

MAYOR:
John Labriola

TOWN ADMINISTRATOR:
Stephanie Monroe Tillerson

TOWN ATTORNEY:
Joseph Wilson



TOWN COUNCIL MEMBERS:
John Moffitt
Bradley D. Belt
Michael Heidingsfelder
Russell A. Berner

SPECIAL CALL TOWN COUNCIL
Municipal Center Council Chambers
October 24, 2023; 1:00 pm

AGENDA

- I. **Call to Order:**
- II. **Roll Call:**
- III. **Public Hearing:**
 - A. **Ordinance 2023-20** – An Ordinance to Amend the Town of Kiawah Island Comprehensive Plan – Land Use Element – Future Land Use Categories and Comprehensive Plan Map IX.2, Future Land Use; to Change the Future Land Use Designation for the Subject Parcels Within the 2013 Amended and Restated Development Agreement - **Public Hearing**
 - B. **Ordinance 2023-21** – An Ordinance to Amend Chapter 12 - Land Use Planning and Zoning, Article II. – Zoning, Division 2. - Zoning Map/Districts, Section 12-62. - Zoning Map by Rezoning the Specific Parcels Within the 2013 Amended and Restated Development Agreement - **Public Hearing**
 - C. **Ordinance 2023-22** – An Ordinance to Amend Chapter 12 - Land Use Planning and Zoning, Article II. – Zoning, Division 3. – Use Regulations, Section 12-103. – Conditions Of Use - **Public Hearing** [Tab 1]
 - D. **Ordinance 2023-23** – An Ordinance to Amend Chapter 12 - Land Use Planning and Zoning Ordinance Pursuant to Existing Ordinance 2013-14 to Remove the 2013 Amended and Restated Development Agreement from the Zoning Code as an Appendix - **Public Hearing** [Tab 2]
- IV. **Citizens' Comments (Agenda Items Only):**
- V. **New Business:**
 - A. To Consider Approval of the Amended Town Attorney Contract Services Agreement with Joseph Wilson [Tab 3]
 - B. To Consider Approval of the Consultant for the Law Enforcement Department Feasibility Study [Tab 4]
 - C. To Consider Approval for the Creation of a Video Production Specialist Position within the Communications Department [Tab 5]
 - D. To Consider Approval of the Proposal from Clean Harbors for the Removal of Household Hazardous Waste [Tab 6]
 - E. To Consider Approval of the Proposal for a Dumpster Pad at Town Hall [Tab 7]
- VI. **Council Member Comments:**
- VII. **Citizens' Comments:**
- VIII. **Adjournment:**



TAB 1

TOWN COUNCIL

Agenda Item

Town of Kiawah Island
Comprehensive Plan Future Land Use Map
Zoning Ordinance Amendment Request
Case History

Planning Commission Workshop: September 26, 2023 at 1:00 PM
Planning Commission Workshop: October 4, 2023 at 9:00 AM
Planning Commission Meeting: October 4, 2023 at 2:00 PM
Planning Commission Workshop: October 19, 2023 at 9:00AM
Special Called Planning Commission Meeting: October 19, 2023 at 10:30 AM
Public Hearing: October 24, 2023 at 1:00PM
Second Reading:

CASE INFORMATION SUMMARY

The Master Plan for Kiawah was approved in May of 1975 by Charleston County as part of the original planned development for Kiawah Island. The Town of Kiawah Island was incorporated on September 13, 1988.

The Town of Kiawah Island and the Kiawah Island Company entered into the first development agreement September 26, 1994, replacing the entitlements outlined within the original Planned Development District created for Kiawah with Charleston County. (Recorded with Charleston County Register of Deeds – Book J248 Page 001)

In 2005, a new development agreement was entered into by and between the Town of Kiawah Island and the Property Owner (Kiawah Resort Associates L.P., present day Kiawah Partners). This 2005 Development Agreement updated development patterns and parameters based on new information and newly developed neighborhoods since 1994. The 2005 Development Agreement was executed on October 12, 2005. (Recorded with Charleston County Register of Deeds – Book Z558 Page 004) Since the execution of the 2005 Development Agreement, there have been six executed amendments made to the 2005 Development Agreement.

The current development agreement in place was Amended and Restated in 2013. This 2013 Amended and Restated Development Agreement by and between Kiawah Resort Associates LP (present day Kiawah Partners) and the Town of Kiawah Island (ARDA) guides planning and development for the remaining property holdings of the developer. This development agreement also covered the annexed lands of Freshfields and considerations of future annexed lands known as Cassique. (Recorded with Charleston County Register of Deeds – Book 0377 Page 802) Since the execution of the 2013 Amended and Restated Development Agreement, there have been four executed amendments.

The First Amendment to ARDA was executed on June 4, 2019. After certification by the property owner to the Town that highland within the Real Property owned by the Property Owner as of January 1, 2016, was more than 250 acres, this amendment, agreed upon by the Property Owner and the Town, amended the terms of the agreement from January 1, 2023 to January 1, 2026. (Recorded with Charleston County Register of Deeds – Book 0804 Page 670)

The Second Amendment to the ARDA was executed on August 6, 2019. This amendment modified standards for Parcel 13 – Beachwalker Ocean. The modified development standards for Parcel 13, included heightened standards, establishing a limited height zone along the beachfront of Lot 2 (current site of The Cape), establishing remaining dwelling unit entitlements for Parcel 13 in preparation for future development of the site. (Recorded with Charleston County Register of Deeds – Book 0820 Page 516).

The Third Amendment to the development agreement was executed on November 3, 2020. This amendment

established dwelling unit entitlements for Parcel 13 as well as modified standards for Parcel 13 - Lot 1. These amendments focused on compatibility of height to adjacent existing developments establishing a limited height zone, established remaining dwelling unit entitlements and the number of dwelling units per building. (Recorded with Charleston County Register of Deeds – Book 0930 Page 963)

The Fourth Amendment to the development agreement was executed on November 1, 2022. This amendment changed the terms of the agreement, setting a new Termination Date to December 4, 2023. (Recorded with Charleston County Register of Deeds – Book 1151 Page 978)

ARDA Future Land Use Designations and Rezoning

Within the executed development agreement, dual land use categories were created for several parcels. These parcels and dual categories are reflected in Exhibit 13. 2 Parcel Specific Development Standards of the ARDA under Use Type. These dual zoning categories have also been identified on the Town's official zoning map as amended with the execution of the development agreement.

As part of the expiration of the ARDA, Town staff recommends that these parcels be formally rezoned to a zoning category not associated with those identified by the ARDA' dual land use categories. In addition to the rezoning of these parcels identified with dual land use categories, staff is recommending that other parcels within Exhibit 13.2 Parcel Specific Development Standards that have used their entitlements be rezoned to match the current land use pattern. To accompany the rezoning, staff recommends the Future Land Use Map of the Comprehensive Plan be amended to reflect the proposed new zoning designations for these parcels. For this rezoning process, each of the parcels being presented for rezoning the parent parcels associated with the ARDA Exhibit 13.2. Parcel Specific Development Standards, identified by Parcel # and Parcel Description. This means that individual parcels which may have been subdivided and or developed after the execution of the ARDA are being presented for rezoning as referenced to in the 2013 ARDA Parcel Rezoning Staff Recommendations. The subject properties vary in size and property owner. Each parcel considered for rezoning will be identified on the Town's official zoning map.

Each of the parcels under consideration contained recommendations made by planning staff. The proposed staff recommendations have been made taking into consideration all of the following measures:

- Existing zoning standards which represent the current allowances of each of the parcels
- Existing land use patterns which represent how parcels have used and developed both adjacent to the subject parcels and across the island as well as existing conditions
- Past and present development typologies which represent how parcels have and could be developed.
- Current future land use designations which represent the assigned future land use category for each of the subject parcels based on the Comprehensive Plan for the Town of Kiawah Island
- Community feedback of recent development proposals
- Best practices of planning and zoning methods and land use planning standards which represent modern standards and practices for development.
- Legal implications which represent zoning and land use law provisions to include local and state law

Following the presentation of recommendations to the Planning Commission by staff, the Planning Commission made the following recommendation for consideration to Town Council as shown on the attached spreadsheet.

These recommendations also include a proposed text amendment to *Sec. 12-103 – Conditions of Use*. also attached.

Ordinance 2013-14

The 2013 Amended and Restated Development agreement was adopted by ordinance on December 3, 2013. With the adoption process, the Town ensured its consistency with Comprehensive Plan as well as the Town of Kiawah Island Land Use Planning and Zoning Ordinance. Ordinance 2013-14 undertook three actions, (1) incorporated the ARDA as an appendix to the Town's Land Use Planning and Zoning Ordinance, (2) adopted the Freshfields Retail Village Planned Development District, and (3) adopted a zoning map. As part of the expiration of the ARDA, staff is recommending that this ordinance be amended to remove the ARDA as part of the zoning code yet retain Freshfields Retail Village Planned Development District within the zoning code.

The Planning Commission provided a recommendation of approval on October 19, 2023.

RECOMMENDATION BY THE PLANNING COMMISSION

Pursuant to §12-158 (3) of the *Land Use Planning and Zoning Ordinance* "The Planning Commission shall review the proposed text amendment and/or zoning map amendment and take action, recommending that the Town Council approve or deny the proposed amendment. The Planning Commission may hold a public hearing in accordance with the procedures in section 12-156. The Planning Commission's recommendation shall be based on the approval criteria of subsection (6) of this section. The Planning Commission shall submit its recommendation to the Town Council within 30 working days of the Planning Commission meeting at which the amendment was introduced. A simple majority vote of the Planning Commission members present and voting shall be required to approve the amendment.

DECISION ON AMENDMENT BY THE TOWN COUNCIL

Pursuant to §12-158 (5) of the *Land Use Planning and Zoning Ordinance* "After receiving the recommendation of the Planning Commission, the Town Council shall hold one or more public hearings, and any time after the close of the public hearing, take action to approve, approve with modifications or deny the proposed amendment based on the approval criteria of subsection (6) of this section. A simple majority vote of Town Council members present and voting shall be required to approve the amendment. Zoning map amendments shall not be approved with conditions. Prior to action on a proposed code text amendment, the Town Council may, in the exercise of its legislative discretion, invoke the "pending ordinance doctrine" by ordinance so that no building permits shall be issued for structures which would be affected by the proposed amendment until the Town Council has rendered its decision on the proposed amendment."

APPROVAL CRITERIA AND APPLICANT'S RESPONSE

Pursuant to §12-158 (6) of the *Land Use Planning and Zoning Ordinance*, (6) Approval criteria. Text and zoning map amendments to the ordinance may be approved if the following approval criteria have been met:

- A. The proposed amendment is consistent with the purposes and intent of the adopted Town of Kiawah Island Comprehensive Plan;**
- B. The proposed amendment is consistent with the purposes and intent of this article;**
- C. The purpose of the proposed amendment is to further the general health, safety and welfare of the Town of Kiawah Island;**

D. The proposed amendment corrects an error or inconsistency or meets the challenge of a changed condition.

2013 ARDA Beachwalker Parcels Proposed Rezonings

PARCEL	Current Standards 2013 ARDA	Land Use Planning & Zoning Ordinance / Comprehensive Plan	Proposed Rezoning Staff Recommendaition (Revised 10.19.23)	Planning Commission Recommendation 10.19.2023
Parcel 8 - Parkway Gate (shared parcel 207-05-00-120)				
Future Land Use	Commercial	Commercial	Mixed Use	Medium Density Residential
Zoning	Commercial	Commercial	BW-1, Beachwalker 1	R-2, Residential
Building Height (R)	no residential	no residential	2.5 stories / 40'	2.5 stories / 40'
(C)	2.5 stories / 35' height	2.5 stories / 35'	2.5 stories / 35'	
Dwelling Units per Acre (Density)	F.A.R. 0.20-0.25	F.A.R. 0.20	6 DUs per acre	6 DUs per acre
Dwelling Units per Building			4 DUs per building	4 DUs per building
*Parcel 8 is not a unique parcel with a separate TMS #. Parcel 8 and 10 identided by ARDA share the same TMS # as created through the subdivision process.				
Property Description: This parcel is currently undeveloped.				
Parcel 9 - Beachwalker Office Park (207-05-00-004)				
Future Land Use	Mixed Use	Mixed Use	Medium Density Residential	Medium Density Residential
Zoning	R-2 / C	R-2 / C	R-2	R-2, Residential
Building Height (R)	2.5 stories / 35' height	2.5 stories / 40'	2.5 stories / 40'	2.5 stories / 40'
(C)		2.5 stories / 35'		
Dwelling Units per Acre (Density)	6 DUs per acre (10 Total Units)	6 DUs per acre	6 DUs per acre	6 DUs per acre
Dwelling Units per Building	6 DUs per building	4 DUs per building	4 DUs per building	4 DUs per building
Property Description: This parcel is currently undeveloped and being used as parking. Historically a commerical use with former Beachwalker office park and temporary KICA fitness center.				
Parcel 10 - Marsh Point Residual (shared parcel 207-05-00-120)				
Future Land Use	Mixed Use	Mixed Use	Mixed Use	Medium Density Residential
Zoning	R-2 / C	R-2 / C	BW-1	R-2, Residential
Building Height (R)	2.5 stories / 35' height	2.5 stories / 40'	2.5 stories / 40'	2.5 stories / 40'
(C)		2.5 stories / 35'	2.5 stories / 35'	
Dwelling Units per Acre (Density)	6 DUs per acre (4 Total Units)	6 DUs per acre	6 DUs per acre	6 DUs per acre
Dwelling Units per Building	6 DUs per building	4 DUs per building	4 DUs per building	4 DUs per building
*Parcel 10 is not a unique parcel with a separate TMS #. Parcel 8 and 10 identided by ARDA share the same TMS # as created through the subdivision process.				
Property Description: This parcel is currently undeveloped.				
Parcel 11 - Beachwalker Lagoon (207-05-00-117)				
Future Land Use	Mixed Use	Mixed Use	High Density Residential	High Density Residential
Zoning	R-3 / C	R-3 / C	R-3	R-3, Residential
Building Height (R)	4 stories / 50'	2.5 stories / 40' (multifamily 2 stories)	2.5 stories / 40'	2.5 stories / 40' (multifamily 2 stories)
(C)		2.5 stories / 35'		
Dwelling Units per Acre (Density)	12 DUs per acre	12 DUs per acre	12 DUs per acre	12 DUs per acre
Dwelling Units per Building	7 DUs per building	4 DUs per building	4 DUs per building	4 DUs per building
Property Description: This parcel is currently undeveloped and has a current site plan under review for proposed multifamily development.				
Former Church Parcel (207-05-00-116)				
Future Land Use		Mixed Use	High Density Residential	High Density Residential

Zoning		R-3 / C	R-3	R-3, Residential
Building Height (R)		2.5 stories / 40' (multifamily 2 stories)	2.5 stories / 40'	2.5 stories / 40' (multifamily 2 stories)
(C)		2.5 stories / 35'		
Dwelling Units per Acre (Density)		12 DUs per acre	12 DUs per acre	12 DUs per acre
Dwelling Units per Building		4 DUs per building	4 DUs per building	4 DUs per building
*This parcel is not part of ARDA; *rezoned in 2016				
Property Description: This parcel is currently undeveloped and has a current site plan under review for proposed multifamily development.				
Parcel 13				
(Lot 1) (Third ARDA Amendment)(207-05-00-118)				
Future Land Use	Mixed Use	Mixed Use	High Density Residential	High Density Residential
Zoning	R-3 / C	R-3 / C	R-3	R-3, Residential
Building Height (R)	*4 stories / 65' height	2.5 stories / 40' (multifamily 2 stories)	2.5 stories / 40'	2.5 stories / 40' (multifamily 2 stories)
(C)	2.5 stories 35'	2.5 stories / 35'		
Dwelling Units per Acre (Density)	12 DUs per acre	12 DUs per acre	12 DUs per acre	12 DUs per acre
Dwelling Units per Building	***7 DUs per building	4 DUs per building	4 DUs per building	4 DUs per building
*Lot 1 Limited Height Zone based on ARDA 3rd Amendment	Limited Height Zone 3 stories / 55'			
***Lot 1 Varied DUs per building based on ARDA 3rd Amendment	two (no more than 14 DUs); two up to 10 DUs; remainder no more than 8 DUs)			
Property Description: This parcel is currently undeveloped and has a current site plan under review for proposed multifamily development.				
The Cape (Second ARDA Amendment)				
Future Land Use	Mixed Use	Mixed Use	Mixed Use	High Density Residential
Zoning	R-3 / C	R-3 / C	BW-2	R-3, Residential
Building Height (R)	*4 stories / 65' height	2.5 stories / 40' (multifamily 2 stories)	**3 stories / 50'	2.5 stories / 40' (multifamily 2 stories)
(C)	2.5 stories 35'	2.5 stories / 35'	2.5 stories 35'	
Dwelling Units per Acre (Density)	12 DUs per acre	12 DUs per acre	6 DUs per acre	12 DUs per acre
Dwelling Units per Building	***7 DUs per building	4 DUs per building	7 DUs per building	4 DUs per building
*Area Limited Height Zone based on ARDA 2nd Amendment	Limited Height Zone 25' Height Zone A; 35' Height Zone B		**Structures within in 30' of any property line may not exceed 40' in height.	
***Varied DUs per building based on ARDA 2nd Amendment	two (up to 20 DUs); two (up to 12 DUs); remainder (not more than 8 DUs)			
Property Description: This parcel is currently under construction for permitted multifamily development and western beach club.				
Timbers				
Future Land Use	Mixed Use	Mixed Use	Mixed Use	High Density Residential
Zoning	R-3 / C	R-3 / C	BW-2	R-3, Residential
Building Height (R)	*4 stories / 65' height	2.5 stories / 40' (multifamily 2 stories)	**3 stories / 50'	2.5 stories / 40' (multifamily 2 stories)
(C)	2.5 stories 35'	2.5 stories / 35'	2.5 stories 35'	
Dwelling Units per Acre (Density)	12 DUs per acre	12 DUs per acre	6 DUs per acre	12 DUs per acre
Dwelling Units per Building	7 DUs per building	4 DUs per building	7 DUs per building	4 DUs per building
			**Structures within in 30' of any property line may not exceed 40' in height.	
Property Description: This parcel is currently developed as multifamily development.				
Parcel 12				

Parcel 12A Beachwalker Park (207-05-00-001)				
Future Land Use	Mixed Use	Mixed Use	Medium Density Residential	Medium Density Residential
Zoning	R-3 / C	R-3 / C	R-2	R-2, Residential
Building Height (R)	*4 stories / 65' height	2.5 stories / 40' (multifamily 2 stories)	2.5 stories / 40'	2.5 stories / 40' (multifamily 2 stories)
(C)	2.5 stories 35'	2.5 stories / 35'		
Dwelling Units per Acre (Density)	12 DUs per acre	12 DUs per acre	6 DUs per acre	6 DUs per acre
Dwelling Units per Building	7 DUs per building	4 DUs per building	4 DUs per building	4 DUs per building
*Parcel 12A is not a unique parcel with a separate TMS # identified by ARDA. Parcel 12A contains Parcel 207-05-00-001 and overlays Parcel 207-05-00-0011 (The eastern portion of Captain Sams)				
Property Description: This parcel is currently the site of existing Beachwalker County Park facilities and parking.				
Parcel 12B - Captain Sams				
Future Land Use	Low Density Residential	Low Density Residential / Mixed Use	Low Density Residential	Low Density Residential
Zoning	R-1	R-1	R-1	R-1, Residential
Building Height (R)	2.5 stories / 40'	2.5 stories / 40'	2.5 stories / 40'	2.5 stories / 40'
(C)	no commercial	no commercial		
Dwelling Units per Acre (Density)	3 DUs per acre	3 DUs per acre	3 DUs per acre	3 DUs per acre
Dwelling Units per Building				
*A portion of this parcel 207-05-00-0011 contains ARDA overlay.				
Property Description: This parcel is currently undeveloped.				
Parcel 16 - The Settlement				
Future Land Use	Low Density Residential, Active Recreation and Open Space	Low Density Residential / Active Recreation and Open Space	Low Density Residential / Active Recreation and Open Space	Low Density Residential / Active Recreation and Open Space
Zoning	R-2, PR. C	R-2, PR	R-2, PR*	R-1, Residential PR, Parks and Recreation*
Building Height (R)				
(C)				
Dwelling Units per Acre (Density)				
Dwelling Units per Building				
			*area for existing club facility including spa, proposed text amendment for use conditions	*Residential lots (R-1); River Course (PR) *Proposed text amendment to Sec. 12-10 Conditions of Use. (Area for existing club facility including spa to be allowed under The PR zoning designation)
Property Description: This parcel is currently developed as single family residential and includes the River Course.				
Parcel 41 - Osprey Beach				
Future Land Use	Low Density Residential, Active Recreation and Open Space	Low Density Residential / Active Recreation and Open Space	Low Density Residential, Active Recreation and Open Space	Low Density Residential, Active Recreation and Open Space
Zoning	R-1, C	R-1, PR	R-1, PR	R-1, Residential PR, Parks and Recreation*
Building Height (R)				
(C)				
Dwelling Units per Acre (Density)				
Dwelling Units per Building				
Property Description: This parcel is currently developed as single family residential and includes the East Beach Club.				*Residential lots (R-1); East Beach Club (PR)

Sec. 12-65. R-1, Residential District.

