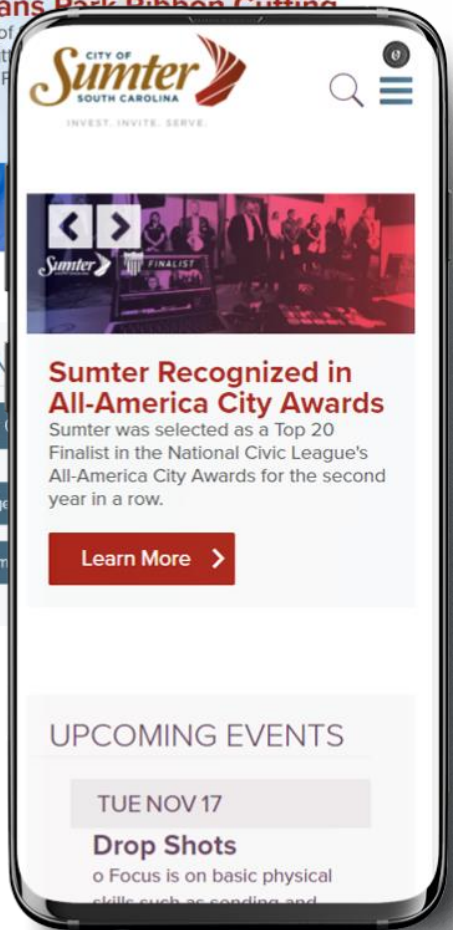
[Careers](#) [City/County Flood Info](#) [Contact Us](#) [Pay Water/Trash](#)

[Departments](#) [Mayor and Council](#) [Community](#) [Business](#) [How Do I...](#)



Veterans Park Ribbon Cutting

The City of Sumter is hosting a ribbon cutting ceremony at Shaw Air Force Base.



Sumter Recognized in All-America City Awards

Sumter was selected as a Top 20 Finalist in the National Civic League's All-America City Awards for the second year in a row.

[Learn More](#)

UPCOMING EVENTS

- TUE NOV 17 Drop Shots**
o Focus is on basic physical skills such as sending and receiving, balance,....
4:00 pm to 4:45 pm
- TUE NOV 17 High Performance**
5:00 pm to 6:30 pm
- TUE NOV 17 Slammers**
5:00 pm to 6:00 pm

SERVING

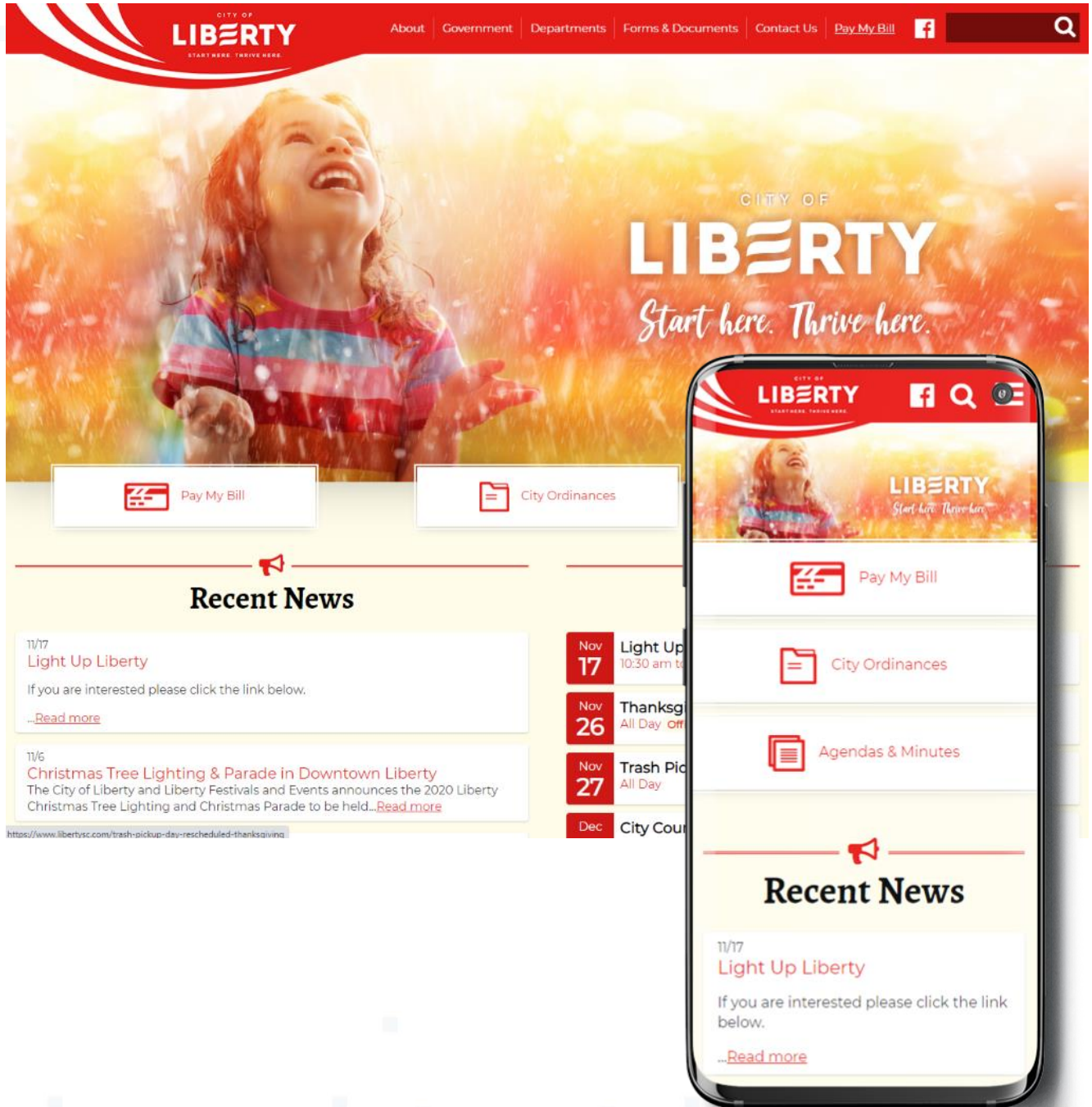
- Next City Council Meeting
- City Council Agenda
- Boards & Commissions