- (a) *Purpose and intent.* The purpose of the R-1 zoning district is to promote stable residential neighborhoods consisting of low density, detached, single-family dwellings and surrounding parks, golf courses, and open spaces. Activities and endeavors which might serve to mitigate against this purpose shall be prohibited or strictly regulated.
- (b) *District regulations.* The following apply to all dwelling units in the R-1 zoning district:
- (1) The maximum density for this district is three dwelling units per acre;
 - (2) All required parking shall be enclosed;
 - (3) Open storage is prohibited;
 - (4) Lot standards (setbacks, lot coverage, etc.) for single-family detached dwellings on existing platted lots that are included in article VII of this chapter, the Kiawah Island Property Setback Requirements Appendix, dated 7-10-2007, incorporated herein by reference and adopted hereto as said article VII shall apply in lieu of the setback requirements in table 2B following subsection (b)(6) of this section;
 - (5) Lot standards (setbacks, lot coverage, etc.) for single-family detached dwellings not covered by subsection (b)(4) of this section are listed in table 2B following subsection (b)(6) of this section and table 2C following section 12-66(b)(8);
 - (6) Authorized uses are listed in table 3A in section 12-102(c).

Table 2B. Lot Standards for R-1 Single-Family Detached Dwellings								
Lot Size (square feet)	Maximum Lot Coverage	Depth (feet)	Width (feet) ⁽¹⁾	Minimum Yard Setbacks (feet)			Maximum Height	
				Front ⁽²⁾	Side ⁽³⁾⁽⁵⁾	Rear ⁽⁴⁾	(stories)	(feet)
8,000—11,999	40 percent	100	60	25	10	25	2.5	40
12,000+	33 percent	100	75	25	20	25	2.5	40
⁽¹⁾ For lots on cul-de-sacs or similar circumstances, the minimum width shall apply at the front yard setback line. Cul-de-sac lots shall have a minimum width of 25 feet at the street line. The minimum width of any flag lot may be reduced to 20 feet, provided that the minimum width specified in the table is provided at the front building setback line.								
⁽²⁾ On corner and double-frontage lots, front setback standards will apply to each lot line that borders a street right-of-way. The rear yard setback shall apply to the opposite side of the principal structure's front main entrance. The side yard setback shall apply to the remaining sides.								
⁽³⁾ A minimum of 15 feet must be provided between structures.								
⁽⁴⁾ The minimum yard requirements shall be increased to 30 feet from any lot or parcel boundary which abuts a golf course.								
⁽⁵⁾ Minimum setbacks in side yard for lots currently in existence and reflected on the current zoning map and fronting on Eugenia Avenue the side yard setback shall be ten feet.								

(Code 1993, § 12A-205; Ord. No. 2005-08, § 12A-205, 10-12-2005; Ord. No. 2006-10, § 2, 2-6-2007; Ord. No. 2007-05, § 2(12A-205), 7-10-2007)

Sec. 12-66. R-2, Residential District.

- (a) *Purpose and intent.* The purpose of the R-2 zoning district is to promote stable residential neighborhoods consisting of medium density residences surrounded by parks, golf courses and open spaces. The district is intended for a variety of dwelling unit types. Activities and endeavors which might serve to mitigate against this purpose shall be prohibited or strictly regulated.
- (b) *District regulations.* The following apply to the R-2 zoning district:
- (1) The maximum density for this district is six dwelling units per acre;
 - (2) All required parking shall be enclosed;
 - (3) Open storage is prohibited;
 - (4) There shall be no more than four dwelling units in any building within this district;
 - (5) Lot standards (setbacks, lot coverage, etc.) for single-family detached dwellings on existing platted lots that are included in article VII of this chapter, the Kiawah Island Property Setback Requirements Appendix, dated 7-10-2007, incorporated herein by reference and adopted hereto as said article VII shall apply in lieu of the setback requirements in table 2C following subsection (b)(8) of this section;
 - (6) Lot standards (setbacks, lot coverage, etc.) for patio homes, on existing platted lots that are included in article VII of this chapter, the Kiawah Island Property Setback Requirements Appendix, dated 7-10-2007, incorporated herein by reference and adopted hereto as said article VII shall apply in lieu of the setback requirements in table 2D following subsection (b)(8) of this section;
 - (7) Lot standards (setbacks, lot coverage, etc.) for patio homes not covered by subsection (b)(6) of this section are listed in table 2D following subsection (b)(8) of this section;
 - (8) Authorized uses are listed in table 3A in section 12-102(c).

Table 2C. Lot Standards for R-2 Single-Family Detached Dwellings								
Lot Size (square feet)	Maximum Lot Coverage	Depth (feet)	Width (Feet) ⁽¹⁾	Minimum Yard Setbacks ⁽²⁾ (feet)			Maximum Height	
				Front ⁽²⁾	Side ⁽³⁾	Rear ⁽⁴⁾	(stories)	(feet)
6,000—7,999	50 percent	85	55	20	7	20	2.5	40
8,000—11,999	40 percent	100	60	25	15	25	2.5	40
12,000+	33 percent	100	75	25	20	25	2.5	40
⁽¹⁾ For lots on cul-de-sacs or similar circumstances, the minimum width shall apply at the front yard setback line. Cul-de-sac lots shall have a minimum width of 25 feet at the street line. The minimum width of any flag lot may be reduced to 20 feet, provided that the minimum width specified in the table is provided at the front building setback line.								
⁽²⁾ On corner and double-frontage lots, front setback standards will apply to each lot line that borders a street right-of-way. The rear yard setback shall apply to the opposite side of the principal structure's front main entrance. The side yard setback shall apply to the remaining sides.								
⁽³⁾ A minimum of 15 feet must be provided between structures.								
⁽⁴⁾ The minimum yard requirements shall be increased to 30 feet from any lot or parcel boundary which abuts a golf course.								

Table 2D. Lot Standards for R-2 (Patio Homes, Duplexes and Townhouses)				
Housing Type	Minimum Lot Size (sq. ft.)	Minimum Yard Setbacks (feet)	Maximum Height	Maximum Lot Coverage

		Front	Side ⁽¹⁾	Rear	(stories)	(feet)	
Patio homes, zero lot line homes	4,000	20	0/10 ⁽²⁾	20	2.5	35	50 percent
Duplex	6,500	15	7	20	2.5	40	40 percent
Townhouse	2,000	10	See note ⁽³⁾	20	2.5	40	60 percent

⁽¹⁾ On corner and double-frontage lots, front setback standards will apply to each lot line that borders a street right-of-way. The rear yard setback shall apply to the opposite side of the principal structure's front main entrance. The side yard setback shall apply to the remaining sides.

⁽²⁾ A total distance of 15 feet is required between buildings with ten feet minimum setback being required on one side of each lot.

⁽³⁾ Where the front, interior side and rear setbacks of the underlying zoning district reduces the buildable width of a lot to less than 40 feet, the Planning Director shall be authorized to reduce the required setbacks as much as necessary. However, no setback reduction granted by the Planning Department shall be for more than 15 feet.

(Code 1993, § 12A-206; Ord. No. 2005-08, § 12A-206, 10-12-2005; Ord. No. 2007-05, § 2(12A-206), 7-10-2007)

Sec. 12-67. R-3, Residential District.

- (a) *Purpose and intent.* The purpose of the R-3 zoning district is to provide for neighborhoods consisting of higher density, residential development for Kiawah Island's residents and guests, surrounded by parks, golf courses, and open spaces. It accommodates multifamily dwellings and other higher density single-family alternatives, such as duplexes or townhouses. Activities and endeavors which might serve to mitigate against this purpose shall be prohibited or strictly regulated.
- (b) *District regulations.* The following apply to the R-3 zoning district:
- (1) The maximum density for this district is 12 dwelling units per acre;
 - (2) Open storage is prohibited;
 - (3) There shall be no more than four dwelling units in any building within this district;
 - (4) Lot standards (setbacks, lot coverage, etc.) for single-family detached dwellings are listed in table 2F in this subsection;
 - (5) Lot standards (setbacks, lot coverage, etc.) for patio homes, duplexes, townhouses and multifamily are listed in table 2G in this subsection (b);
 - (6) Authorized uses are listed in table 3A in section 12-102(c).

Table 2F. Lot Standards for R-3 Single-family Detached Dwellings								
Lot Size (square feet)	Maximum Lot Coverage	Depth (feet)	Width (feet) ⁽¹⁾	Minimum Setbacks (feet)			Maximum Height	
				Front ⁽²⁾	Side ⁽³⁾	Rear ⁽⁴⁾	(stories)	(feet)
2,000—3,999	60 percent	65	20	10	3	10	2.5	40
4,000—5,999	50 percent	75	30	15	7	15	2.5	40
6,000—7,999	50 percent	85	55	20	7	20	2.5	40
8,000—11,999	40 percent	100	60	25	10	25	2.5	40
12,000+	33 percent	100	75	25	20	25	2.5	40
⁽¹⁾ For lots on cul-de-sacs or similar circumstances, the minimum width shall apply at the front yard setback line. Cul-de-sac lots shall have a minimum width of 25 feet at the street line. The minimum width of any flag lot may be reduced to 20 feet, provided that the minimum width specified in the table is provided at the front building setback line.								
⁽²⁾ On corner and double-frontage lots, front setback standards will apply to each lot line that borders a street right-of-way. The rear yard setback shall apply to the opposite side of the principal structure's front main entrance. The side yard setback shall apply to the remaining sides.								
⁽³⁾ A minimum of 15 feet must be provided between structures.								
⁽⁴⁾ The minimum yard requirements shall be increased to 30 feet from any lot or parcel boundary which abuts a golf course.								

Table 2G. Lot Standards for R-3 (Patio Homes, Duplexes, Townhouses and Multifamily)							
Housing Type	Minimum Lot Size (square feet)	Minimum Setbacks (feet)			Maximum Height		Maximum Lot Coverage (percent)
		Front	Side ⁽¹⁾	Rear	(stories)	(feet)	
Patio homes, zero lot line homes	4,000	20	0/10 ⁽²⁾	20	2.5	35	50
Duplex	6,500	15	7	20	2.5	40	40

Townhouse	2,000	10	See note ⁽³⁾	20	2.5	40	60
Multifamily	10,000	25	See note ⁽³⁾	20	2	40	60
⁽¹⁾ On corner and double-frontage lots, front setback standards will apply to each lot line that borders a street right-of-way. The rear yard setback shall apply to the opposite side of the principal structure's front main entrance. The side yard setback shall apply to the remaining sides.							
⁽²⁾ A total distance of 15 feet is required between buildings with ten feet minimum setback being required on one side of each lot.							
⁽³⁾ Where the front, interior side and rear setbacks of the underlying zoning district reduces the buildable width of a lot to less than 40 feet, the Planning Director shall be authorized to reduce the required setbacks as much as necessary. However, no setback reduction granted by the Planning Department shall be for more than 15 feet.							

(Code 1993, § 12A-207; Ord. No. 2005-08, § 12A-207, 10-12-2005)

Sec. 12-72. PR, Parks and Recreation District.

- (a) *Purpose and intent.* The purpose of the PR, Parks and Recreation District is to provide community parks and recreation facilities, including parks, open spaces, golf courses and tennis courts. This district provides for both active and passive use of land. Accessory structures which support or compliment the parks/recreation use may be permitted as conditional or special exception uses.
- (b) *District regulations.* The following apply to the PR zoning district:
- (1) Lot standards (setbacks, lot coverage, etc.) for accessory structures in this district are listed in table 2L in this subsection (b);
 - (2) Authorized uses for this district are listed in table 3A in section 12-102(c);
 - (3) Parking standards are given in section 12-128.

Table 2L. Lot Standards for Accessory Structures in the PR, Parks and Recreation Zoning District		
Minimum area (square feet) ⁽¹⁾		20,000
Minimum lot depth (feet)		120
Minimum width (feet)		150
Maximum floor area ratio		0.2
Maximum lot coverage		70 percent
Maximum height		
	Stories	2
	Feet	35
Minimum setbacks (feet) ⁽²⁾		
	Front	25
	Side	25
	Rear	25
⁽¹⁾ Smaller lots for accessory structures may be permitted by the TownCouncil as part of a planned development.		
⁽²⁾ Canopies connected to the main building shall be set back a minimum of 20 feet from any property line.		

(Code 1993, § 12A-212; Ord. No. 2005-08, § 12A-212, 10-12-2005)

Sec. 12-103. Conditions of use.

- (a) *Planned development.* Planned developments shall follow the planned development provisions contained in sections 12-73 and 12-159, and the code text and zoning district map amendments provisions contained in section 12-158.
- (b) *Educational services.* Educational services are those services offered for the exclusive use of residents, on island employees and guests of Kiawah Island for instruction and care of their dependent children. The following conditions must be met for an educational services use:
 - (1) Proof of application for the facilities license from the South Carolina Department of Social Services where appropriate;
 - (2) Play areas within 50 feet of a residential zoning district shall be buffered pursuant to section 12-127;
 - (3) Off-street parking requirements contained within this article are met and are buffered in accordance with section 12-128;
 - (4) Site plans for ingress/egress, loading/unloading and the location of the parking areas are approved by the Planning Director; and
 - (5) Proposed outdoor lighting of the facility does not negatively impact neighboring properties or the beachfront.
- (c) *Health care services.* These services include medical clinics with outpatient services, physicians' and dentist's offices. Outpatient clinics, including offices for physicians or dentists, shall be limited to 2,000 square feet of floor area and shall not provide a base for emergency medical vehicles or service unless approved as a special exception pursuant to special exception provisions contained in this article.
- (d) *Museums, historical sites and similar institutions.*
 - (1) Historical sites within residential areas shall be restricted to the hours between 7:00 a.m. and 8:00 p.m.
 - (2) Historical sites, libraries, archives, museums and/or art galleries shall be completely housed within the principal use.
 - (3) Nature exhibitions.
 - a. Where nature exhibitions are of public ownership or listed in the National Registry of Natural Landmarks or registered as a Heritage Site with the South Carolina Heritage Trust in accordance with the provisions of Act No. 600 of the 1976 Acts and Joint Resolutions, either in public or private ownership, accessory uses to acquire maintenance revenue are permitted.
 - b. Accessory uses are limited to the retail sale of gifts, novelties, souvenirs, and food services. Accessory structures so used shall not exceed ten percent in size of the principal structures when the nature exhibit is housed, or 1,200 square feet for each acre when the nature exhibit is not enclosed.
 - c. Parking requirements for each accessory use, in addition to the parking requirements for the principal use, shall comply with the parking requirements of section 12-128.
 - d. Signs advertising accessory uses shall be located on the premises and not visible from a public road.
 - (4) Botanical gardens and/or arboretums shall be housed completely on the grounds of the principal use.

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- (e) *Postal Service of the United States.* Any postal service facility shall have a maximum floor area of 5,000 square feet or less.
- (f) *Recreation and entertainment.* The following standards shall apply to approval of a site plan for community recreation, including, but not limited to, sports activities, playgrounds, athletic areas or swimming areas and recreation or vacation day camps:
- (1) All parks with soccer, baseball and similar playfields shall meet all off street parking requirements of section 12-128. The Planning Director shall determine the need for additional spaces based on available parking studies for similar uses in similar communities;
 - (2) All parking areas and recreational equipment storage areas shall meet the buffering requirements of section 12-127 and be screened from view from any adjacent residential use. Screening shall be opaque and shall be at least four feet in height. Screening may be masonry or natural materials if approved by the Planning Director;
 - (3) Small passive parks of one acre or less within residential neighborhoods shall have no parking requirements;
 - (4) Be designed so that light sources are shielded from adjacent single-family residential properties and the beachfront.
- (g) *Utilities and waste-related uses.*
- (1) Aboveground water storage tanks, sewage pumping stations, telephone relay towers, electric regulating substations and similar utility/communications structures shall comply with the following standards:
 - a. Facilities shall be located at least 50 feet from any residential property line;
 - b. Facilities shall be secured by a fence located at least 25 feet from any residential property line;
 - c. Facilities shall be surrounded by a buffer pursuant to section 12-127;
 - d. Telephone exchange stations and communications towers shall be limited to unmanned facilities, and shall provide at least two parking spaces for service vehicles; and
 - e. Radio transmitting stations and towers shall be set back from zoning district boundaries a distance equal to their height.
 - (2) Communications, utility distribution lines and water transmission lines shall be located underground in all districts.
 - (3) The equipment set forth in this subsection is permitted in all zoning districts. Aboveground equipment (e.g., pad-mounted transformers) shall be screened from public view:
 - a. Electrical pedestals.
 - b. Electrical pad-mounted transformers.
 - c. Electrical switch gear cabinets.
 - d. Electrical service meters.
 - e. Telephone equipment cabinets.
 - f. Telephone pedestals.
 - g. Irrigation controllers.
 - h. Backflow preventors.

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- i. Cable television amplifiers.
 - j. Other such similar equipment, typically installed above ground.
- (4) *Utility cabinets, utility structures.* For utility cabinets which measure approximately nine feet in length by six feet in width, and once installed, stand approximately five feet above grade, and for any other utility structures which the zoning administrator determines are similar in size and impact on the community shall be treated as accessory structures and the following standards shall apply:
- a. Structure shall not be located on property zoned for residential use and must be located a minimum of ten feet from any residential property line.
 - b. Structure shall be surrounded by a landscaped buffer, pursuant to section 12-127.
- (h) *Commercial accommodations.* Hotels or inns providing more than 50 guestrooms shall comply with the special exception provisions of this article or shall be a part of a development agreement.
- (i) *Financial services.*
- (1) Automated teller machines (ATM), stand-alone.
 - (2) ATMs shall be walk-up style and shall be permitted as accessory uses.
- (j) *Food and beverage services.*
- (1) *Bars, cocktail lounges, taverns.*
 - a. Bars or lounges, including taverns, cocktail lounges or member exclusive bars or lounges serving alcoholic beverages are only permitted in restaurants, private clubs, hotels, inns, or country clubs.
 - b. Where applicable, these uses shall comply with the special exception provisions of this article.
 - (2) *Catering services.* Catering service facilities shall only prepare and store food in permitted restaurants, private clubs, hotels, inns, or country clubs.
 - (3) *Restaurant, general.* All general restaurants not a part of a hotel, inn, private club or country club and occupying over 2,000 square feet of floor area shall comply with the special exception provisions of this article.
 - (4) Restaurant, café, coffee shop or snack bar is only permitted in the CS-2 as an ancillary use to the building's primary function as office and meeting space.
 - (5) Be designed so that light sources are shielded from adjacent single-family residential properties, and property zoned R-2.
- (k) *Information industries.*
- (1) *Advertising services.* All advertising associated with this use shall be contained within the structure and not visible, except for any permitted sign, on the exterior of the structure.
 - (2) *Radio and television broadcasting studios.* All radio or television broadcast studios shall be located within a structure. No mobile radio or television broadcast stations are permitted as a permanent use. Temporary use permits may be granted if applicant complies with temporary use permit requirements.
- (l) *Government offices.* Government offices shall:
- (1) Meet the buffer requirements of section 12-127;
 - (2) Provide off-street parking as required in section 12-128; and
 - (3) Be designed so that light sources are shielded from adjacent single-family residential properties.

(m) *Communications towers.*

- (1) *Purpose and legislative intent.* The Federal Telecommunications Act of 1996 affirmed the Town of Kiawah Island's authority concerning the placement, construction and modification of wireless telecommunications facilities. The regulations of this section are designed to site communications towers on Kiawah Island. It is the intent of this article to allow for the harmonious co-existence of communications towers and other land uses. It is also the intent of this article to reduce the overall negative impact of communications towers by:
 - a. Reducing the number of towers needed through a policy of encouraging collocation; and
 - b. Encouraging the following, if collocation is not feasible:
 1. The use of stealth tower design, as defined in subsection (m)(3) of this section;
 2. The clustering of towers (tower farms);
 3. The placement of towers away from roadways;
 4. The provision of effective screening; and
 5. The location of communications equipment on existing structures.
- (2) *Collocation exemption.* Proposed communications equipment collocating on existing towers and structures without adding to their height shall require only a zoning permit and shall not be subject to the requirements of this section.
- (3) *Stealth tower provision.*
 - a. For the purposes of this section, the term "stealth tower" means a communications tower not exceeding 120 feet in height designed to unobtrusively blend into its existing surroundings so as not to have the appearance of a communications tower and is designed to hide, obscure, or conceal the presence of the towers and antennas. Examples of stealth towers include, but are not limited to, antenna tower alternative structures, architecturally roof-mounted antennas, building-mounted antennas painted to match the existing or proposed trees and landscaping, antenna structures designed to look like light poles or electrical utility poles, artificial trees, clock towers, flagpoles, steeples, water towers or water tanks.
 - b. All proposed stealth tower designs must be approved by the Planning Director.
 - c. A complete zoning permit application for a stealth tower that meets all requirements of this article shall be approved.
- (4) *Preapplication meeting.* Prior to submitting a formal application for a zoning permit for a communications tower the applicant is required to attend one or more preapplication meetings. The purpose of the preapplication meeting is to address key issues which will help to expedite the review and permitting process. The Planning Director may conduct a site visit at the preapplication meeting.
- (5) *Zoning permit submittal requirements.* Prior to zoning permit approval, all applications for communications towers shall complete the site plan review process as provided in section 12-162. In addition to any site plan review requirements, the application must contain the following items:
 - a. A site plan, drawn to engineer's scale, showing the location of the tower guy anchors (if any), existing or proposed buildings and structures or improvements, including parking, driveways or access roads, fences and protected Grand trees affected by the proposed construction. If there are no Grand trees affected, a surveyor's statement on the site plan must be shown. Adjacent land uses shall also be noted on the site plan, with precise measurements noted between the proposed tower and any residential structures on surrounding properties.

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- b. The site plan must show a vegetated buffer, either existing or installed, that provides an effective screen from public rights-of-way and adjacent property owners and across view corridors. If a buffer is to be installed, its placement on the site will vary in order to provide the most effective screening from public view. Required materials will be based on installation of a 25-foot buffer around the fenced area.
 - c. The height and typical design of the tower, typical materials to be used, color, and lighting shall be shown on elevation drawings. The applicant shall submit documentation justifying the total height of any communications towers, facility and/or antenna and the basis therefor.
 - d. Additionally, color and material samples shall be provided. The tower must be located no closer to a residential structure than a distance equal to 1.5 feet for each foot in height of the proposed tower plus 50 feet as measured from the center of the proposed tower. At a minimum, there must be a 150-foot distance between the proposed tower and a residential structure.
 - e. A six-foot nonclimbable fence must be placed around the tower and any associated building. Guy wires may be fenced separately.
 - f. The proposed tower must be located such that adequate setbacks are provided on all sides to prevent the tower's fall zone from encroaching onto adjoining properties. The fall zone shall be determined by an engineer certified by the State of South Carolina in a letter which includes the engineer's signature and seal.
 - g. For the purposes of collocation review and review of efforts at siting a tower on the same lot near an existing tower, the applicant shall submit satisfactory written evidence such as correspondence, agreements, contracts, etc., that alternative towers, buildings, or other structures are not available or suitable for use within the applicant's tower site search area that are structurally capable of supporting the intended antenna or meeting the applicant's necessary height criteria, providing a location free of interference from other communication towers, or available at the prevailing market rate (as determined by staff communication with persons doing business within the industry). Additionally, the applicant shall make every effort to build the proposed tower in such a manner as may allow other telecommunication users to collocate.
 - h. Proposed towers may not be located within 1,000 feet of the center of an existing tower unless the applicant certifies that the existing tower does not meet the applicant's structural specifications and the applicant's technical design requirements, or that a collocation agreement could not be obtained at a reasonable market rate. In the event of the situation set forth in this subsection, the clustering of new towers on the same parcel near existing towers is permitted.
 - i. The proposed tower shall only be illuminated as required by the Federal Communications Commission or Federal Aviation Administration. Nighttime strobe lighting shall not be incorporated unless required by the Federal Communications Commission or Federal Aviation Administration. If lighting is required, the applicant shall provide a detailed plan for sufficient lighting that shall be as unobtrusive and inoffensive as permissible under State and Federal regulations, and an artist's rendering or other visual representation showing the effect of light emanating from the site on neighboring habitable structures within 1,500 feet of all property lines of the parcel on which the communications towers are located.
 - j. Communications towers shall contain a sign no larger than four square feet to provide adequate notification to persons in the immediate area of the presence of an antenna that has transmission capabilities. The sign shall contain the names of the owners and operators of the antennas, as well as emergency phone numbers. The sign shall be located so as to be visible from the access point of the site. No other signage, including advertising, shall be permitted on any facilities, antennas, antenna supporting structures or antenna towers, unless required by law.

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- k. A copy of the tower's search ring.
 - l. To ensure the removal of towers which do not meet requirements for continued use or proper maintenance, a statement of financial responsibility shall be submitted for each tower and a performance bond for the amount of anticipated removal costs shall be posted. The bond must be renewed as necessary to ensure that it is maintained at all times during the existence of the tower.
 - m. The applicant shall furnish a visual impact assessment which shall include:
 - 1. A zone visibility map which shall be provided in order to determine locations where the tower may be seen.
 - 2. Pictorial representations of before and after view from key viewpoints both inside and outside the Town including, but not limited to:
 - (i) Major highways and roads;
 - (ii) State and local parks;
 - (iii) Historic districts;
 - (iv) Preserves and historic sites normally open to the public; and
 - (v) Any other location where the site is visible to a large number of visitors, travelers or residents.
 - 3. An assessment of the visual impact of the tower base, guy wires and accessory buildings from abutting and adjacent properties and streets
- (6) *Retention of expert assistance and reimbursement by the applicant.*
- a. The Town may hire any consultant and/or expert necessary to assist the Town in reviewing and evaluating the application, including the construction and modification of the site, once permitted, and any requests for recertification.
 - b. An applicant shall deposit with the Town funds sufficient to reimburse the Town for all reasonable costs of the consultant and expert evaluation and consultation to the Town in connection with the review of any application including the construction and modification of the site, once permitted. The initial deposit shall be \$8,500.00. The application will not be processed until receipt of this initial deposit. The Town will maintain a separate escrow account for all such funds. The Town's consultants/experts shall invoice the Town for its services in reviewing the application, including the construction and modification of the site, once permitted. If, at any time during the process this escrow account has a balance less than \$2,500.00, the applicant shall immediately, upon notification by the Town, replenish said escrow account so that it has a balance of at least \$5,000.00. Such additional escrow funds shall be deposited with the Town before any further action or consideration is taken on the application. In the event that the amount held in escrow by the Town is more than the amount of the actual invoicing at the conclusion of the project, the remaining balance shall be promptly refunded to the applicant. The applicant shall not be entitled to receive any interest earnings on unused funds.
 - c. The total amount of the funds needed as set forth in subsection (m)(6)b of this section may vary with the scope and complexity of the project, the completeness of the application and other information as may be needed to complete the necessary review, analysis and inspection of any construction or modification.
- (7) *Surrounding property owner notification.*

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- a. In order to better inform the public, in the case of a new communications towers, the applicant shall hold a balloon test as follows:
 - 1. Applicant shall arrange to fly, or raise upon a temporary mast, a minimum of three-foot diameter brightly colored balloon at the maximum height of the proposed new tower.
 - 2. The dates, (including a second date, in case of poor visibility on the initial date) shall be provided to the Planning Director ten days after receipt of the complete application notice.
 - 3. The dates shall be set at minimum 15 days prior to the Planning Director making a final decision on the zoning permit.
 - 4. The balloons shall be flown for ten consecutive hours between 8:00 a.m. and 6:00 p.m.
 - b. Once the application is deemed complete by the Planning Director for a communications tower zoning permit, the Planning Department shall provide parties in interest, personal, posted and newspaper notice in accordance with the requirements of section 12-156. The public notice shall include the dates of the balloon tests as provided by the applicant and the date the Planning Director must make a final decision on the zoning permit.
- (8) *Time limit for staff review.* Upon receipt of an application deemed complete by the Planning Director for a communications tower zoning permit, the Planning Director shall have a maximum of 45 days to act on the application. The 45 days begins from the date the applicant is sent written notice of a complete application from the Planning Director. Failure to act on the application within 45 days will result in the applicant being granted a zoning permit.
- (9) *Zoning permit approval criteria.*
- a. A complete zoning permit application for a stealth tower that meets all requirements of this article shall be approved.
 - b. Upon review of a complete application, no zoning permit shall be issued for a communications tower, until the Planning Director determines that the proposed tower complies with the following criteria and standards:
 - 1. The location and height of the proposed tower will not substantially impact the character of property listed in or eligible for the National Register of Historic Places, other significant environmental, cultural or historical site officially designated scenic roads or rivers and that the tower is designed to blend into the environment and minimize visual impact.
 - 2. If a completely new tower is necessary, the applicant must provide written proof of attempts at collocation and siting a tower on the same lot near an existing tower were proven not feasible or practical.
 - 3. The applicant has pursued any available publicly owned sites and privately owned sites occupied by a compatible use, and if not utilized, that these sites are unsuitable for operation of the facility under applicable communications regulations and the applicant's technical design requirements.
 - 4. Staff shall review and approve the color and materials to be used for the proposed tower.
 - 5. If the Planning Director finds a proposed communications tower will have a substantially negative impact on a surrounding area or adjoining property, the use shall fall under the special exception (S) provisions of this article.
 - c. In determining whether the use shall fall under the special exception (S) provisions the Planning Director may consider one or more of the following items:
 - 1. The proposed use will be detrimental to adjacent land uses including historical sites;

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2. The proposed use will have a negative aesthetic visual impact;
 3. The proposed use will have an adverse affect on the environment (not including radio frequency emissions); and
 4. The proposed use is contrary to the public health, safety or welfare.
- (10) *Tower abandonment.* A tower that is not used for communication purposes for more than 120 days (with no new application on file for any communication user) is presumed to be out of service and the owner of such tower must notify the staff and remove the tower within 50 days. Towers which are not maintained by the owner according to the Town building code shall be removed by the owner within 60 days. To ensure the removal of towers which do not meet requirements for continued use or proper maintenance, a statement of financial responsibility shall be submitted for each tower and a performance bond for the amount of anticipated removal costs shall be posted. Removal costs shall be charged to the tower owner. The bond must be renewed as necessary to ensure that it is maintained at all times during the existence of the tower.
- (n) *Convention center or visitors bureau.* The convention center or visitors bureau using over a total of 10,000 square feet must comply with the special exception provisions of this article.
- (o) *Repair and maintenance services.*
- (1) *Consumer repair services.* Consumer repair services, including repair and servicing of appliances, shoes, watches, furniture, jewelry, musical instruments or similar items, may only occur within an enclosed structure. No noise or other emissions from the structure are permitted.
 - (2) *Vehicle service.* Limited vehicle service, including automotive oil change or lubrication operations and shall be conducted within an enclosed building. Vehicle storage shall be located in an enclosed building or in an opaquely screened yard.
- (p) *Retail sales and retail or personal services.* Retail sales, display and storage of goods are permitted only within a designated building for that particular use. **Personal improvement services shall be included as a permitted use as within the PR category as accessory to golf clubhouses, or other private club amenities within a designated building for such uses.**
- (q) *Construction services.* Contract construction services operations (e.g., contractor's shops, plumbing shops, heating and air conditioning shops, etc.) excluding construction sites for authorized development activities, shall be conducted within an enclosed building. Authorized development activities, for the purpose of this section, include the permitted installation, construction of buildings, structures or utilities at the site on which they will be used. Vehicle, equipment and materials storage at construction services offices shall be located in an enclosed building or in an opaquely screened yard.
- (r) *Warehouse and storage facilities.* Warehouse and storage facilities shall be designed so that all stored items are located within a completely enclosed building, or are completely screened from view from adjacent property lines. Portable storage units shall not be allowed to remain on any property for more than 72 hours within a week.
- (s) *Vehicle storage, including boat or recreational vehicle storage.*
- (1) Storage of boats, campers and other major recreational equipment, if provided, must be contained within completely enclosed buildings or opaquely screened storage areas on an approved lot. No such equipment shall be used for living, sleeping or housekeeping purposes.
 - (2) Canoes and kayaks may be stored in a semi-enclosed storage rack which is suitably landscaped.
- (t) *Recycling services; recycling collection, dropoff.* Recycling collection and dropoff structures are limited to the following:
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- (1) Maximum dimensions: nine feet in length by six feet in width, and once installed, stands no more than five feet above grade.
 - (2) Structure shall not be located on property zoned for residential use and must be located a minimum of ten feet from any residential property line.
 - (3) Structure shall be surrounded by a landscaped buffer, as determined by the Planning Director pursuant to section 12-127.
- (u) *Transportation; bus passenger stands.* The design and location of bus passenger stands shall only be approved after completing the site plan review procedures contained within section 12-162.
- (Code 1993, § 12A-302; Ord. No. 2005-08, § 12A-302, 10-12-2005; Ord. No. 2006-08, § 2.1(12A-302), 11-7-2006; Ord. No. 2016-04 , § 1, 9-6-2016)



TAB 2

TOWN COUNCIL

Agenda Item

TOWN OF KIAWAH ISLAND

Ordinance 2023-23

**“AN ORDINANCE TO AMEND CHAPTER 12 - LAND USE PLANNING AND ZONING
ORDINANCE PURSUANT TO EXISTING ORDINANCE 2013-14 TO REMOVE THE 2013
AMENDED AND RESTATED DEVELOPMENT AGREEMENT FROM THE ZONING CODE AS
AN APPENDIX”**

WHEREAS, the Town of Kiawah Island Municipal Code currently contains *Chapter 12 - Land Use Planning and Zoning*; and

WHEREAS, on or about December 3, 2013, the Town entered into an Amended and Restated Development Agreement by and between Kiawah Resort Associates and the Town of Kiawah Island pursuant to Ordinance 2013-16; and

WHEREAS, on or about December 3, 2013, the Town also adopted Ordinance 2013-15, which, among other things, adopted the Amended and Restated Development Agreement as an appendix to Article 12 of the Town’s Land Use Planning and Zoning Regulations; and

WHEREAS, the Town and Property Owner agreed to amend the 2013 Amended and Restated Development Agreement to set a termination date of December 4, 2023 and;

WHEREAS, the Town of Kiawah Island now finds that, upon further review, it is in the public interest to amend the *Town of Kiawah Island Land Use Planning and Zoning Ordinance* to remove the Amended and Restated Development Agreement as an appendix of the *Town of Kiawah Island Land Use Planning and Zoning Ordinance*; and

WHEREAS, this amendment would retain residential graphic setback standards identified by Exhibit 13.10 within the Amended and Restated Development Agreement adopted by ordinance 2013-014; and

WHEREAS, this amendment would retain the zoning standards adopted by ordinance 2013-014 for Freshfields Retail Village Planned Development and

WHEREAS, this amendment would rezone and establish designated future land categories for properties identified within the 2013 Amended and Restated Development Agreement, Exhibit 13.2 to be consistent with the purposes and intent of the adopted Comprehensive Plan and would not be detrimental to the public health, safety, and welfare of the Town of Kiawah Island; and

WHEREAS, the Planning Commission provided a recommendation on October 4, 2023 and October 19, 2023, at which time a presentation was made by staff, and an opportunity was given for the public to comment on the amendment request; and

WHEREAS, Town Council held a Public Hearing on October 24, 2023, providing the public an opportunity to comment on the proposed amendment.

NOW, THEREFORE, BE IT ORDERED AND ORDAINED BY THE COUNCIL OF THE TOWN OF KIAWAH ISLAND, SOUTH CAROLINA, AND IT IS ORDAINED BY THE AUTHORITY OF SAID COUNCIL.

Section 1

Purpose

The purpose of this Ordinance is to amend the Land Use Planning and Zoning Ordinance to remove the 2013 Amended and Restated Development Agreement from the Zoning Code as an appendix.

Section 2 **Ordinance**

- (a) The Town hereby adopts the future land use map and zoning map attached hereto and incorporated herein by reference as Exhibit “A.”
- (b) The Town hereby removes the 2013 Amended and Restated Development Agreement as an appendix from Chapter 12- Land Use Planning and Zoning Ordinance, but keeps in place the Kiawah Island Property Setback Standards as attached hereto and incorporated herein by reference as Exhibit “B.”
- (c) In removing the Amended and Restated Development Agreement as an appendix to Chapter 12- Land Use Planning and Zoning Ordinance, the Town confirms that it is retaining the Freshfields Retail Village Planned Development attached hereto and incorporated herein by reference as Exhibit “C.” that was adopted by Ordinance 2013-14.

Section 3 **Severability**

If any part of this Ordinance is held to be unconstitutional, it shall be construed to have been the legislative intent to pass said Ordinance without such unconstitutional provision, and the remainder of said Ordinance shall be deemed to be valid as if such portion had not been included. If said Ordinance, or any provisions thereof, is held to be inapplicable to any person, group of persons, property, kind property, circumstances or set of circumstances, such holding shall not affect the circumstances or set of circumstances, such holding shall not affect the applicability thereof to any other persons, property, or circumstances.

Section 4 **Effective Date and Duration**

This Ordinance shall be effective upon its enactment by Town Council for the Town of Kiawah Island.

PASSED, APPROVED, AND ADOPTED BY THE COUNCIL FOR THE TOWN OF KIAWAH ISLAND ON THIS ____ DAY OF _____, 2023.

John Labriola, Mayor

ATTEST:

By: _____
Petra Reynolds, Town Clerk

1st Reading:

2nd Reading:



TAB 3

TOWN COUNCIL

Agenda Item

**CONTRACT SERVICES AGREEMENT FOR
TOWN ATTORNEY SERVICES
TOWN OF KIAWAH ISLAND**

This amended **CONTRACT SERVICES AGREEMENT FOR TOWN ATTORNEY SERVICES** (the "Agreement") is effective as of **October 24, 2023**. It will apply to all bills from **September 2023 forward**, by and between Joseph C. Wilson, IV of Wilson Law Firm (hereinafter the "Attorney") and the **Town of Kiawah Island, South Carolina** (hereinafter the "Town"). The term "Town" shall also include all boards, commissions, and other bodies of the Town.

RECITALS

- A. On November 1, 2022, the Ways and Means Committee recommended to the Mayor and Council that this proposed Contract Agreement for Municipal Legal Services be considered by the Mayor and Council, which approved this Contract Agreement on November 1, 2022.
- B. That Contract Agreement allowed for the Attorney to request a mid-year review if his hours were substantially greater than 50 hours a month and also allowed Attorney to seek a bonus for those additional hours. Attorney's time through May of 2023 was on average substantially greater than 50 hours a month, so in May of 2023 Attorney did request a review of the payment terms of the Agreement. Specifically, in July of 2023 Attorney asked that an hourly rate of \$200 an hour be adopted rather than a flat rate due to the inability of the parties to predict the amount of time that would be required of Attorney.
- C. Following Attorney's request for the allowed mid-year rate review, the Town has sought to address other terms contained in the existing Agreement, and the Attorney has agreed to consider amending those terms mid-year as well. The Town's first proposal was provided in August of 2023. Since that time, the Town has provided several new versions of a proposed new Agreements.
- D. On August 28, 2023, the Ways and Means Committee recommended to the Mayor and Town Council that the current Contract Services Agreement for Town Attorney Services with Joseph C. Wilson IV, that the compensation rate be amended, which was approved by Town Council on September 5, 2023. However, at that time Council wanted to amend some additional terms to the new Agreement. Attorney agreed to those terms.
- E. On October 3, 2023, the Ways and Means Committee again considered the Agreement for recommendation to the Mayor and Town Council and again identified additional amendments to the Town Attorney Services Contract with Attorney. As a result, Council again tabled consideration of the Amended Agreement.
- F. On October 24, 2023, the Ways and Means Committee will consider for recommendation to the Mayor and Town Council additional amendments to the Town Attorney Services Contract with Joseph C. Wilson, IV.