UPCOMING EVENTS

- TUE NOV 17 Drop Shots**
o Focus is on basic physical skills such as sending and receiving, balance,....

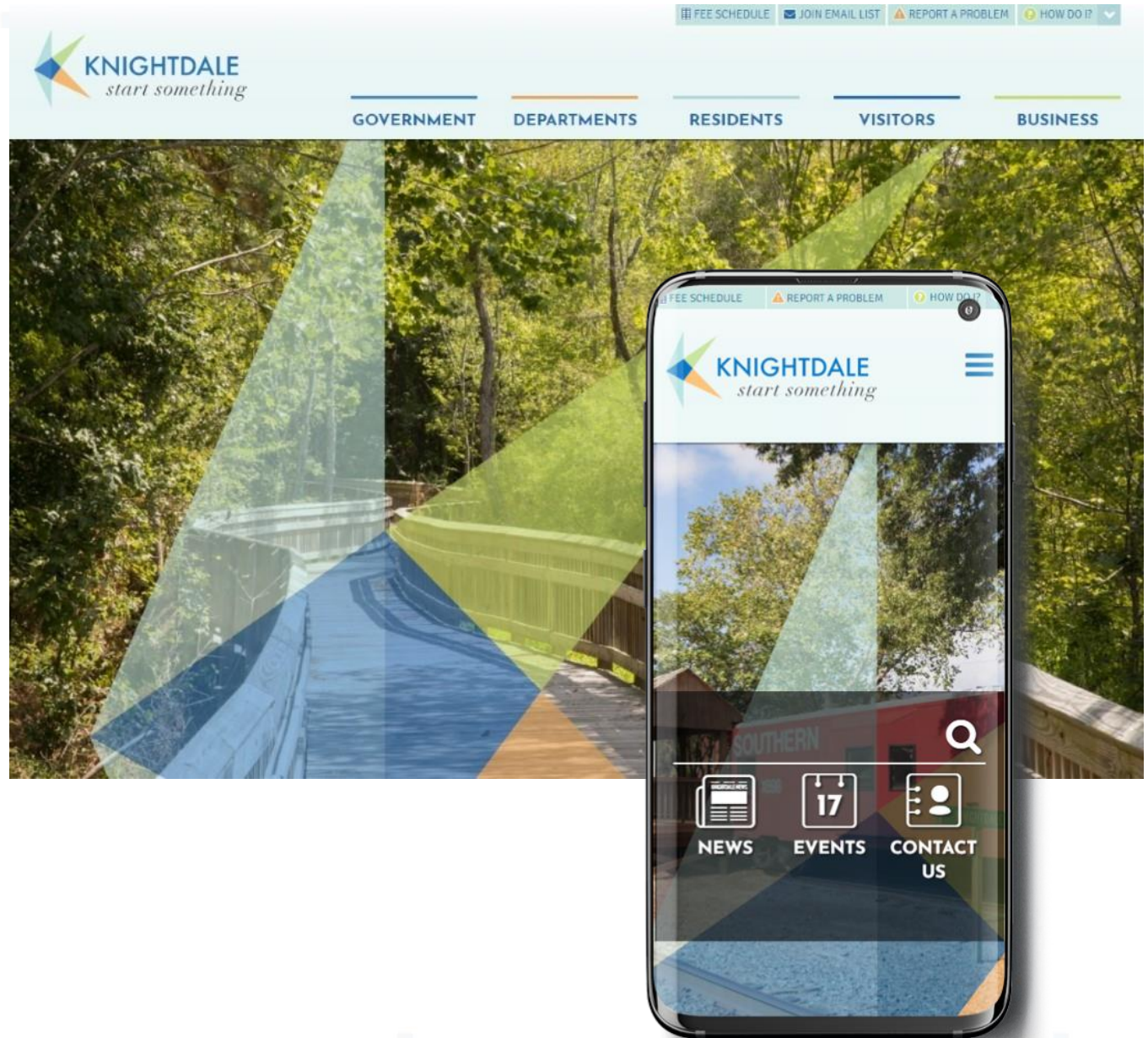
City of Liberty, SC

libertysc.com



Knightsdale, NC

knightsdalenc.gov



Project Scope

Design

VC3 will create a new, custom design for the website, to include a homepage design and an interior template design.

CMS Implementation

VC3 will implement the new design into the Drupal CMS. All core features will be configured and tested.

Content Migration

VC3 will migrate pages from Town of James Island, SC's existing website into the new Drupal platform.

VC3 will ensure during the migration that the content, appearance, and functionality of migrated pages stay intact.

Project Timeline

Our typical timeline for similarly sized projects is 3-5 months. In our experience, we like to set out an initial timeline that allows our clients enough time to make the appropriate decisions at each step of the project. VC3 will provide a detailed timeline after the Project kickoff meeting.

Phase	Duration
Design	4 weeks
Content Review and Development	4 weeks
Development and Testing	4 weeks
Training & Launch	2 weeks

Financial Investment and Terms

Services Costs

VC3 will perform the Website Design project described in this document for the fees described in the following tables.

Service	One-Time Cost	Monthly Cost
Website Implementation	\$12,400	
Website Partnership Plan with FREE Redesign every 4 Years (Support & Hosting)		\$350

Terms & Conditions