AGREEMENT

NOW, THEREFORE, IN CONSIDERATION OF THE MUTUAL PROMISES CONTAINED HEREIN, THE PARTIES HERETO AGREE AS FOLLOWS:

1. APPOINTMENT

Town Council hereby appoints Joseph C. Wilson, IV (hereinafter the “Attorney”) as the Town Attorney and hires Attorney to represent the Town and render such legal services as are customarily rendered by such attorneys and as further specified herein, including attending meetings of the Town Council, Board of Zoning and Appeals (BZA), the Planning Commission, and other boards and bodies of Town, and its affiliated agencies.

Attorney will personally provide the legal services hereunder.

2. CORE DUTIES

- A. The Attorney shall perform any and all work necessary for the representation of the Town and its bodies and for the provision of Town Attorney services to the Town, including, without limitation, the following:
1. Attend all regularly scheduled and special Town Council meetings and Town Council work sessions.
 2. Attend other meetings at the Town Hall as the Mayor or majority vote of the Council requires.
 3. The Town Attorney shall give opinions on questions of law when requested to do so by the Mayor, and/or majority vote of the Council.
 4. Advise appointed Commissions, Committees, Boards, and Town staff on all legal matters pertaining explicitly to official Town business as approved by the Mayor, and/or majority vote of the Council.
 5. Prepare, review, and approve as to form, contracts, agreements, resolutions, ordinances, and all other standard Town documents as requested by the Mayor, and/or majority vote of the Council.
 6. Prepare such written and oral legal opinions as shall, from time to time, be requested or upfront approved by the Mayor, and/or majority vote of the Council.
 7. Perform such other routine legal services as are required, from time to time, by the Mayor, and/or majority vote of the Council.
 8. Represent the Town and the Town’s officials, officers, and employees in litigation and administrative proceedings as directed the Mayor, and/or

majority vote of the Council. However, Attorney is recognized as a solo practitioner with limited litigation support. Thus, some litigation or administrative proceedings may require the retention of outside legal counsel.

9. When deemed necessary by the Town or Attorney, the Attorney may make recommendations concerning the selection of outside legal counsel on appropriate matters, including but not limited to Core Duties, litigation work, representation of Town bodies or staff, municipal court appearances, transactional representation, human resources and employment representation, and bond matters, and supervise such outside legal counsel as authorized the Mayor, and/or majority vote of the Council, and such authorization will not be unreasonably withheld. Any retained outside legal counsel will negotiate their own fee structures and rates with the Mayor, and/or majority vote of the Council.

3. COMPENSATION

a. STANDARD MUNICIPAL WORK

Core Duties: The compensation rate for Wilson's performance of all duties listed in section 2(A) above ("Core Duties") shall be Two Hundred Dollars (\$200.00) per hour. Invoices for the performance of Core Duties will include an itemized description of the work performed so that invoiced expenses can be attributed to different tasks approved by the Mayor or the Town Administrator on behalf of the Mayor. Invoices will bill the performance of Core Duties in increments of one-tenth of an hour, rounded off to the nearest one-tenth of an hour.

The Town also agrees to pay Wilson monthly expenses for payment of general office expenses, including but not limited to copy costs, mail, telephone costs, research service fees, and mileage within the Tri-County area at the federal mileage rate.

Attorney is entitled to seek a bonus at the end of the year based on the amount of work, quality of work, identification of issues that need to be addressed, and other factors.

b. Litigation

In the event that the Attorney appears as counsel of record in any litigation on behalf of the Town, including pre-suit handling, representation in municipal court or appeals from municipal court, and regulatory or administrative claims, Attorney shall prepare a separate monthly bill for such work and the following rates shall apply for Attorney for litigation work by Attorney:

Joseph C. Wilson, IV (and any other partner)	\$250.00 an hour
--	------------------

The Attorney will charge in increments of one-tenth of an hour, rounded off for Litigation activity to the nearest one-tenth of an hour. The minimum time charged

for litigation work will be one-tenth of an hour. Litigation work performed on behalf of the Town will be entered and billed separately with a reference to the Litigation, the general description of the work performed.

In addition, Town will pay all expenses incurred by Attorney in any litigation, including, but not limited to, court filing fees, process server fees, expert witness fees, and expenses, investigation costs, court reporter fees, travel expenses, long distance telephone costs, postage, and photocopying charges. The Attorney will not charge for expenses related to office administration, such as secretarial or clerical work. Expenses less than \$1,000.00 will be advanced by the Attorney and then billed to Client. Expenses over \$1,000.00 may be sent directly to the Client for payment at the discretion of the Attorney.

c. Contingency Fee

In litigation wherein the Town is a Plaintiff, the parties to this agreement may negotiate a contingency fee, as opposed to the hourly rate set forth above.

4. MONTHLY STATEMENTS

The Attorney will prepare and deliver itemized monthly bills setting out the time expended and expenses for the preceding month; provided, however, the payment for legal services shall be Two Hundred Dollars (\$200.00) per hour, plus, in separate bills, additional fees for any representation of the Town in any lawsuits in which Attorney appears as counsel of record at the request of the Town.

5. TERM AND TERMINATION

The term of this Agreement shall be effective from January 1, 2023, through December 31, 2023, and year to year thereafter unless terminated by either party as specifically provided in this Agreement. Wilson and the Town agree that advance notice will aid both parties if either party decides to terminate this Agreement with no cause. Accordingly, the Parties agree that either Wilson or the Town may terminate this Agreement at any time for any reason upon giving THIRTY (30) days written notice of termination to the other.

Or this language:

Pursuant to Section 2-504 the Town Attorney holds office at the pleasure of Town Council. Accordingly, this Agreement is for an indefinite term. Either the Town or Wilson can terminate this Agreement at any time. Notice of termination shall be provided in writing to the other party unless otherwise agreed to by the Parties.

6. NOTICES.

Notices by either party required to be given under this Agreement shall be in writing and sent by email and hand-delivered or sent by certified mail addressed to the other party as herein provided. Notices to the Town shall be delivered to

the Mayor or Town Clerk at the offices of the Town of Kiawah Island, 4755 Betsy Kerrison Parkway, Kiawah Island, South Carolina 29455. Notice to Wilson shall be delivered to him at joe@follybeachlaw.com and Wilson Law Firm, P.O. Box 178, Folly Beach, South Carolina 29439.

If notice is mailed, it shall be deemed "received" three (3) days after the postmarked date of mailing, provided such notice was sent postage prepaid and correctly addressed pursuant to this section.

7. PROHIBITION AGAINST SUBCONTRACTING, DELEGATING OR ASSIGNMENT

The Attorney shall not contract with or delegate to any individual or other entity to perform on the Town's behalf, in whole or in part, any of the services required under this Agreement without the prior express approval of the Mayor after notifying such intent to the members of the Town Council, such approval to not be unreasonably withheld. In addition, neither this Agreement nor any interest therein may be assigned or transferred, voluntarily or by operation of law, without the prior express approval of the Town.

8. CONFLICT OF INTEREST

The Attorney shall at all times, avoid conflicts of interest in the performance of this Agreement. In the event that a conflict arises, the Attorney shall immediately notify the Town following discovery of the conflict. The Attorney shall also file a conflict of interest disclosure statement setting forth any information related to potential conflicts of interest to the extent such disclosure is required by law.

9. INDEPENDENT CONTRACTOR

The Attorney shall perform all services required under this Agreement as an independent contractor of the Town and shall remain at all times as to the Town a wholly independent contractor with only such obligations as are consistent with that role. Neither The Attorney nor the Town shall at any time or in any manner represent that the Attorney or any of its employees or agents are employees of the Town.

10. INSURANCE

The Attorney agrees to carry and keep in full force and effect during the term of this contract Errors and Omissions coverage in the amount of One Million Dollars (\$1,000,000.00) per occurrence and shall provide the Town with proof of such coverage in the form of a Certificate of Insurance on an Annual Basis.

11. NON-DISCRIMINATION

The Attorney pledges there shall be no discrimination against or segregation of any person or group on account of race, color, creed, religion, sex, marital status,

sexual orientation, national origin, or ancestry in the performance of services under this Agreement.

12. AMENDMENT

This Agreement cannot be amended unless such amendment is contained in writing signed by both the Town and the Attorney.

13. SEVERABILITY

If any clause or provision herein shall be adjudged invalid or enforceable by a court of competent jurisdiction or by operation of any applicable law, it shall not affect the validity of any other clause or provision which shall remain in full force and effect.

14. THIRD PARTY BENEFICIARIES

Nothing contained in this Agreement shall be construed so as to confer upon any third party the rights of a third party beneficiary.

15. NON-WAIVER

Failure of either party to this Agreement to insist upon strict compliance by the other party with any of the terms or conditions of this Agreement shall not be deemed a waiver of such term or condition or any other terms and conditions of this Agreement.

16. GOVERNING LAW

This Agreement shall be governed by and construed in accord with the laws of the State of South Carolina.

17. ENTIRE AGREEMENT

This Agreement contains the entire agreement between the Town and the Attorney with regards to all rights, obligations, terms and conditions related to the Town's contract with the Attorney. This Agreement supersedes any other prior or contemporaneous negotiations or agreements, whether oral or in writing.

IN WITNESS WHEREOF, the parties hereto have executed or caused their authorized representatives to execute, this Agreement the 24th day of October, 2023, with an effective date of September 1, 2023.

TOWN OF KIAWAH ISLAND

By: _____
John Labriola, Mayor

ATTEST:

Petra S. Reynolds, Town Clerk

By: _____
Joseph C. Wilson IV, Esquire



TAB 4

TOWN COUNCIL

Agenda Item



Request for Town Council Action

TO: Mayor and Town Council Members

FROM: Craig Harris, Director of Public Safety

SUBJECT: Police Force Feasibility Study

DATE: 10/16/2023

BACKGROUND:

During the February 3rd, 2023, Town Council retreat, the Town Public Safety Director was directed to prepare a police force feasibility study RFP for the Town of Kiawah Island. This proposal was purposely designed to provide a thorough and unbiased analysis of a probable police force service for the Kiawah Island community. In March 2023, we received a 90-day written notice from the Sheriff's office that the "permanent/full-time" deputy contract would terminate on June 1, 2023. This contract was in place for several years, starting in 2019. There were four deputies assigned to the Town of Kiawah Island, with two deputies scheduled 24/7 for the first shift. Dating back to 2013, and possibly further, the Town has contracted with CCSO for off-duty deputy coverage. Starting in 2019, the off-duty deputy coverage only covered the 2nd and 3rd shifts. Attached is a copy of the costs for the permanent/full-time with a total of \$1,792,874, and off-duty deputy coverage with a total through April of 2023, in the amount of \$5,363,991.

A proposal was prepared and reviewed by the Public Safety Committee and presented at the August 1st, 2023, town council meeting. Subsequently, the RFP was posted for bid on the Town's website, the State Newspaper, South Carolina Business Opportunities, and other social media outlets; the bid closed on September 7, 2023.

ANALYSIS:

1. Center for Public Safety Management, LLC- \$60,629.00
2. Matrix Consulting Group- \$ 126,000.00
3. Sumter Local Government Consultants (Except not all-inclusive)- \$36,000.00

All three firms are very capable of doing the job, and the bids are equal in terms of the work; however, after reviewing all proposals, **the Public Safety Committee recommends going with Center for Public Management.**

ACTION REQUESTED:

That Town Council approve the request and enter into a contract with Center for Public Safety Management in an amount not to exceed \$60,629.00.

BUDGET DATA:

\$60,629.00- Funding for this expenditure will be from the Public Safety line item, Consultant firm, budgeted for \$80,000.



REQUEST FOR PROPOSAL

PROJECT OVERVIEW

DATE:	August 14, 2023
DESCRIPTION OF WORK:	<u>MUNICIPAL POLICE FORCE FEASIBILITY STUDY</u>
BID DUE DATE/TIME:	September 7, 2023, on or before 1:00 pm
LOCATION:	KIAWAH ISLAND MUNICIPAL CENTER 4475 BETSY KERRISON PARKWAY KIAWAH ISLAND, SC 29455
CONTACT PERSON:	CRAIG HARRIS, PUBLIC SAFETY DIRECTOR 843-768-9166 charris@kiawahisland.org

The Town of Kiawah Island reserves the right, without prejudice, to reject, in whole or in part, all proposals received, to waive all technicalities, or to negotiate any term(s) or provision(s) of such proposals. Such rejection, waiver, or negotiation shall be accomplished in any manner necessary to serve the best interests of the Town. It also reserves the right to be the sole judge of the suitability of all proposals for use by the Town.

The Town of Kiawah Island reserves the right to reject or otherwise disregard, in whole or in part, any ambiguous proposals or proposals which are uncertain as to terms, delivery, quantity, or compliance with specifications.

Introduction

The Town of Kiawah Island, a political subdivision in the State of South Carolina, is seeking the services of qualified consultants to review the existing contract with the Charleston County Sheriff's Office (CCSO) for law enforcement services and explore the feasibility of creating a municipal police force in the Town of Kiawah Island to replace those services. Proposals are due on or before 1:00 pm on September 7, 2023. Completed proposals must be emailed to Petra Reynolds, Town Clerk, at preynolds@kiawahisland.org or delivered to 4475 Betsy Kerrison Parkway, Kiawah Island, SC 29455, in a sealed envelope marked **"Kiawah Island Police Feasibility Study RFP."** For questions or additional information, please contact Craig Harris, Public Safety Director, by calling 843-768-9166 or by email at charris@kiawahisland.org.

General Overview

The Town of Kiawah Island was incorporated in 1988. Kiawah Island is a barrier island with a maritime forest, rich maritime habitat, and 10 miles of beach. It is a private gated community developed to balance a residential community with the business development of the Island. Tourism plays a vital role as part of the Town's economic vitality, and the Town supports businesses and facilities that support Kiawah Island's owners and visitors.

Kiawah Island's full-time resident population is approximately 1,900, with tourist and part-time resident population numbers ranging between 8,000 to 10,000 per day during the summer; the median age is 61 years old.

Kiawah Island is a private gated community. Kiawah Island makes up the majority of the Kiawah town limits. To understand the Town of Kiawah Island is to understand the maze of K's and its role in terms of public safety and security.

- Town of Kiawah Island (TOKI) [Municipality] – we are responsible for the public health, safety, and welfare of Kiawah Island residents, visitors, and guests. We do this by contracting with the Charleston County Sheriff's Office, which is briefly explained below in the "current law enforcement services." We hired a Public Safety Director in 2021 to manage said contract and other town-related code enforcement services and emergency management and to work with the other entities on the island that operates a security team.
- Kiawah Island Community Association (KICA) [Master HOA] – they manage the private gates on the island. They have a security department. The Security Department's authority comes from KICA's Covenants. The department is licensed by the South Carolina State Law Enforcement Division (SLED) as unarmed security guards and is led by the KICA Director of Security. The Security Department controls access to Kiawah Island, enforces the association's Rules and Regulations, and conducts vehicular and bicycle patrols of the island. Over the recent July 4th holiday, 36,000 vehicles came through the main gate.
- Kiawah Island Golf Resort (KIGR) [Kiawah Resort] – The Kiawah Island Golf Resort Safety and Security Department has a team of 15 Security Officers who provide world class service to

both internal and external guests of Kiawah Island Golf Resort. The Security Team responds to calls for service that lie within the scope of duties of the Safety and Security Department, and the team follows through with these calls for service to a successful conclusion. The team leverages technology to conduct surveillance of Resort property to ensure that safety problems are reported and remedied. As required, the Security Team patrols Resort property, buildings are inspected to ensure proper working order of access control, buildings alarms, and life safety systems, such as fire alarms, and public address systems.

The Kiawah Island Golf Resorts Security Team promotes and maintains professional working relationships with local, State, and Federal partners to include being a good neighbor with the Town of Kiawah Island and Kiawah Island Community Association. When necessary, Kiawah Island Golf Resorts Safety and Security team coordinates with local, state, and federal agencies for both National and International events to include executive protection details for celebrities and dignitaries who frequent Kiawah Island Golf Resort. All Kiawah Island Golf Resort Safety & Security Officers are registered through South Carolina Law Enforcement Division, and are trained in CPR, First Aid, and the use of AED's.

Current Law Enforcement Services

The Town of Kiawah Island has been receiving public safety enforcement services from the Charleston County Sheriff's Office (CCSO) for a long time. We have approximately 25 sworn law enforcement personnel on our payroll roster, with up to two deputies working the second and third-shift schedules as outlined in the off-duty deputy contract with CCSO. For Fiscal Year 23-24, the annual cost for CCSO services is budgeted at \$535,000. Recently, in March 2023, we received a 90-day written notice from the Sheriff's office that the "permanent/full-time" deputy contract would terminate on June 1, 2023. This contract had four deputies assigned to the Town of Kiawah Island, with two deputies scheduled 24/7 for the first shift. The contract amount was \$442,000.

General Outcomes

The expected outcomes include a detailed analysis of developing a new police department and existing operational effectiveness as measured by industry standards to deliver service in accordance and compliance with nationally recognized standards, benchmarks, and federal, state, and local industry-recognized laws and regulations. The consultant shall provide recommendations to optimize operational and financial effectiveness and service delivery to the community over the next five years.

This evaluation is designed to determine the potential to achieve the following benefits for the community:

- Procedures of building a police department.
- Improved effectiveness.
- Enhanced or expanded service(s).
- Reduced costs.
- Cost avoidance(s).

- Projecting the impact of future growth.
- Meeting community policing needs.
- Standardization of services and programs.
- Development of National (CALEA) standards on policies and procedures.
- Increased efficiency.
- Impact on future state and federal grant funding.

The Scope of Work

The Town seeks proposals from qualified consultants to conduct a review of the Town's current contract for law enforcement services and a feasibility study to determine the cost and scope of creating a municipal police department. Since 2021, the Town has been examining its law enforcement and public safety services. This feasibility study would not constitute an official policy recommendation but rather would inform the Town Council on how creating a municipal police department in substitution for the current contract with the CCSO (Charleston County Sheriff's Office) would impact service and performance.

The initial phase of work would analyze existing and optimal levels of service, the effectiveness of the proposed organizational structure versus the existing one, and order of magnitude comparisons in the services and costs under a municipal law enforcement program compared with the Town's existing contract with the CCSO.

If the Town Council decides to proceed after the initial phase of work, the next phase of work will include an implementation plan and detailed cost projections, such as requirements for hiring and training personnel, one-time and ongoing capital costs, station planning considerations, and any related third-party costs. It would also include plans to align with broader Town strategies, such as the Town's Emergency Management Plan and the upcoming Strategic Plan and include actionable performance metrics to track service quality and proactively identify areas for improvement.

Deliverables

At a minimum, the Consultant will provide the following deliverables:

- Project report to include current, proposed, and optimal levels of service for the law enforcement program.
- Effectiveness of the proposed municipal program compared to the existing CCSO service model and order of magnitude comparison in services and costs.
- Organizational plan for the proposed program, including an organizational chart comparison to the existing CCSO, staffing projections, and an estimated timeline to transition between service models.
- Operational plan for the temporary increase of law enforcement or security personnel during major special events.
- Findings from the review of existing contracted law enforcement services.

- Presentation to the community during the development of the report to gather feedback and input.
- Presentations to the Public Safety Committee and Town Council of interim findings and final report.

Proposal Organization

Respondents (Teams) must provide all information as requested in this RFP. Responses must follow the format outlined below. The Town may reject as non-responsive at its sole discretion any Proposal which is incomplete, inadequate in its response or departs in any substantive way from the required format. Proposal responses shall be organized in the following manner:

Cover Letter. An overall introduction to the Proposal is required, including a statement of the Team's understanding of the needs of the Town. The Cover Letter must state the name of the person(s) authorized to represent the Team in any negotiations, the name(s) of the person(s) authorized to sign any contract that may result, the contact person's name, mailing or street addresses, phone, and email address. A legal representative authorized to bind the Team in contractual matters must sign the Cover Letter. The letter may also briefly set forth any information the Team wishes to bring to the Town's attention.

Company Background. Teams must provide their response to the following statements and questions in this section of their Proposal.

- Name of company (& parent company, if applicable)
- Company website address.
- Number of years in business.
- Number of employees
- Employees assigned to this project.
- Experience in providing comparable services to other organizations.

Statement of Understanding. Teams shall include a statement of understanding of the program scope, which shall represent the company's knowledge of the functions, methods, and problems related to providing effective services as described in this RFP.

Proposed Services. Propose and describe in detail the services that will be provided as requested in the Scope of Work of this RFP.

Proposed Schedule. Teams shall provide a list of milestones/deliverables associated with either a task or phase of the scope of work over the course of the project.

Proposed Fee. Propose and describe in detail the fee structure corresponding to the related professional services.

References. Teams shall include up to three references of the most relevant projects completed by the company of equivalent size (or larger) and similar complexity to this project. Please include the following information for each reference:

- Contact Name and Title Address

- Phone Number & Email Address
- Location/Jurisdiction
- Project Name
- Project Description
- Project Dates
- Project Contract Value (initial and current or ending value)

Selection Criteria

The Town of Kiawah Island will evaluate the proposals based on, but not limited to, the following criteria:

1. Understanding of the Scope of Work to be Performed
 - a. Demonstrated understanding of the project objectives
 - b. Consultant's approach to accomplishing the scope of work
 - c. Timetable and costs for completing the project
2. Consultant's Methods and Procedures to be used
 - a. Consultant's general approach to evaluating the issues
 - b. Complete description of the procedures and analytical methods to be utilized
3. Management, Personnel and Experience
 - a. Qualifications of each participant and overall "skill mix" of the Consultant
 - b. Experience and performance on projects of a similar nature
 - c. Information obtained by contacting references listed by the consultant
 - d. Demonstrated experience working with local government and jurisdictions, and Districts
4. Cost Estimates
 - a. Use of personnel appropriate to the tasks included in the proposal
 - b. Expected quality of the product and the cost of the product
 - c. Reasonableness of the cost of the work product Time Requirements.

The Town may also contact and evaluate the bidder's and subcontractor's references; contact any bidder to clarify any response; contact any current user of a bidder's service; solicit information from any available source concerning any aspect of a proposal; and seek and review any other information deemed pertinent to the evaluation process. The evaluation committee shall not be obligated to accept the lowest-priced proposal but shall make an award in the best interests of the Town.

PROPOSAL FOR

COMPREHENSIVE POLICE FEASIBILITY STUDY

TOWN OF KIAWAH ISLAND, SOUTH
CAROLINA

TOWN OF

Kiawah Island®

ESTABLISHED
1988

CPSM®

CENTER FOR PUBLIC SAFETY MANAGEMENT, LLC
475 K STREET NW, SUITE 702 • WASHINGTON, DC 20001
WWW.CPSM.US • 616-813-3782

ICMA

Exclusive Provider of Public Safety Technical Services for
International City/County Management Association



Center for Public Safety Management, LLC

September 6, 2023

Craig Harris, Public Safety Director
Petra Reynolds, Town Clerk
Kiawah Island Municipal Center
4475 Betsy Kerrison Parkway
Kiawah Island, South Carolina 29455

RE: Response to a Request for Proposal

The *Center for Public Safety Management, LLC, (CPSM)* as the exclusive provider of public safety technical assistance for the International City/County Management Association, is pleased to submit this proposal to the Town of Kiawah Island located in South Carolina for a feasibility Study of its Police Operations.

CPSM is very familiar with the police challenges, having worked for several years with Bald Head Island, North Carolina, on its police and fire challenges. The barrier islands present unique challenges, in particular dealing with emergency situations that may be both human-made and natural. The CPSM approach is unique and more comprehensive than ordinary accreditation or competitor studies.

In general, our analysis involves the following major outcomes:

- Conduct a forensic data analysis to identify actual workload and locations of incidents on the island. Kiawah Island uses multi-tiers of responders that will be evaluated to provide a picture of the "as-is" condition of service delivery. We will look at all facets of the department to establish workloads and service demands.
- Identify and recommend appropriate staffing and deployment levels for every discrete operational and support function for policing.
- Examine the department's organizational structure and culture.
- Perform gap analysis, comparing the "as is" state of the department to the industry's best practices.
- Recommend a management framework to ensure accountability, increased efficiency, enhanced safety for responders and the community, and improved performance.
- Determine staffing analysis using workload and performance using research conducted by ICMA, IPMA-HR, CALEA, and CPSM.

CPSM works with CALEA and many other professional policing organizations to strategically deploy police resources.

This proposal is specifically designed to provide the local government with a thorough and unbiased analysis of emergency services in your community. We have developed a unique approach by combining the experience of dozens of emergency services subject matter experts. The team assigned to the project will have hundreds of years of practical experience

managing emergency service agencies, a record of research, academic, teaching and training, and professional publications, and extensive consulting experience from hundreds of projects completed for municipalities nationwide.

The team we assemble for you will be true "subject matter experts" with hands-on emergency services experience, not research assistants or interns.

CPSM has built upon nearly 40 years of research by ICMA and other academic researchers to develop the **CPSM Data Analytic Report™**. While other firms conduct interviews, charettes, and other intelligence gathering, only CPSM combines those processes by forensically analyzing and reporting an agency's workload and performance which incorporates metrics for future analysis of deployment change. CPSM and ICMA developed the "60% rule" that was authored by one of our SME's which serves as one more benchmark for staffing of police agencies and is often cited by CALEA as a best practice. That report is currently being updated by the current CPSM team of researchers.

ICMA has provided direct services to local governments worldwide for almost 100 years, which has helped to improve the quality of life for millions of residents in the United States and abroad. My colleagues at CPSM and I greatly appreciate this opportunity and would be pleased to address any comments you may have. I will be the authorized signatory on any documents and can be reached at 616-813-3782 or via email at twieczorek@cpsm.us.

Sincerely,

A handwritten signature in blue ink, appearing to read "Thomas J. Wieczorek".

Thomas J. Wieczorek
Director
Center for Public Safety Management. LLC

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COMPANY BACKGROUND: THE ASSOCIATION & THE COMPANY

International City/County Management Association (ICMA)

The [International City/County Management Association \(ICMA\)](#) is a 109-year-old, non-profit professional association of local government administrators and managers, with approximately 13,000 members located in 32 countries.

Since its inception in 1914, ICMA has been dedicated to assisting local governments and their managers in providing services to their citizens in an efficient and effective manner. ICMA advances the knowledge of local government best practices with its **website**, www.icma.org, publications, research, professional development, and membership.

Center for Public Safety Management (CPSM)

The ICMA [Center for Public Safety Management \(ICMA/CPSM\)](#) was launched in 2006 by ICMA to provide support to local governments in the areas of police, fire, and Emergency Medical Services. It has remained focused on public safety issues with the addition of dispatch, strategic planning, and Homeland Security.

The Center also represents local governments at the federal level and has been involved in numerous projects with the Department of Justice and the Department of Homeland Security. In 2014 as part of a restructuring at ICMA, the Center for Public Safety Management (CPSM) spun out as a separate company and is now the exclusive provider of public safety technical assistance for ICMA. CPSM provides training and research for the Association's members and represents ICMA in its dealings with the federal government and other public safety professional associations such as CALEA, PERF, IACP, IFCA, IPMA-HR, DOJ, BJA, COPS, NFPA, etc.

The Center for Public Safety Management, LLC maintains the same team of individuals performing the same level of service that it had for ICMA. We use our team of eight employees and 30 SME's to respond to the team our client has identified. With such expertise, we are able to evaluate all sizes of organizations that face challenges from every perspective. CPSM's local government technical assistance experience includes workload and deployment analysis, using our unique methodology and subject matter experts to examine department organizational structure and culture, identify workload and staffing needs as well as industry best practices.

We have conducted over 450 such studies in 46 states and provinces and more than 300 communities ranging in population size 269 (Bald Head Island, NC) to 800,000 (Indianapolis, IN).

STATEMENT OF UNDERSTANDING: MEET YOUR TEAM -- POLICE

The Town seeks proposals from qualified consultants to conduct:

1. A review of the Town's current contract for law enforcement services; and
2. A feasibility study to determine the cost and scope of creating a municipal police department.

Since 2021, the Town has been examining its law enforcement and public safety services. This feasibility study would not constitute an official policy recommendation but rather would inform the Town Council on how creating a municipal police department in substitution for the current contract with the CCSO (Charleston County Sheriff's Office) would impact service and performance.

The initial phase of work would analyze existing and optimal levels of service, the effectiveness of the proposed organizational structure versus the existing one, and order of magnitude comparisons in the services and costs under a municipal law enforcement program compared with the Town's existing contract with the CCSO.

If the Town Council decides to proceed after the initial phase of work, the next phase of work will include an implementation plan and detailed cost projections, such as requirements for hiring and training personnel, one-time and ongoing capital costs, station planning considerations, and any related third-party costs.

It would also include plans to align with broader Town strategies, such as the Town's Emergency Management Plan and the upcoming Strategic Plan and include actionable performance metrics to track service quality and proactively identify areas for improvement.

CPSM will provide the following deliverables:

- Project report to include current, proposed, and optimal levels of service for the law enforcement program.
- Effectiveness of the proposed municipal program compared to the existing CCSO service model and order of magnitude comparison in services and costs.
- Organizational plan for the proposed program, including an organizational chart comparison to the existing CCSO, staffing projections, and an estimated timeline to transition between service models.
- Operational plan for the temporary increase of law enforcement or security personnel during major special events.
- Findings from the review of existing contracted law enforcement services.
- Presenting to the community during the development of the report to gather feedback and input.
- Presentation to the Public Safety Committee and Town Council of interim findings and final report.

For this project CPSM will assemble a premier team of experts from a variety of disciplines and from across the United States. The goal is to develop recommendations that will enable it to produce the outcomes necessary to provide critical emergency services consistent with the community's financial capabilities. The team will consist of a project manager, one Operations Leader and several senior public safety experts selected from our staff to meet the specific needs of the municipality.

The management organizational chart for the project includes the following key team members



CORPORATE COMPLIANCE POLICE UNIT

PROJECT MANAGER

THOMAS WIECZOREK

Director, Center for Public Safety Management; retired City Manager Ionia, MI; former Executive Director Center for Public Safety Excellence



BACKGROUND

Thomas Wieczorek is an expert in fire and emergency medical services operations. He has served as a police officer, fire chief, director of public safety and city manager and is former Executive Director of the Center for Public Safety Excellence (formerly the Commission on Fire Accreditation International, Inc.).

He has taught numerous programs for the International City-County Management Association, Grand Valley State University, the National Highway Traffic Safety Administration (NHTSA), State of Michigan's Transportation Asset Management Council, and Grand Rapids Community College. He often testified for the Michigan Municipal League before the legislature and in several courts as an expert in the field of accident reconstruction and fire department management. He is the past president of the Michigan Local Government Manager's Association (MLGMA, now MME); served as the vice-chairperson of the Commission on Fire Officer Designation; served as ICMA's representative on the International Accreditation Service (IAS), a wholly owned subsidiary of the International Code Council (ICC); and currently serves on the NFPA 1710 and 1730 committee.

He worked with the National League of Cities and the Department of Homeland Security to create and deliver a program on emergency management for local officials titled, "Crisis Leadership for Local Government Officials." It has been presented in 43 states and has been assigned a course number by the DHS. He represents ICMA on the Emergency Management Assistance Compact (EMAC) Board and other fire service participation areas. In 2022 he worked with ICMA to create a FEMA program on economic recovery from disasters for local government managers. It has been delivered via webinar and in person across the United States.

He received the Mark E. Keane "Award for Excellence" in 2000 from the ICMA, the Association's highest award and was honored as City Manager of the Year (1999) and Person of the Year (2003) by the Rural Water Association of Michigan, and distinguished service by the Michigan Municipal League in 2005.

MANAGING PARTNER

LEONARD A. MATARESE, MPA, ICMA-CM, IPMA-CP

Director of Research and Project Development, Center for Public Safety Management



BACKGROUND

Mr. Matarese is a specialist in public sector administration with expertise in public safety issues. He has 44 years' experience as a law enforcement officer, police chief, public safety director, city manager and major city Human Resources Commissioner. He was one of the original advisory board members and trainer for the first NIJ/ICMA Community Oriented Policing Project which has subsequently trained thousands of municipal practitioners on the techniques of the community policing philosophy over the past 18

years. He has managed several hundred studies of emergency services agencies with attention to matching staffing issues with calls for service workload.

Recognized as an innovator by his law enforcement colleagues, he served as the Chairman of the SE Quadrant, Florida, Blue Lighting Strike Force, a 71 agency, U.S. Customs Service anti-terrorist and narcotics task force and as president of the Miami-Dade County Police Chief's Association – one of America's largest regional police associations. He represents ICMA on national projects involving the United States Department of Homeland Security, The Department of Justice, Office of Community Policing and the Department of Justice, Office Bureau of Justice Assistance. He has also served as a project reviewer for the National Institute of Justice and is the subject matter expert on several ICMA / USAID police projects in Central America. As a public safety director, he has managed fire / EMS systems including ALS transport. He was an early proponent of public access and police response with AEDs.

Mr. Matarese has presented before most major public administration organizations annual conferences on numerous occasions and was a keynote speaker at the 2011 annual PERF conference. He was a plenary speaker at the 2011 TAMSEC Homeland security conference in Linköping, Sweden and at the 2010 UN Habitat PPUD Conference in Barcelona, Spain.

He has a master's degree in Public Administration and a bachelor's degree in Political Science. He is a member of two national honor societies and has served as an adjunct faculty member for several universities. He holds the ICMA Credentialed Manager designation, as well as Certified Professional designation from the International Public Management Association-Human Resources. He also has extensive experience in labor management issues, particularly in police and fire departments. Mr. Matarese is a life member of the International Association of Chiefs of Police and of ICMA.

FORENSIC DATA ANALYSIS TEAM

DATA ASSESSMENT TEAM – PROJECT LEADER

DOV CHELST, PH.D.

Director of Quantitative Analysis



BACKGROUND

Dr. Chelst is an expert in analyzing public safety department's workload and deployment. He manages the analysis of all public safety data for the Center. He is involved in all phases of The Center's studies from initial data collection, on-site review, large-scale dataset processing, statistical analysis, and designing data reports. To date, he has managed over 140 data analysis projects for city and county agencies ranging in population size from 8,000 to 800,000.

Dr. Chelst has a Ph.D. Mathematics from Rutgers University and a B.A. Magna Cum Laude in Mathematics and Physics from Yeshiva University. He has taught mathematics, physics and statistics, at the university level for 9 years. He has conducted research in complex analysis, mathematical physics, and wireless communication networks and has presented his academic research at local, national and international conferences, and participated in workshops across the country.

SENIOR PUBLIC SAFETY SUBJECT MATTER EXPERT -- GIS

DAVID MARTIN, PH.D.

Senior Researcher in the Center for Urban Studies, Wayne State University

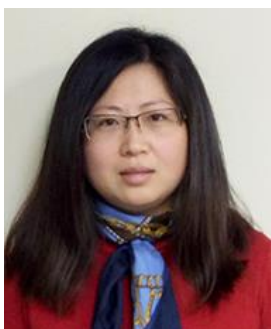


BACKGROUND

Dr. Martin specializes in public policy analysis and program evaluation. He has worked with several police departments to develop crime mapping and statistical analysis tools. In these projects, he has developed automated crime analysis tools and real-time, dashboard-style performance indicator systems for police executive and command staff. Dr. Martin teaches statistics at Wayne State University. He is also the program evaluator for four Department of Justice Weed and Seed sites. He is an expert in the use of mapping technology to analyze calls for service workload and deployments.

PUBLIC SAFETY DATA ANALYST

SHAN ZHOU, PH.D.



BACKGROUND

Dr. Shan Zhou specializes in the analysis of police data. Shan brings extensive experience in scientific and clinical data analysis. Prior to CPSM, she worked as an associate scientist at Yale School of Medicine. Shan has a MS in Business Analytics and Project Management from University of Connecticut and a PhD in Cell biology, Genetics and

Development from University of Minnesota.

OPERATIONS ASSESSMENT TEAM

POLICE PROJECT MANAGER

VICTOR LAURIA

Retired Assistant Police Chief, Novi Police Department



BACKGROUND

Victor Lauria retired as an Assistant Chief of Police with the Novi Police Department after serving the community for nearly 28 years. Over the course of his career, he has served in a wide variety of positions which include police officer, K-9 handler, detective, undercover narcotics detective, crisis negotiator and numerous supervisory positions. In 2009, the City of Novi combined their police and fire administrations into a Public Safety Administration. Victor was responsible for various supervisory roles within the Police and Fire Departments.

Victor earned a Bachelor of Science degree from Northern Michigan University, a Master of Science, with a concentration in Emergency Management, from Eastern Michigan University and he holds a graduate certificate from the University of Virginia. He also attended the 250th Session of the Federal Bureau of Investigations National Academy in Quantico, Virginia. He is also certified as Firefighter I and Firefighter II by the State of Michigan.

Mr. Lauria is currently employed as a faculty member at Madonna University. He is the Interim Chairperson of the Criminal Justice Department and the Program Director for the Emergency Management, Fire Science and Occupational Safety and Health programs. He instructs a wide variety of undergraduate and graduate courses. He is a regular guest lecturer at Eastern Michigan University's Police Staff and Command Executive Leadership Program.

TEAM LEADS

CHIEF JARROD BURGUAN, B.S., M.A.

Chief of Police, San Bernardino Police Department



BACKGROUND

Chief Burguan served 29 years in local law enforcement, with 10 years of that experience in senior management positions. He retired as the Chief of Police for the San Bernardino (Ca) Police Department in 2019.

During his career, Chief Burguan worked a variety of assignments in the patrol, traffic, investigative and administrative divisions of the department. He has the unique experience of managing a police department through a municipal bankruptcy while maintaining day to day operational effectiveness. He has been an invited speaker at conferences and training events throughout the country and internationally on police response to active shooter events following both an elementary school active shooter in 2016 and the 2015 terrorist attack in San Bernardino.

Since retiring from the department in 2019, Chief Burguan has continued to work as a consultant for municipal government and media organizations and has served as an advisor for the Department of Justice – ICITAP program. He holds a bachelor's degree in business and a Master's Degree in Management from the University of Redlands. He is also a graduate of the California Command College, the FBI's Law Enforcement Executive Development program and the Senior Management Institute for Police through the PERF.

CHIEF CRAIG JUNGINGER (RET), BS, MPA

Retired Chief of Police, Gresham, Oregon, former Huntington Beach Police Captain



BACKGROUND

Chief Junginger had over 38 years' experience as a law enforcement professional. He served as the Chief of the Gresham, Oregon Police since December 2008 until his retirement in June 2016. Gresham is a community with a population of 110,000 just to the east of Portland. He led a department of 130 sworn officers and 47 civilian employees, with a budget of \$31 million. He also served on the board of the Oregon Police Chief's Association.

Chief Junginger began his career at the Bell-Cudahy Police department in 1979. He worked as a K-9 Officer, Detective, and Patrol Officer. In 1985 he transferred to the Huntington Beach Police Department where he remained until his retirement in November 2008. While at Huntington Beach, he was a Patrol Officer, Beach Detail Officer, Field Training Officer, SWAT Officer, Traffic Motor Officers, Community Policing Officer, and Narcotics Detective. In 1999 he promoted to Sergeant where he worked Patrol, Downtown Foot Beat, Support Services, Vice and Intelligence and Internal Affairs. He promoted to Lieutenant in 2003 and worked as the Community Policing Commander responsible for all major event planning, Watch Commander and as the Chief's Executive Officer. In 2007 he promoted to the rank of Captain and was assigned to Administrative Operations consisting of Communications, Budget, Personnel, and Property and Evidence.

He holds a master's degree from California State University, Long Beach, a bachelor's degree from University of La Verne and an associate degree from Rio Hondo Community College.

He attended the FBI National Academy Class 224 in Quantico Virginia, California Post Command College, West Point Leadership Program, POST Executive Development Program and the POST Supervisory Leadership Institute. While in Command College he was published for his article "How will we train police recruits of the millennial generation in the year 2012," and as the Chief of Gresham he was published for an article he authored on leadership.

He was awarded the Medal of Valor in 1989 for his encounter with an armed bank robber.

SENIOR ASSOCIATE

CHIEF JOHN E. PEREZ, B.S., M.S., PH.D.