VC3 will invoice the implementation fee upon receipt of this signed work order. The Partnership Plan starts the first full month after the receipt of this signed work order. The Partnership Plan is based on a 48-month term whose cost will increase 3% annually from the first full month of Partnership Plan monthly invoicing.

The terms of this work order will automatically renew for an additional term of equivalent length to the current active term unless notice of termination is provided to VC3 no fewer than 90 calendar days prior to expiration of the current active term. Free redesign contingent upon renewal of 48-month term.

This price is valid for 30 days from date of work order.

Hosting Storage and Bandwidth

Town of James Island, SC's website will be hosted within VC3's hosting environment, located in the continental United States. **VC3 includes 10 GB of disk storage and 1 TB of monthly bandwidth transfer for each client.** Typically, 4 GB of disk storage and 200 GB monthly bandwidth transfer covers most large-sized municipal websites. If bandwidth or disk space exceeds these amounts, resources will be invoiced at the rates outlined in the fee schedule below.

Table A: Fees Description	Monthly Price
Each Additional 1GB Disk Storage	\$2.00
Each Additional 10 GB Bandwidth	\$2.00

Project Boundaries

Work to be performed does not include any other services except those explicitly defined and stated in this Work Order. Should additional services be desired, VC3 can provide the services surrounding these tasks on an hourly basis or in a separate Work Order.