Chief of Police, City of Pasadena Police Department

BACKGROUND

John E. Perez has served as the Chief of Police for the City of Pasadena (CA) since 2018 and has been with the Department since 1985. His 35 years of public safety experience includes an array of specialized assignments in enforcement, special tactics, administration, and community initiatives. He served as the Counter-Terrorism Intelligence Officer immediately after the 9/11



terrorist attack in developing security/safety measures for Pasadena's Tournament of Roses Parade, Rose Bowl, and special events. After serving as the Special Enforcement Section Sergeant and developing policing initiatives in lowering gang violence while improving community trust and confidence, he was appointed by California's Commission on Peace Officer Standards and Training to provide best practices on developing statewide initiatives.

He is the recipient of Mayor's Special Service Award for his work in developing community initiatives and has been twice awarded with the Police Chief's Excellence in Policing merit award. Chief Perez has served in the various ranks of the Department to include Deputy Chief of Police from 2016-2018.

Chief Perez led the development of several internal initiatives that decreased the use of force by 50% through immersive training and self-improvement from use of Body-Worn Camera (BWC), as well other initiatives to increase community awareness of policing challenges through programs such as "Policing 101" and "Community Conversations" – each intended to develop and educate community members, youth, and the media on policing topics as well as learning from the community.

Chief Perez serves on the Pasadena Educational Foundation, Patron Saints Foundation, and is a graduate of the California Peace Officers and Standards Executive Management School as well as holding a POST executive certificate. Chief Perez possesses a bachelor's degree in Criminal Justice, a master's degree in Behavior Science, and a PhD in Public Administration. He serves on the board of the California Police Chiefs Association and the National Police Foundation.

SENIOR ASSOCIATE

DEPUTY CHIEF WAYNE HILTZ (RET)

Former Interim Chief of Police at Pasadena and Irwindale Police Departments

BACKGROUND



Wayne has 33 years of experience in municipal law enforcement. This includes a broad range of experience in nearly every facet of policing from patrol, gang enforcement, and undercover narcotics to internal affairs investigations and community relations. The last 13 years were spent at command and executive levels. In his capacity as Deputy Police Chief, he served as the chief operating officer of the Pasadena Police Department, responsible for all day-to-day operations including internal audits and inspections. As well, he was responsible for operations related to the Tournament of Roses Parade and Rose Bowl events to include World Cup Soccer and BCS Championship games. For a period of nearly two years, he served in the capacity of Interim Chief of Police at both the Pasadena and

Irwindale Police Departments.

He has extensive experience in managing budgets and has served as a budget instructor for the California Commission on Peace Officer Standards and Training. He was selected by the Los Angeles County Police Chiefs Association to represent the 45 member agencies in negotiations for Homeland Security Grants for a three-year period. He also served as President of the San Gabriel Peace Officers Association. He has served on the boards of community-based organizations with focus on addressing homeless issues, substance abuse, and juvenile violence.

Wayne holds a Bachelor of Science degree in Police Science and Administration from California State University at Los Angeles. Executive training includes the FBI Southwest Command College and the Senior Management Institute for Police.

SENIOR ASSOCIATE

SHERIFF SUSAN L. RAHR, B.A.

Sheriff (retired), King County Sheriff's Office; Executive Director (retired), Washington State Criminal Justice Training Commission



BACKGROUND

Sue Rahr began her 42-year law enforcement career as a deputy with the King County Sheriff's Office in 1979 and worked her way up through the ranks until she was elected Sheriff in 2005.

She served as Sheriff for another seven years, retiring in 2012. She was responsible for over 1,000 employees, a \$150 million budget, and contract police services in 12 cities and transit policing for the Seattle/Puget Sound region.

She led KCSO to CALEA National Accreditation in 2010 and was awarded "2010 Elected Official of the Year" by the Municipal League. In 2012 she was appointed Executive Director of the Washington State Criminal Justice Training Commission where she served for nine years and was responsible for training all city and county law enforcement and corrections officers in the state, as well as many other criminal justice professionals.

She served as a member of the "Executive Session on Policing" at the Harvard Kennedy School from 2011-2014; served on the "President's Task Force on 21 st Century Policing" in 2015; is a consultant with the NYU Law School Policing Project to Reimagine Policing; is the Co-Founder of the Center on Police Culture; serves as an advisor to many national police reform programs and organizations including the Council on Criminal Justice, Law Enforcement Action Partnership, Law Enforcement Leaders to Reduce Crime and Incarceration, and the Innovative Policing Program at Georgetown University with ABLE (Active Bystandership for Law Enforcement) and Police for Tomorrow.

She has served on many non-profit community and professional boards and held the following offices:

- President – Washington Association of Sheriffs and Police Chiefs
- Commissioner – Washington State Criminal Justice Training Commission
- Executive Board – National Sheriffs Association
- Board of Directors for the National Police Foundation

She graduated Cum Laude with a BA in Criminal Justice from Washington State University and is a graduate of the National Sheriff's Institute and the FBI National Executive Institute. She co-authored the seminal academic paper about transforming the training culture at the WA State Criminal Justice Training Commission – published in 2015 by the Harvard Kennedy School and the National Institute of Justice – introducing the national dialogue on shifting police culture from warriors to guardians. She is married to a retired high school teacher, has two adult sons and two grandchildren.

SENIOR ASSOCIATE

CHIEF ROBERT HANDY, M.S.

Chief of Police, Huntington Beach Police Department, San Bernardino Police Department



BACKGROUND

Chief Robert Handy is 30-year law enforcement professional having served in a wide variety of assignments from Patrol Officer to Police Chief. Handy served in three separate jurisdictions: Huntington Beach, California; San Bernardino, California; and Phoenix, Arizona.

Chief Handy worked a wide variety of assignments from officer/detective through leadership positions in all divisions of a police agency and has been involved in training and teaching for decades. His broad base of experience includes firearms instructor, arrest tactics/use of force instructor, academy instructor, in-service instructor, and veteran university teacher. Chief Handy has obtained a

bachelor's and master's degree in Public Administration and is a graduate of the FBI National Academy.

Chief Handy has taught and developed police officers and police leaders from agencies across the Country. His diverse experiences from three jurisdictions, combined with years of academic research and teaching, has provided Handy with vast knowledge and expertise in police practices, training, and every other aspect of contemporary policing.

SENIOR ASSOCIATE

DEPUTY CHIEF MARTIN BAEZA, B.A., M.A.

Retired Deputy Chief, Los Angeles Police Department



BACKGROUND

Deputy Chief Baeza served with the Los Angeles Police Department for thirty-two years and spent the last fourteen years in senior management positions. His depth of experience includes a variety of assignments in Patrol Operations, Detective, Specialized Divisions and Administrative Offices.

He retired from the Los Angeles Police Department as the Commanding Officer of the Personnel and Training Bureau overseeing Human Resources and training for all sworn and non-sworn employees of the Department.

He led various Operational Commands and the Police Academy. He restructured crime reduction strategies, implemented smart policing concepts and community engagement programs. He was recognized for his creative community policing incentives and was a two-time recipient of the Excellence in Leadership Award for Community Policing.

Chief Baeza was invited to participate as a Los Angeles Police Department International Delegate in Abu Dhabi, United Arab Emirates. He presented on best practices in community engagement and training development. Deputy Chief Baeza held a variety of leadership positions throughout the Department and has been involved in training police officers at all levels. He served as the Los Angeles Police Academy Director and oversaw the successful re-

certification. His experience includes instructing in the Field Training Officer Program, Police Leadership, Supervisor, and the Executive Command Development Courses. He has been an invited speaker on various topics in leadership.

Deputy Chief Baeza led recruitment, hiring and the deployment of all human resources of the organization which encompassed 13,000 employees. He established a Traffic Group to oversee traffic commands and evaluate traffic policies and procedures. Additionally, his responsibilities included oversight of fleet, information technology and Behavioral Science Services. He was a standing member of the categorical use of force board and was integral in the assessment of policy, use of force tactics, procedural justice, and best practices.

Deputy Chief Baeza possesses a Bachelor of Science degree in Applied Business and Management and a Master of Arts in Organizational Management from Azusa Pacific University. He is also a graduate of the West Point Leadership Program, Senior Management Institute for Policing and the University of Southern California, Sol Price School of Public Policy, Executive Leadership Program.

SENIOR ASSOCIATE

CHIEF JEFFREY M. HADLEY, M.S.

Chief of Police, Chatham County Police Department



BACKGROUND

Chief Hadley has 27 years of experience in law enforcement and public safety with 14 of those years in senior level management. During his tenure at the Kalamazoo Department of Public Safety Chief Hadley refocused the organization on building relationships with the community and developing trust as a cornerstone to improved Public Safety.

Chief Hadley took on the formidable task of building a 21st century law enforcement agency from scratch when he became the first chief of the newly re-organized Chatham County Police Department in December 2017.

Building the department included hiring more than 150 employees, developing policies and procedures, and upgrading facilities. During the first year in operation, the department undertook strong community policing efforts while answering more than 35,000 citizen calls for service.

Chief Hadley holds a Master of Science Degree in Management from Indiana Wesleyan University. He is a graduate of the 220th session of the FBI National Academy and a graduate of the 48th session of the DEA Drug Unit Commanders Academy.

SENIOR ASSOCIATE



CHIEF DAVID SWING

Chief of Police, Pleasanton

BACKGROUND

Chief David Swing is a 28-year law enforcement professional having served in a wide variety of assignments from Reserve Officer to Police Chief. Swing served most of his professional career in Morgan Hill, California starting as a Reserve Officer and rising to the rank of Chief for nine years. Swing is currently serving as the Chief of Police in Pleasanton, California.

Chief Swing is active in the law enforcement profession as a Past President and current board member of the California Police Chiefs Association. Swing developed an understanding of stop data demographics while representing California Police Chiefs for nearly four years on the Racial and Identity Profiling Act board including the Stop Data and Evidence Based Practices sub-committee.

Chief Swing worked a wide variety of assignments to include FTO and SWAT Operator, Detective Sergeant through all leadership positions of a small police agency. Chief Swing is passionate about enhancing the organization's response to domestic violence and has been involved in the topic for decades. His broad base of experience also includes Police Management instructor for budgeting and strategic and succession planning. Chief Swing earned a bachelor's degree in Public Relations and Master's degree in Public Administration and is a graduate of POST Command College.

Swing brings a strategic focus to his work having developed multiple strategic plans aligning the work and budget of the Department to community expectations and Council goals.

SENIOR ASSOCIATE



CHIEF GENE ELLIS

Chief of Police, Belton, TX

BACKGROUND

A native of Houston, Texas, Chief Gene Ellis started his law enforcement career in the Houston area where he worked for the second largest city in Southeast Texas, Pasadena.

Chief Ellis has served as a Police Chief for over 20 years, including several years in the State of Iowa before returning to Texas in 2009 when he was appointed Chief of Police in Belton. Chief Ellis is a graduate of the University of Houston and St. Ambrose University.

He holds both Bachelor of Science and Master of Science Degrees in Criminal Justice. He is a graduate of the FBI National Academy, a law enforcement management program. He is a graduate of the Certified Public Manager Program through Texas State University. Chief Ellis is a member of the board of officers of the Texas Police Chiefs Association where he serves as a past president and liaison to the Texas Municipal League Board of Directors. Chief Ellis is a Past President of the Iowa Police Chiefs Association. He is a Life Member of the International Association of Chiefs of Police (IACP).

Gene Ellis also serves as Belton's Assistant City Manager, which is a dual role with his police chief duties. In this role he is responsible for other City departments including Code Compliance, Public (Communications) Information, Information Technology, and the Library in addition to the Police Department. Gene leads the City of Belton's Excellence in Customer Service initiative and was instrumental in the creation of "Belton 101," an orientation program for new employees.

Gene enjoys travelling, cheering for the Houston Astros and the Green Bay Packers as a shareholder in the team, and spending time with family.

SENIOR ASSOCIATE



DEPUTY CHIEF JASON CLAWSON, M.S.

Retired Deputy Chief, Pasadena

Jason is a veteran of the U.S. Navy and has 31 years of experience in municipal law enforcement operations, serving the citizens of Pasadena, California.

Jason has worked in many ranks across various divisions to include Patrol Operations, a gang suppression team, Vice/Narcotics, S.W.A.T. and Detectives. Jason is an expert handling neighborhood quality of life issues by focusing on premise liability, prevention, intervention and enforcement methods. He led a Safe Streets Task Force while assigned as a Task Force Supervisor with the Federal Bureau of Investigation, focusing on the transnational gang problem stemming from Central America.

He has coordinated jurisdictional Mutual Aid, Critical Incident Response Team operations, and focused on problem locations through Community Policing efforts in high crime zones. Jason has served as the Press Information Officer where he directed and coordinated the activities within the Office of the Police Chief; audits and inspections; and the on-going review of policy and procedures. He served as the Project Director of a \$2.5 million dollar grant from the Bureau of State and Community Corrections focusing on reintegration efforts of previously incarcerated community members.

Jason has participated in the development of goals, objectives, and key performance indicators for assigned divisional functions as well developing and administering divisional budgets, to include developing a Homeless Initiative to combat Mental Health and Homelessness.

For the last 8 months of 2022, Jason served as the Interim Police Chief for the City of Pasadena where he drafted and presented the department's \$97,000,000 budget, conducted Administrative Reviews, worked out salary resolutions, oversaw the implementation of a new Computer Aided Dispatch / Records Management System, and navigated the installment of a police oversight commission and independent police auditor, until his retirement from service in January 2023.

Jason received his master's degree in Organizational Leadership from Union Institute & University in Los Angeles, California. He was also the recipient of the Police Chief's Special Award for Excellence in 2006, the Freemason's United States Constitutional Observance Award in 2010, and was the Pasadena Police Foundation's Officer of the year in 2021. He is a lifetime member of the California Narcotic Officer's Association and sits on the executive board of the Flintridge Center's Vision 20/20 Advisory Council.

PROPOSED SERVICES: THE CPSM APPROACH

The Town seeks proposals from qualified consultants to conduct a review of the Town's current contract for law enforcement services and a feasibility study to determine the cost and scope of creating a municipal police department. Phase I will include the production of a forensic workload and staffing analysis based on Computer Aided Dispatch data (in conformance with established CALEA recommendations that were developed with CPSM).

The CPSM team developed a standardized approach to conducting analyses of Police and Sheriff's departments by combining the experience sets of dozens of subject matter experts.

We begin projects with a request for data, documents, and worksheets.

Next, we extract raw data on calls for service from an agency's computer-aided dispatch system. The data are sorted and analyzed to identify performance indicators (i.e., response times, workload by time, multiple unit dispatching, etc.) for comparison to industry benchmarks. Performance indicators are valuable measures of agency efficiency and effectiveness. The findings are shown in tabular as well as graphic form and follow a standard format for



presentation of the analyzed data. While the format will be similar from community to community, the data reported are unique to the specific agency.

During Phase II, CPSM conducts an on-site operational review. Here the performance indicators serve as the basis for the operational reviews. Prior to any on-

site review, agencies are asked to compile several key operational documents (i.e., policies and procedures, assets lists, etc.). Most on-site reviews consist of interviews with management and supervisors, as well as rank and file officers; attendance at roll calls and ride-alongs with officers. We review case files with investigators and observe dispatch operations to assess compliance with the provided written documentation.

As a result of on-site visits and data assessments, our subject matter experts produce a SWOT analysis (strengths, weaknesses, opportunities, and threats) of the department. We have found that this standardized approach ensures that we measure and observe all the critical components of agencies.

Additionally, this methodology can be integrated with ongoing support customized to the unique needs of your community. Strategic planning, risk assessment, and training services are also available to assist with the implementation of CPSM recommendations and developing new processes and programs that may arise as implementation evolves and that may include formation of a new department.

The following information describes the CPSM approach to studying, understanding, evaluating, and reporting on Police and Sheriff's departments around the country. Although no two departments are the same, a standardized approach to department evaluation ensures a rigorous and methodological process that permits benchmarking, comparing, and assessing within the context of the best practices of American law enforcement. However, each locality has unique characteristics that present policing challenges. Integrating a standardized approach within the context of local variability permits an accurate assessment of the

organization in its political environment, and further permits CPSM to offer recommendations that comport with the best practices in policing, yet customized for the client community.

Data....why data?

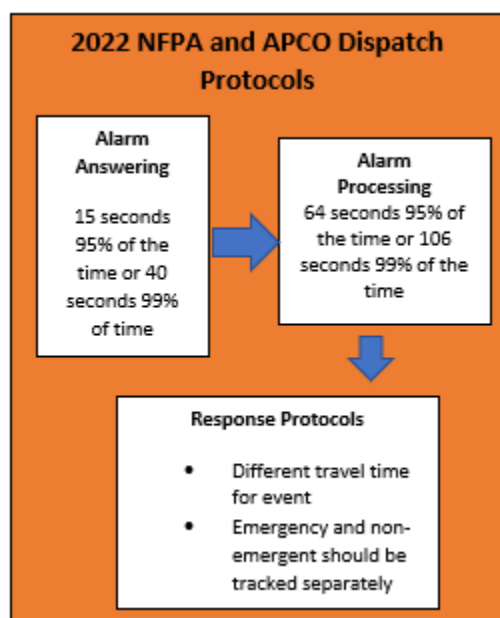
CPSM has found that there are tremendous amounts of data collected on a daily, even hourly basis on many departments. The challenge is how to access that data; how to clean that data; how to quantify that data; and how to present the product so that everyone understands.

CPSM does not use hypotheticals. We don't use "national averages" upon which to base our client team's individual recommendations and findings. We begin analyzing your data to establish your performance and paint a complete picture of how you are deploying with the accompanying results.

It is critical to have data and one of the biggest challenges for departments because rarely do they have the depth of our analytical team and its decades of research and trademarked processes. If we are going to recommend change and if our client team is going to make change – they need data to measure how it impacted their outcomes. It's not good enough to say, "this is what happens wherever." We need to provide you with the tools and launch point so that you can measure and report to your stakeholders – citizens, elected officials, appointed officials, and staff – how those changes affected the outcome.

The raw Computer Aided Dispatch data and our process is like a financial audit. No city, county or community ever imagines just skipping the annual audit. It's usually a mandate in the charter or state law. Yet we find few communities are willing to extend the same effort to delve into the operations of their largest emergency response departments whose actions can literally be life and death. Our process is the same for each community so that we can build national data reporting tables and compare you to like demographics, but we create our recommendations and findings based on your individual performance. The CAD system is also the official record of public safety services for communities. Like minute books for the County clerk, it is the record of times and actions taken by your response community. The information at dispatch needs to be collected; it needs to be correct; and it should be a resource to assist with decision making daily.

CPSM ensures this information and system is working and correct before we proceed to other facets of our work.



Begins at dispatch

Armed with the data and information we gather; we start your project at the dispatch center. Benchmarks have been established for dispatch centers across the country in National Fire Protection Association Standards (NFPA 1220, NFPA 1221, NFPA 1710, NFPA 1720, etc). Many of those same benchmarks and standards have also been adopted by the Association of Public-Safety Communications Officials-International (APCO).

The dispatch protocols are continually being studied, particularly with the adoption of Priority Fire, Medical, and Police dispatch. The systems look at collecting what is happening, where, and alerting the right response to the right location for a positive outcome.

For that reason, it is important that two things occur at dispatch:

1. Caller expectations be established. In other words, if the dispatcher tells the caller that police and deputies will be "right there," the expectation is immediate response. Instead, dispatch centers should advise callers that officers are tied up on other calls and establish expectations for service delivery.

2. Calls should be categorized, monitored, and reported using multiple response time metrics. Crimes in progress and serious felonies should have established and monitored times. Outliers should be examined daily, and a report produced on why there may be extended time periods. For non-criminal and non-emergent calls, different metrics should exist with an explanation of why there were extended times.

Dispatch Metrics

CPSM will look at the dispatch center to determine how often calls remain in the queue, trends on when lengthy queues develop, and whether the dispatch center is evaluating their operations on a regular basis to determine if they are meeting national standards and benchmarks.

The time that a fire, Police/Sheriff's, or EMS call occurs and for an alarm to be raised can vary from community to community. In urban, rural, and remote areas, it can be lengthy periods of time before a situation is noticed and the alert raised. In commuter communities, larcenies and break-ins may not be noticed until morning or people return home from work. These types of calls should be tracked independent of true emergencies to not corrupt the ongoing analysis of response times.

TABLE 9-31: Reported Billings, Montana, and National Crime Rates, by Year

Year	Billings				Montana				National			
	Population	Violent	Property	Total	Population	Violent	Property	Total	Population	Violent	Property	Total
2010	104,170	273	4,822	5,095	1,055,270	255	2,381	2,636	314,170,775	393	2,833	3,225
2011	105,095	299	4,467	4,766	1,064,639	256	2,220	2,476	317,186,963	376	2,800	3,176
2012	106,371	358	4,527	4,885	1,071,788	259	2,411	2,670	319,697,368	377	2,758	3,135
2013	107,802	395	5,208	5,603	1,078,577	264	2,379	2,642	321,947,240	362	2,627	2,989
2014	110,245	381	4,500	4,881	1,087,522	298	2,302	2,601	324,699,246	357	2,464	2,821
2015	109,997	442	4,730	5,172	1,099,717	327	2,452	2,779	327,455,769	368	2,376	2,744
2016	111,447	463	4,689	5,152	1,101,927	352	2,547	2,899	329,308,297	383	2,353	2,736
2017	111,317	493	5,458	5,951	1,050,493	377	2,592	2,969	325,719,178	383	2,362	2,745
2018	110,397	542	4,779	5,321	1,062,305	374	2,496	2,870	327,167,434	369	2,200	2,568
2019	110,198	610	4,083	4,693	1,068,778	405	2,193	2,598	328,239,523	379	2,010	2,489

TABLE 9-32: Reported Billings, Montana, and National Crime Clearance Rates

Crime	Billings			Montana			National		
	Crimes	Clearances	Rate	Crimes	Clearances	Rate	Crimes	Clearances*	Rate
Murder Manslaughter	3	2	67%	35	20	57%	14,325	8,796	61%
Rape	75	10	13%	614	72	12%	124,817	41,065	33%
Robbery	98	38	39%	210	82	39%	239,643	73,091	31%
Aggravated Assault	499	285	57%	2,601	1,486	57%	726,778	380,105	52%
Burglary	608	58	10%	2,688	357	13%	981,264	138,358	14%
Larceny	3,266	835	26%	19,152	3,923	20%	4,533,178	834,105	18%
Vehicle Theft	625	76	12%	2,234	400	18%	655,778	90,497	14%

Note: *National clearance counts were calculated from crimes and clearance rates, as these numbers are not directly available from the FBI.

For call answering, we will benchmark your time against the latest editions of NFPA and APCO standards. In 2022, that time process changed. If your dispatch is not performing at these levels – or if they are not using metrics to constantly evaluate performance (particularly in emergencies requiring rapid response), your team needs to be able to intervene. CPSM finds many communities and dispatch centers do not regularly look at this critical step on the successful outcome matrix.

By establishing different metrics for evaluating emergency and non-emergency travel times, unrealistic expectations and demands will be removed from the patrol force. Every call is not the same and does not require the same response.

The travel time which will be reviewed by our expert Geographic Information and Data division.

Our data team will also begin to produce analytics that look at statistical information reported and compiled by a wide variety of agencies. Crime rate comparisons, clearance rates, crime trends analysis, and other information will be integrated with our client team information that they will be uploading to a secure site for our subject matter experts' review.

For Phase II and armed with information, our Operations Team will work with the client team to evaluate the following major areas of operations:

I. Benchmark the Community

It is essential to understand the service levels, protection needs, community dynamics, and overall environment within which the Sheriff's department operates.

The CPSM study may involve interviews directed at stakeholders in the community, which could include elected officials and employee labor representatives who would be contacted to solicit their opinions about the department, the public safety needs of their constituency, and the perceived gaps in service levels currently provided. CPSM may work with the agency to identify community members that can provide this important information. Additionally, the department will be compared to organizations of similar size with respect to crime, demographics, and cost-efficiency.



CPSM reviews Census Information that may flag key demographics to be studied further: are there minority populations and are there disparities in service? In actions? In communication?

II. Patrol Operations

Police and Sheriff's agencies routinely speak about "recommended officers per 1,000 population" or a "National Standard" for staffing or comparisons to other municipalities.

There are no such standards, nor are there "recommended numbers of "officer per thousand". The International Association of Chiefs of Police (IACP) states; "Ready-made, universally applicable patrol staffing standards do not exist. Ratios, such as officers-per-thousand population, are totally inappropriate as a basis for staffing decisions."

Staffing decisions, particularly in patrol, must be made based upon actual workload and very few law enforcement agencies have the capability of conducting that analysis. Once an analysis of the actual workload is made, then a determination can be made as to the amount of discretionary patrol time that should exist, consistent with the local government's ability to fund.

CPSM's team of doctoral level experts in Operations Research in Public Safety have created **The CPSM Patrol Workload & Deployment Analysis System®** with the ability to produce detailed information on workload even in those agencies without sophisticated management information systems.

Using the raw data extracted from the department's CAD system our team converts calls for service into service workload and then effectively graphs workload reflecting seasonally, weekday / weekend and time of day variables. Using this information, the department can contrast actual workload with deployment and identify the amount of discretionary patrol time available (as well as time commitments to other activities – including special events).

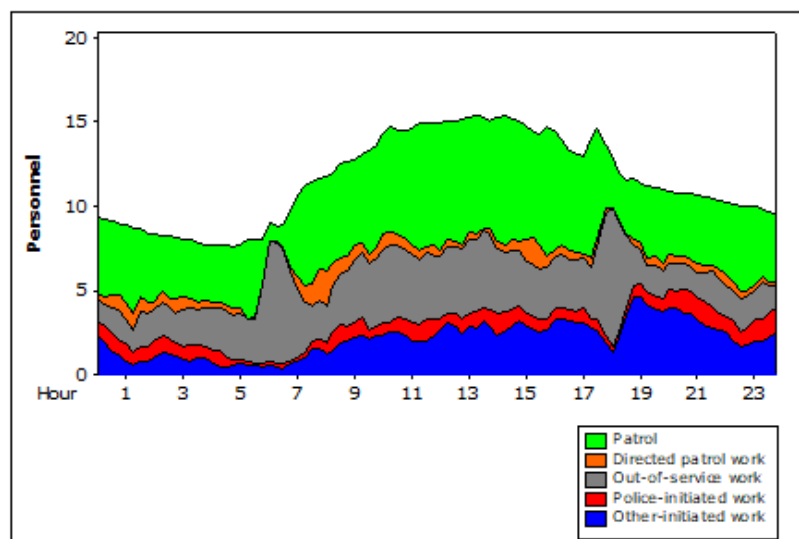
Service workload differentiates from calls for service in that calls for service are a number reflecting the incidents recorded. Workload is a time measurement recording the actual amount

of time required to handle calls for service from inception to completion. Various types of service calls require differing amounts of time (and thus affect staffing requirements). As such, call volume (number of calls) as a percentage of total number of calls could be significantly different than workload in a specific area as a percentage of total workload. The graph below demonstrates this difference in units.

CPSM has found that the most effective way to manage operations, including policing, is to make decisions based upon the interpretation and analysis of data and information.

To achieve this, a data analysis of department workload, staffing and deployment will be conducted. By objectively looking at the availability of deployed hours and comparing those to the hours necessary to conduct operations, staffing expansion and/or reductions can be determined and projected. Additionally, the time necessary to conduct proactive activities (such as team-led enforcement, directed patrol, community policing and selected traffic enforcement) will be reviewed to provide the community with a meaningful methodology to determine appropriate costing allocation models.

Figure 7: Deployment and Main Workload, Weekdays, Summer



Workload vs. deployment analysis sample

This is one of the ways we show the amount of available, non-committed patrol time compared to workload. As you can see, we break out the various activities, convert them to time and then compare to available manpower. The deployment is based upon actual hours worked.

So, in this example, at noon there are

approximately 9 hours of work (including citizen-initiated and officer-initiated calls for services, including traffic) and administrative activities (meals, vehicle, reports, etc.). There are approximately 15 officer-hours of available resources meaning that at that hour, on average, of the 15 officers on duty 9 are busy on activities.

The area shown in green and brown is uncommitted time. This is the area where staffing decisions impact – it becomes a policy issue as to how much uncommitted time a community wants and is willing to pay for.

CPSM White Paper on Staffing

CPSM and ICMA conducted research on staffing for police departments that led to a white paper released in 2013. More than 50 departments' data was analyzed for staffing, workload, and patrol trends across 24/7 and 365 days a year.

The subsequent white paper has been regularly used and quoted by the International Chiefs of Police, the Commission for Accreditation of Law Enforcement Agencies (CALEA), the Police Executive Research Forum (PERF) and most consultants.

The white paper found that a best practice for evaluating departments would position 60 percent of the sworn resources into patrol activities. In addition, no more than 60% of their total available time would be encumbered with calls for service.

The research showed that when the 60% encumbered level was exceeded, officers moved from proactive into reactive mode. In other words, officers expected additional calls for service, understood there were no free resources, and thus disengaged and awaited dispatch to the next call in the queue at dispatch.

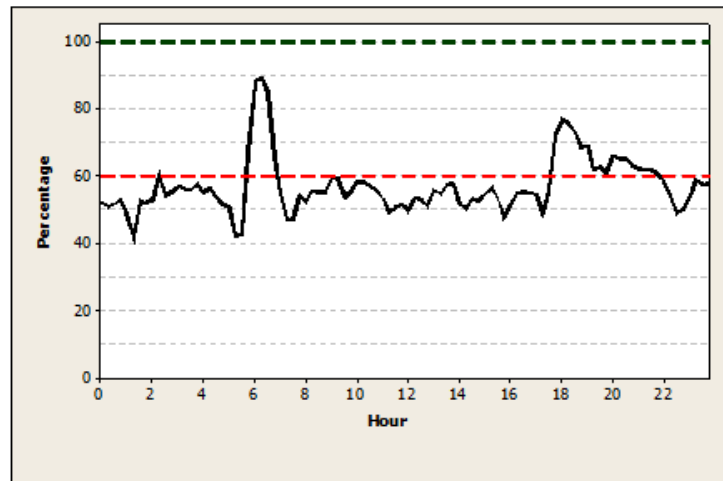
CPSM assembles the information on how much "time" is available, what various demands require against that time, and calculates a Saturation Index along with when the 60% is exceeded.

Using this data-driven approach, communities can determine how much un-encumbered time they desire and where they would like that time dedicated. It also allows communities to determine if additional staffing is needed, when, and how much.

The CPSM study will result in the calculation of service demands placed on the department, workload levels, service times for calls for service, and response times. The product of this analysis is the variance between service demands and available personnel, and appropriate recommendations made for staffing levels and an optimal deployment schedule to meet these service demands. This permits exploration of the following questions:

- What are the service demands made by the public as measured through the CAD system?
- Based on workload is the staffing deployment appropriate?
- Based on the workload, is the shift schedule aligned appropriately and what alternatives to the current shift plan are most efficient?
- How many officers and supervisors are needed to staff the patrol function in order to meet the workload demands placed on the agency?
- How long does it take to respond to calls for service (both response time and total time) and what ways are there to reduce these times?
- How many officers are assigned to each call and what are the ways to minimize these assignments?
- What categories of call, and in what frequency, does the agency handle and what measures can be adopted to minimize unnecessary responses?
- How much time is spent on administrative duties?
- How much time is spent on directed patrol activities and specialized enforcement?

Figure 8: Workload Percentage by Hour, Weekdays, Summer

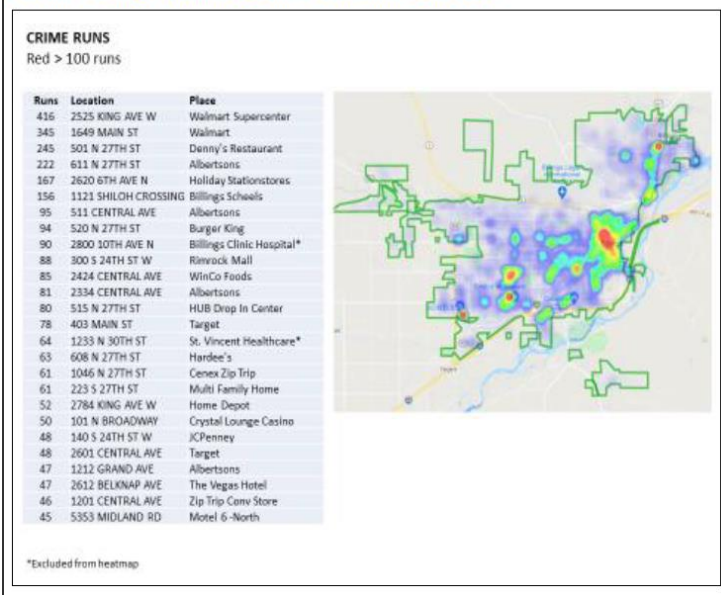


Workload vs. Deployment – Weekdays, Summer

Avg. Workload:	6.5 officers per hour
Avg. % Deployed (SI):	57 percent
Peak SI:	89 percent
Peak SI Time:	6:15 a.m.

In addition to the analysis of patrol operations from the CAD system and workload, the CPSM study will focus on the qualitative aspects of patrol. The study will observe officers on patrol through ride-alongs, interviews, and general observations. We will amass all available documents, plans, and data available to understand the patrol approach in the department. We will observe the special operations teams, the problem/nuisance unit, etc. to evaluate their role within the overall mission of the department and patrol operations. We will evaluate the performance of the units, identify improvement opportunities, and justify and recommend appropriate staffing levels

FIGURE 4-3: High-volume Locations for Crime Calls, 2019



Our GIS team will use the analyzed data sets to identify high crime

locations, high accident locations, and “repeat calls for service” locations.

The CPSM study will also evaluate the implementation of technology on patrol, weapons available, and equipment used with opportunities for improvement.

CPSM advocates community policing as its operational philosophy. The CPSM study would evaluate the implementation of community policing, in quantifiable and anecdotal terms, and identify improvement opportunities where appropriate.

Similarly, the CPSM study would evaluate the relationship of patrol operations with the rest of the department and community. Kiawah Island utilizes a multi-tier approach to policing with functions performed by several entities. How do these work? Can they work better?

To what extent does this bureau work, coordinate, and communicate with the other operational and support functions of the department and other entities? How should it? What are the strategic, management, and planning functions of the department with regards to the patrol function and how does patrol operations respond to the mission of the organization? How are crime, traffic, disorder, and quality of life problems handled?

III. Investigations

The CPSM study will assess investigations – both reactive and proactive. The CPSM team will explore the following questions:

- Staffing – Are there enough investigators available to handle the workload?
- Workload – What is the workload; how many cases do investigators handle; is the specialization appropriate?
- Effectiveness & Efficiency – How much time does it take to investigate cases? Are victims kept informed? Are cases cleared and offenders held accountable? How much overtime is spent?
- Intelligence – How is intelligence gathered and disseminated (inside and outside the department)? Does the investigations' function make use of intelligence?
- Civilianization opportunities – What are the potential areas for civilianization?
- Technological opportunities – Is technology being leveraged to improve investigations?
- Crime scene – Are crime scenes being processed efficiently, and are appropriate follow-up investigations being conducted?

Using the information compiled, CPSM will be able to recommend what level of investigation is needed should the Town form its own department and at what cost.

IV. Administration and Support

Once again, CPSM will evaluate every administrative and support unit in the police department. This evaluation will involve:

- Staffing.
- Workload.
- Civilianization possibilities.
- Cost saving opportunities.
- Outsourcing opportunities;
- Best practice comparisons and opportunities for improvement.

Position	Proposed Authorized	Proposed Added Positions
Sworn		
Captain	1	
Lieutenant	3	
Sergeant	13	1*
Patrol Officer	78	
K9	4**	
Billings Clinic	2	
STEP – Traffic (No K9s)	4***	
DBA	2	
Parks	1	
Total Sworn	108	1
Civilian		
Police Service Officer***	6	6
Total Civilian	6	
Total Authorized Personnel	114	7

Departments across the country are struggling with recruitment, retention, and attracting candidates for sworn positions. In Kiawah Island, one significant challenge will be where officers will live and their availability in case of emergencies that exceed the regularly deployed workforce. We will look at opportunities that the department can use non-sworn personnel for non-criminal activities and keep sworn officers available for calls for service requiring certified officers.

The CPSM team has subject matter experts in police management and

administration and will explore administration and support activities in the area of professional standards (Internal investigations, hiring and recruitment, disciplinary system, promotional system), training (both academy and in-service), records management, evaluating the critical, frequent, and high liability policies, facility, fleet, equipment, information technology, property management system, laboratory, planning and research, sick-time management, overtime, communications and dispatch, etc.

In general, we look at every unit identified as a discrete operational/support entity for the following:

- Describe the functions of the unit.
- Evaluate the performance of the unit. In most cases this is a quantitative evaluation, but in units not appropriate for quantification, a qualitative evaluation is provided
- Identification of improvement opportunities
- An evaluation and justification, and recommendation for appropriate staffing levels.

V. Operation of Evidence and Property

CPSM will conduct a review of the evidence room and evidential processes of the department. We will determine if there is adequate staffing and a technology system for managing property and evidence.

CPSM starts by looking at the intake process: When officers seize property or evidence what occurs next? How are items transported to the evidence facility and what are the next steps?

We will look to create totals for the workload of not only the evidence and property but other component functions of the department.

This data should be a performance benchmark, as it reflects an effective operation and the necessary workspace.

Evidence & Property Inventory, Intake, and Release, 2019

	Number of Items
Items in inventory	69,448
Items received	18,202
Items released/disposed	19,807
Items awaiting disposition	647

VI. Duty to Intercede and Report, De-escalation Provisions

In recent years, law enforcement agencies nationwide have begun to include duty to intercede and report provisions in their use of force policies. Duty to intercede requires an officer to intercede if they witness a department member using force that is clearly beyond that which is necessary, as determined by an

objectively reasonable officer under the circumstances. A duty to report policy requires any officer who observes a law enforcement officer or an employee use force that potentially exceeds what the officer reasonably believes to be necessary to report such observation to a supervisor.

Sample Duty to Intercede and Report policy from Lexipol states:

Any officer present and observing another law enforcement officer or an employee using force that is clearly beyond that which is necessary, as determined by an objectively reasonable officer under the circumstances, shall, when in a position to do so, intercede to prevent the use of unreasonable force. Any officer who observes a law enforcement officer or an employee use force that potentially exceeds what the officer reasonably believes to be necessary shall promptly report these observations to a supervisor as soon as feasible.

In addition, de-escalation requirements have been incorporated into use of force policies. This policy requires officers to utilize de-escalation techniques, crisis intervention tactics, and other alternatives to force when feasible. "Feasible" has been defined for policy purposes in some jurisdictions as, "Reasonably capable of being done or carried out under the circumstances to successfully achieve the arrest or lawful objective without increasing risk to the officer or another person."

Review of Use of Force Incidents

CPSM will review policies that authorize deadly force when an officer is justified and what actions were taken in monitoring, documenting, and investigating police use of force.

Use of Force Incidents, 2017–2019

Year	Incidents	Policy Violations
2017	78	0
2018	90	1
2019	131	2
Total	299	3

VII. Organizational Culture

During the operational evaluation described above, organizational “themes” emerge. What does the department “think” about providing Sheriff’s service to the community and how does this thinking align with the stated mission and department policies? How does the department interact with the community and internally with its own members? In general, what is the culture of the organization?

The culture of an organization reflects its members and the community it serves. Through focus groups, interviews, and observations, the CPSM team will evaluate operational readiness and need. This part of the CPSM study is critical to the overall success of the project as it provides a better understanding of the department and how the workload, staffing, and community dynamics shape the mission, goals, operations, and needs of the organization. In addition, as an option, every member of the department can be given the opportunity to participate in an anonymous survey. This survey is designed to understand the culture of the department, assess internal and external communications, and determine what it “thinks” about various elements of organizational life.

VIII. Health and Safety

Officer health and mental health are extremely important. In 2022, more officers died from suicide than in other line-of-duty incidents.

CPSM will review what programs the department has in place and during interviews, charrettes, and focus groups will seek to determine how those programs are being received.

WORRIED ABOUT YOUR FELLOW OFFICER?

Are they performing or acting differently?
Do they seem down?
Are you concerned for their well-being?

According to the American Association of Suicidology, below are some **WARNING SIGNS** of acute suicide risk*

Threatening to hurt or kill themselves
(Or talking of wanting to hurt or kill themselves)

Looking for ways to kill themselves
(Access to firearms, available medication, etc.)