Change Management

Any services provided by VC3 to the Client outside the scope of work outlined in this proposal will result in a Change Order Request form or a separate Work Order. If the requested Change Order results in an increase or decrease in the cost of or time required for completion of the work, VC3 will notify Client thereof and the adjustments will be reflected in the Change Order form. The Change Order form will not become effective unless and until it is agreed to and signed by the Client and VC3.

Project Acceptance

This Work Order is part of and incorporated into, the Master Services Agreement between Town of James Island, SC and VC3, Inc. and is subject to the terms and conditions of the Agreement and any definitions contained in the Agreement. If any provision of this Work Order conflicts with the Agreement, the terms and conditions of the Agreement shall control unless this Work Order specifically states that a particular term and condition of the Agreement is being amended for the purposes of this Work Order.

By signing this document, I agree that I am authorized to represent my organization to execute this endeavor and I certify that the proposed cost(s) are accurate and reflect any applicable discounts.

In addition, I also certify that I have read and understands all of the requirements contained in this document, and agree to be bound by the terms and conditions contained without exception.

It is understood that payment will be based upon terms that are pre-arranged with this organization and will be based on a net 30 terms and will be billed monthly.

VC3, Inc.	Town of James Island, SC
By:	By:
Name:	Name:
Title:	Title:
Date:	Date:

RESOLUTION #2022-01

A RESOLUTION IN SUPPORT OF FY 2023 CHARLESTON COUNTY TRANSPORTATION SALES TAX FUNDS (TST) FOR THE REGATTA ROAD SIDEWALK PROJECT

WHEREAS, Regatta Road is a heavily traveled road with a high volume of vehicular and pedestrian activity as it serves as a connector between Fort Johnson Rd and Harborview Road; and

WHEREAS, the community has requested the Town for many years to work on making this important pedestrian improvement; and

WHEREAS, the Town has dedicated efforts and funding to complete the design and permitting of this project and it is being presented as “shovel-ready”; and

WHEREAS, the estimated construction cost for the project is \$250,000 and the Town’s match of 50% (\$125,000) is available in the Town’s Capital Projects Budget; and

NOW, THEREFORE, BE IT RESOLVED BY THE JAMES ISLAND TOWN COUNCIL THAT:

1. The Town of James Island respectfully requests \$125,000 in funding through the TST Allocation Program for the Regatta Road Sidewalk Project
2. The Town of James Island commits to funding a 50% match in the amount of \$125,000 which has been allocated in the Town’s Capital Projects Budget.
3. This Resolution shall become effective upon its adoption and approval.

Adopted this 20th of January, 2022

Bill Woolsey
Mayor

ATTEST

Frances Simmons
Town Clerk

RESOLUTION #2022-02

RESOLUTION REQUESTING STAFF TO INVESTIGATE AFFORDABLE HOUSING OPTIONS

WHEREAS, the Town of James Island will be receiving over \$3 million dollars in federal relief funds through the American Rescue Plan Act; and

WHEREAS, while the Town has designated these funds to go towards drainage relief and water quality projects, these funds free up other previously obligated funds within the Town's capital improvement plan; and

WHEREAS, James Island has a critical need for more quality affordable housing; and

WHEREAS, there already exist housing stock on James Island that is vacant and/or dilapidated that currently is a detriment to the community and could be an asset; and

WHEREAS, Charleston County has agreed to buy 18 homes previously owned by the Charleston County Redevelopment and Housing Authority to renovate and turn over to housing groups to manage for the betterment of the community: and

NOW, THEREFORE, BE IT RESOLVED that the Town of James Island Town Council requests Town Staff to investigate similar programs the Town could initiate, either through a partnership with Charleston County or through other means.

Adopted this 20th of January, 2022

Bill Woolsey
Mayor

ATTEST

Frances Simmons
Town Clerk

https://www.postandcourier.com/news/charleston-county-buying-18-vacant-fixer-upper-houses-for-2-47m/article_2f2e2684-56ef-11ec-9e36-47503ea5d940.html

Charleston County buying 18 vacant fixer-upper houses for \$2.47M

BY DAVID SLADE DSLADE@POSTANDCOURIER.COM

DEC 12, 2021



A vacant home on Doris Drive in West Ashley, pictured on Dec. 7, 2021, is one of 18 homes being bought and fixed up by Cha Lauren Petracca/Staff

BY LAUREN PETRACCA LPETRACCA@POSTANDCOURIER.COM

Charleston County's troubled housing authority is selling 18 vacant homes because it couldn't afford to maintain or repair them, and it needs the money.

Allowing neglected houses to sit vacant during an affordable housing crisis is a symptom of the Charleston County Housing and Redevelopment Authority's ongoing financial problems. The authority also owns and manages the Charleston

high-rise Joseph Floyd Manor, where elderly apartment tenants have contended with rats, bedbugs, mold and other problems.

Following a Post and Courier report about conditions there in 2020, [the authority's board fired CEO James Williams](#), and then Charleston County Council ousted board Chairman George Dawson.

**NEWS**

Funding issues at Charleston's Joseph Floyd Manor could soon be resolved

BY GREGORY YEE GYEE@POSTANDCOURIER.COM

After that, the authority got federal permission to sell 18 houses located in different communities across the county in order to raise money to pay off debt and fund improvements.

“When we got that call ... it was just like weight was lifted off our shoulders because now we know we're getting some capital coming back in,” Sandino Moses, chairman of the authority's board, told The Post and Courier in July.

To keep those 18 houses available as affordable housing, rather than being sold to the highest bidder, Charleston County has agreed to buy them for \$2.47 million. That's an average price of \$137,222 per house.

“I can tell you the lion's share (of the money) will be used at Joseph Floyd Manor,” said Franklin Scott, who became the county housing authority's director in October. He was previously in charge of the North Charleston housing authority.

**NEWS**

Mold, pest problems persist at Joseph Floyd Manor a year after inspection, residents say

BY JOCELYN GRZESZCZAK JGRZESZCZAK@POSTANDCOURIER.COM

The deal is expected to be completed by the end of December. Next, the county plans to repair the houses at a cost that hasn't been estimated.

All of the single-family homes have been vacant for more than a year, according to Charleston County. They are scattered across the county, from Johns Island to Ladson, but most have Charleston or North Charleston addresses.

Scott said the houses had become difficult for the authority to manage “due to the age of the properties, maintenance issues, labor issues, supply chain issues, and their dispersion across the county.”

The Charleston County government also doesn’t plan to own and manage the housing. Rather, the county plans to make the homes livable once again and then turn them over to housing groups to manage.



A vacant home on Alvie Street in North Charleston, pictured on Dec. 7, 2021, is one of 18 homes being bought and fixed up by Charleston County using federal funds. Lauren Petracca/Staff

BY LAUREN PETRACCA LPETRACCA@POSTANDCOURIER.COM

“The ultimate goal is to not keep those houses owned by the county, because we are not landlords,” Deputy Administrator Christine DuRant said at a Dec. 2 council meeting. “They could be allocated to a nonprofit that would manage them.”

The county has not decided which nonprofit or governmental groups will eventually manage the homes.

Council Chairman Teddie Pryor has suggested that the city housing

authorities in Charleston and North Charleston — not the county housing authority — could play a role. And Councilman Brantley Moody was relieved to hear that the county doesn’t plan to own the houses long-term.

“I think this is a wonderful project, but we need to fix them up and get out of the business,” he said.

NEWS

Charleston County plans incentives for affordable housing, eyes another referendum



BY DAVID SLADE DSLADE@POSTANDCOURIER.COM

Both the purchase and the repairs would be paid for with federal funds that were part of the national pandemic recovery legislation. The deal with the housing authority serves two purposes, Councilwoman Anna Johnson said.

It's an opportunity to keep some affordable housing from being lost, but "this is an opportunity for us to also help (the county housing authority) ... to get funding to help with the repairs they need to get done."

So, the county is taking federal money, giving it to the housing authority, getting 18 houses in exchange, and then using more federal money to prepare them for new occupants.

Charleston County does not fund or manage the county housing authority, but County Council does appoint its board members.



REAL ESTATE

Charleston County Council to designate \$30M property for affordable housing

BY DAVID SLADE DSLADE@POSTANDCOURIER.COM

Reach **David Slade** at 843-937-5552. Follow him on Twitter @DSladeNews.

MORE INFORMATION

Letters: Most SC delegation complicit with disinformation in aftermath of Jan. 6 Capitol riot

Hicks: Pryor wins 8th term as County Council chair. It will be another doozy.

DAVID SLADE

David Slade is a senior Post and Courier reporter. His work has been honored nationally by Society of Professional Journalists, American Society of Newspaper Editors, Scripps foundation and others. Reach him at 843-937-5552 or dslade@postandcourier.com