Talking or writing about death, dying, or suicide
(When these actions are out of the ordinary)

Other behaviors that may be an indication:

- Increased substance or alcohol use
- Experiencing no reason for living, no sense of purpose in life
- Withdrawing from friends, family, or society
- Giving away personal possessions or making long-term care of pets
- Acting reckless or engaging in risky activities seemingly without thinking about outcomes and consequences
- Changing behavior as a result of an impending or recent breakup, separation, or divorce

Other needs/emotions that may be an indication:

- Anxiety, agitation
- Unable to sleep or sleeping all of the time
- Feeling trapped, like there is no way out
- Hopelessness
- Drastic mood changes
- Rage/uncontrolled anger
- Seeking revenge

RECOGNIZE WARNING SIGNS? SAVE A LIFE. REACH OUT AND ASK.

GET THE CONVERSATION STARTED

Use these questions to break the ice and help your friend or fellow officer

Peer-to-Peer:

- 1 Hey, I noticed you aren't acting like yourself. Smart as ever? (or) Do you have a couple of minutes to talk?
- 2 I feel like something is wrong, and I'm concerned about you. Can we chat?
- 3 Listen, I know you've been through a lot recently and have been in some stressful calls, and I know the stress that can come with it. I want to know how you are doing.

Direct-Line Supervisor:

- 1 Let's talk a few minutes about your behavior. Hey, this isn't a bad thing, but I've noticed that your handling performance has been changing. I just want to hear how you're doing.
- 2 Listen, I can see that you're struggling. You might feel like you can't trust talking to anyone, but I want you to know that we have confidential resources we can share with you. We can do this together. What can I do to help you?

YOU TALKED AND IDENTIFIED AN ISSUE . . . NOW WHAT?

Offer Resources:

- National Suicide Prevention Lifeline (800) 272-6233
- Crisis Text Line Text HOME to 741741
- Employee Assistance Program (EAP) Information

Still Worried?

- If you feel the officer is still at risk of harming themselves or others, contact your supervisor about an EAP referral or request that supervisor a peer support team.
- If you feel the officer is in immediate danger of harming themselves, **DO NOT LEAVE THE OFFICER ALONE** and keep talking to them, if possible. Contact 9-1-1 to take the officer to the emergency room immediately.
- Always follow your department's policies.

*https://suicidology.org/ For more resources on suicide prevention and awareness, visit suidology.org.

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IX. Performance Management

The overarching philosophy of the CPSM approach is to evaluate the department in terms of performance management. Identifying workload, staffing, and best practices is just the beginning. It is also important to assess the organization's ability to carry out its mission.

Essentially, does the department know its goals, and how does it know they are being met. It is very difficult for an organization to succeed at any given level of staffing unless it has a clear picture of success. How does the department “think” about its mission, how does it identify and measure what’s important to the community, how does it communicate internally and externally, how does it hold managers accountable, and how does it know the job is getting done? The CPSM team will evaluate the department and make recommendations to assist with improving capacity in this area, if necessary.

PROJECT SCHEDULE

Milestone 1 – Full execution of the agreement

Agreement will identify Project Launch date.

Milestone 2 – Project Launch

We will conduct an interactive telephone conference with local government contacts. Our project leads will launch the project by clarifying and confirming expectations, detailing study parameters, identifying agency point of contacts and commencing information gathering.

Milestone 3a – Information Gathering and Data Extraction – 30 Days

Immediately following project launch, the operations leads will deliver an information request to the department. This is an extensive request which provides us with a detailed understanding of the department's operations. Our experience is that it typically takes an agency several weeks to accumulate and digitize the information. We will provide instructions concerning uploading materials to our website. When necessary, the lead will hold a telephone conference to discuss items contained in the request. The team lead will review this material prior to an on-site visit.

Milestone 3b – Data Extraction and Analysis – 14 Days

Also, immediately following the project launch the Data Lead will submit a preliminary data request, which will evaluate the quality of the Computer Aided Dispatch (CAD) system data. This will be followed by a comprehensive request for data from the CAD system to conduct the response and workload analysis. This request requires a concerted effort and focused response from your department to ensure the timely production of required for analysis. Delays in this process will likely extend the entire project and impact the delivery of final report. The data team will extract one year's worth of Calls for Service (CFS) from the CAD system. Once the Data Team is confident the data are accurate, they will certify that they have all the data necessary to complete the analysis.

Milestone 3c – Data Certification – 14 days

Milestone 4a – Data Analysis and Delivery of Draft Data Report – 30 days

Within thirty days of data certification, the analysis will be completed and a draft, unedited data report will be delivered to the department for review and comment. After the data draft report is delivered, an on-site visit by the operations team will be scheduled.

Milestone 4b – Departmental Review of Draft Data Report – 14 days

The department will have 10 days to review and comment on the draft unedited data analysis. During this time, our Data team will be available to discuss the draft report. The Department must specify all concerns with the draft report at one time.

Milestone 4c – Final Data Report – 10 days

CPSM would propose that this step would complete the first phase of the project as proposed by the Town. After receipt of the department's comments, the data report will be finalized within 10 days.

Milestone 5 – Conduct On-Site Visit – 30 days

This milestone begins the second phase of the proposed project by the Town. CPSM does have a concern about the availability of residents because this may occur during the winter months. Subject matter experts will perform a site visit within 30 days of the delivery of the draft data report.

Milestone 6 – Draft Operations Report – 30 days

Within 30 days of the last on-site visit, the operations team will provide a draft operations report to the department point of contact. Again, the department will have 10 days to review and comment.

Milestone 7 – Final Report 15 days

Once the department's comments and concerns are received by CPSM the combined final report will be delivered to the Town within 15 days.

TOTAL ELAPSED TIME: 120 – 145 days

PROPOSED FEES

The quotation of fees and compensation shall remain firm for a period of 90 days from this proposal submission.

PHASE I: To include forensic data and analysis of "as-is" condition -- \$24,257. No travel is anticipated for this portion of the project.

PHASE II: Operational analysis with recommendation of options available to the Town, including remaining with the Sheriff's Department for service delivery -- \$28,122 exclusive of travel. We anticipate the need for at least three in-person trips to the Town. Travel cost would be not to exceed \$8,250. For a total (not to exceed) of \$36,372.

Total for both phases: \$60,629.

Each phase of the project would be billed in two installments: 40% upon contract signing; 60% with delivery of draft report unless otherwise specified for state/local compliance. Following delivery of the draft reports, the Town will have 30 days to provide comments as to accuracy, and a final report will be delivered within 30 days of the comment period.

Because of the possibility of Covid restrictions, CPSM will bill travel expenses at actual cost with no overhead or administrative fees applied. Should travel be restricted, CPSM has found work can be done using web-based platforms if necessary, but that charrettes and focus groups lose some of the robust participation developed through in-person interaction.

Deliverables

Draft reports will be provided for department review in electronic format.

To be ecologically friendly, CPSM will deliver the final report in computer readable material either by email, CD or both. The final reports will incorporate the operational findings? as well as data analysis. Should the municipality desire additional copies of the report, CPSM will produce and deliver whatever number of copies is requested, which will be invoiced at cost.

Should the local government desire additional support or in-person presentation of findings, CPSM will assign staff for such meetings at a cost of \$2,500 per day/per person plus travel expenses.

CONCLUSION

Part of ICMA's mission is to assist local governments in achieving excellence through information and assistance. Following this mission, Center for Public Safety Management, LLC acts as a trusted advisor, assisting local governments in an objective manner. CPSM's experience in dealing with public safety issues combined with its background in performance measurement, achievement of efficiencies, and genuine community engagement, makes CPSM a unique and beneficial partner in dealing with issues such as those being presented in this proposal. We look forward to working with you further.

REFERENCES AND PAST & CURRENT ENGAGEMENTS

Bald Head Island, North Carolina

Chris McCall, City Manager

cmccall@villagebhi.org

910-457-9700, extension 1002.

Cocoa Beach, Florida

Robin Hayes, City Manager

citymanager@cityofcocoa-beach.com

321-868-3200

Powell, Ohio

Andy White, City Manager (we also conducted a study for CM White while he was in Huron, Ohio on Lake Erie, a summer community)

awhite@cityofpowell.us

614-885-5380

LOCALITY ST PROJECT DESCRIPTION

Edmonton	AB	Comprehensive Analysis of Fire Services.
Leduc	AB	Fire Consolidation Plan
Leduc	AB	Comprehensive Analysis of Fire Services.
Kenai	AK	Comprehensive Analysis of Fire Services
Anniston	AL	Comprehensive Analysis of Police Services
Auburn	AL	Comprehensive Analysis of Fire Services
Auburn	AL	Comprehensive Analysis of Police Services
Dothan	AL	Comprehensive Analysis of Police Services
Casa Grande	AZ	Comprehensive Analysis of Police Services
Florence	AZ	Comprehensive Analysis of Police Services
Lake Havasu City	AZ	Comprehensive Analysis of Police Services
Lake Havasu City	AZ	Comprehensive Analysis of Fire Services
Florence	AZ	Comprehensive Analysis of Police Services
Pinal County	AZ	Comprehensive Analysis of Sheriff's Office
Prescott	AZ	Comprehensive Analysis of Fire Services

Prescott	AZ	Comprehensive Analysis of Police Services
Queen Creek	AZ	Police Strategic Plan
Queen Creek	AZ	Comprehensive Analysis of Fire services
Scottsdale	AZ	Comprehensive Analysis of Police Services
Tucson	AZ	Comprehensive Analysis of Police Services
Youngtown	AZ	Comprehensive Analysis of Police Services
Alameda	CA	Comprehensive Analysis of Fire Services
Alameda	CA	Comprehensive Analysis of Police Services
Burbank	CA	Analysis of Investigations Workload / Staffing
Carlsbad	CA	Comprehensive Analysis of Police Services
El Centro	CA	Comprehensive Analysis of Police Services
Fairfield	CA	Comprehensive Analysis of Police Services
Greenfield	CA	Comprehensive Analysis of Police Services
Hermosa Beach	CA	Comprehensive Analysis of Fire services
Hermosa Beach	CA	Comprehensive Analysis of Police Services
Laguna Woods	CA	Review of Sheriff's Office Service
Milpitas	CA	Comprehensive Analysis of Police Services
Morgan Hill	CA	Comprehensive Analysis of Police Services
Morgan Hill	CA	Comprehensive Analysis of Fire Services
Palm Desert	CA	Comprehensive Analysis of Fire Services
Palo Alto	CA	Comprehensive Analysis of Fire Services
Placentia	CA	Comprehensive Analysis of Police Services
Rohnert Park	CA	Comprehensive Analysis of Police Services
San Diego County	CA	EMS Study
San Jose	CA	Fire Study Review
San Jose	CA	Police Study Review
San Mateo	CA	Dispatch Operations Review
Santa Ana	CA	Comprehensive Analysis of Police Services
Santa Clara	CA	Comprehensive Analysis of Police Services
Santa Cruz	CA	Comprehensive Analysis of Police Services
Santa Monica	CA	Police Chief Selection
Santa Rosa	CA	Performance Measurement Analysis
Stockton	CA	Comprehensive Analysis of Police Services
Stockton	CA	Comprehensive Analysis of Fire Services
Union City	CA	Comprehensive Analysis of Fire Services
Whittier	CA	Comprehensive Analysis of Police Services
Woodlands	CA	Police Chief Selection
Yuba City	CA	Comprehensive Analysis of Fire Services
Yuba City	CA	Comprehensive Analysis of Police Services
Federal Heights	CO	Comprehensive analysis of Police Services
Federal Heights	CO	Comprehensive analysis of Fire Services
Littleton	CO	Comprehensive Analysis of Fire Services
Steamboat Springs	CO	Comprehensive Analysis of Fire Services
Cheshire	CT	Police Management Review
Southington	CT	Comprehensive Analysis of Fire Services

Dover	DE	Comprehensive Analysis of Police Department
Dover	DE	Comprehensive Analysis of Fire Services
Alachua	FL	Expert Witness Law Enforcement Issues
Tamarac	FL	Analysis of Sheriff's Contract Services
Inverness	FL	Comprehensive Analysis of Fire Services
Delray Beach	FL	Comprehensive Analysis of Police Services
Delray Beach	FL	Comprehensive Analysis of Fire Services
Dunedin	FL	Police Consolidation Review
Hollywood	FL	Police Internal Affairs Review
Indian River Shores	FL	Public Safety Staffing Analysis
Indian River Shores	FL	Public Safety Study
Jacksonville Bch	FL	Police Chief Selection
Jupiter	FL	Police and Fire
Hobe Sound	FL	Public Safety Consolidation
Kenneth City	FL	Comprehensive Analysis of Police Services
Miami Beach	FL	Comprehensive analysis of Fire Services
Naples	FL	Presentation
North Port	FL	Comprehensive Analysis of Police Services
Orlando	FL	Expert Witness Law Enforcement Issues
Land O' Lakes	FL	Comprehensive analysis of Fire Services
New Port Richey	FL	Sheriff Budget Analysis
Pompano Beach	FL	Comprehensive Analysis of Police Services
Venice	FL	Comprehensive Analysis of Fire Services
Kingsland	GA	Comprehensive Analysis of Fire Services
Kingsland	GA	Fire Consolidation St Marys
Woodbine	GA	Police Consolidation Study
Garden City	GA	Preliminary Analysis Public Safety Merger
Johns Creek	GA	Analysis of Fire Services
Kingsland	GA	Fire Consolidation Study
Sandy Springs	GA	Comprehensive Analysis of Police Department
St. Marys	GA	Fire Consolidation Study
Boone	IA	Public Safety Consolidation
Boone	IA	Performance Measurement of Municipal
Hayden	ID	Comprehensive Analysis of Police Services
Jerome	ID	Analysis of Police Services
Algonquin	IL	Performance Measurement Analysis
Glenview	IL	Comprehensive Analysis of Police & Fire Services
Glenview	IL	Comprehensive Analysis of Police Services
Glenview	IL	Dispatch Operations Review
Highland	IL	Comprehensive Analysis of Fire Services
Highland Park	IL	Comprehensive Analysis of Fire Consolidation
Highwood	IL	Comprehensive Analysis of Fire Consolidation
Lake Bluff	IL	Analysis of Fire Consolidation
Lake Bluff	IL	Fire Data Review
Lake Forest	IL	Analysis of Fire Consolidation

Lake Zurich	IL	Comprehensive Analysis of fire services
Naperville	IL	Workload, Staffing & Schedule Design
Roseville	IL	Comprehensive Analysis of Police Services
Skokie	IL	Police Study
Western Springs	IL	Comprehensive Analysis of Police Services
Indianapolis	IN	Police Workload & Deployment Services
Plainfield	IN	Comprehensive Analysis of Police Services
Topeka	KS	Preliminary review of Fire Department
Northborough	MA	Comprehensive Analysis of Police Services
Northborough	MA	Comprehensive Analysis of Fire Services
Cambridge	MD	Performance Measurement Study
Annapolis	MD	Comprehensive Analysis of Police Services
Ocean City	MD	Dispatch Operations Review
Ann Arbor	MI	Comprehensive Analysis of Fire Services
Auburn Hills	MI	Comprehensive Analysis of Fire Services
Auburn Hills	MI	Comprehensive Analysis of Police Services
Benton Harbor	MI	Public Safety Consolidation
Chesterfield	MI	Comprehensive Analysis of Police Services
Lansing	MI	Comprehensive Analysis of Police Services
Lansing	MI	Comprehensive Analysis of Fire Services
Detroit	MI	Police Department Review
Douglas	MI	Comprehensive Analysis of Police Services
Flint	MI	Comprehensive Analysis of Fire Services
Flint	MI	Comprehensive Analysis of Police Services
Grand Rapids	MI	Comprehensive Analysis of Police Services
Grand Rapids	MI	Comprehensive Analysis of Fire Services
Kingsley	MI	Comprehensive Analysis of Fire Services
Interlochen	MI	Comprehensive Analysis of Fire Services
Grosse Pointe	MI	Public Safety Consolidation
Grosse Pointe	MI	Public Safety Consolidation
Hamtramck	MI	Police Study
Grand Rapids	MI	Comprehensive Analysis of Police & Fire Services
Grand Rapids	MI	Analysis of Police Services Consolidation
Kentwood	MI	Analysis of Fire Services Consolidation
Flint	MI	Comprehensive Analysis of Police Services
Flint	MI	Comprehensive analysis of Fire Services
Novi	MI	Comprehensive Analysis of Police Services
Novi	MI	Comprehensive analysis of Fire Services
Kalamazoo	MI	Police Workload / Contract for Services Analysis
Petoskey	MI	Public Safety Consolidation
Plymouth	MI	Fire Services Consolidation
Plymouth	MI	Fire Service Analysis
Royal Oak	MI	Comprehensive Analysis of Police Services
Royal Oak	MI	Comprehensive Analysis of Fire Services
Saginaw	MI	Comprehensive Analysis of Police Services

Saginaw	MI	Comprehensive Analysis of Fire Services
Vicksburg	MI	Financial Analysis of Fire Authority
Saint Joseph	MI	Public Safety Consolidation
Sturgis	MI	Public Safety Analysis
Troy	MI	Comprehensive Analysis of Police Services
Troy	MI	Review of Fire Administration and Inspections
Wyoming	MI	Comprehensive Analysis of Police Services 2012
Wyoming	MI	Comprehensive Analysis of Fire Services 2012
Wyoming	MI	Comprehensive Analysis of Police Services 2009
Wyoming	MI	Comprehensive Analysis of Fire Services 2009
Mankato	MN	Public Safety Study
Moorhead	MN	Comprehensive Analysis of Fire Services
Saint Cloud	MN	Police Strategic Planning Review
Saint Cloud	MN	Comprehensive Analysis of Police Services
Brentwood	MO	Comprehensive Analysis of Police Services
Saint Louis	MO	Comprehensive Analysis of Fire Services
Saint Louis	MO	Comprehensive Analysis of Police Services
Saint Louis	MO	Standard of Response / risk assessment
Bozeman	MT	Fire Protection Master Plan
Bald Head Island	NC	Public Safety Staffing Review
Bald Head Island	NC	Public Safety Consolidation
Chapel Hill	NC	Comprehensive Analysis of police services
Cornelius	NC	Fire Consolidation Study
Davidson	NC	Fire Consolidation Study
Greenville	NC	Comprehensive Analysis of Fire Services
Oxford	NC	Comprehensive Analysis of Fire Services
Oxford	NC	Comprehensive Analysis of Police Services
Rocky Mount	NC	AED Grant assistance
Rocky Mount	NC	Comprehensive Analysis of Police Services
Grand Island	NE	Comprehensive Analysis of Police Services
Grand Island	NE	Comprehensive Analysis of Fire Services
South Sioux City	NE	Fire Services Strategic Plan
East Brunswick	NJ	EMS Study
Oradell	NJ	Comprehensive Analysis of Police Services
Paterson	NJ	Comprehensive Analysis of Police Services
South Orange	NJ	Comprehensive Analysis of Police Services
Westwood	NJ	Comprehensive Analysis of Police Services
Bernalillo	NM	Comprehensive Analysis of Fire Services
Las Cruces	NM	Comprehensive Analysis of Fire Services
Las Cruces	NM	Comprehensive Analysis of Police Services
Ruidoso	NM	Comprehensive Analysis of Police Services
Boulder City	NV	Police Organizational Study
Henderson	NV	Comprehensive Analysis of Police Services
Las Vegas	NV	Comprehensive Analysis of Fire Services
North Las Vegas	NV	Fire Workload Analysis

Bria Cliff Manor	NY	Analysis of police consolidation
Garden City	NY	Comprehensive Analysis of Fire Services
Long Beach	NY	Comprehensive Analysis of Fire and EMS services
Armonk	NY	Comprehensive Analysis of Police Services
Oneonta	NY	Comprehensive Analysis of Fire and EMS services
Oneonta	NY	Fire Apparatus Review
Orchard Park	NY	Comprehensive Analysis of Police Services
Ossining	NY	Analysis of police consolidation
Ossining	NY	Analysis of police consolidation
Rye	NY	Police Chief Selection
Watertown	NY	Comprehensive Analysis of Fire Services
Cincinnati	OH	Police Dispatch Review
Dayton	OH	Police Internal Affairs Review
Huron	OH	Comprehensive Analysis of Police Services
Huron	OH	Comprehensive Analysis of Fire Services
Independence	OH	Comprehensive Analysis of Police Services
Independence	OH	Comprehensive Analysis of Fire Services
Sandusky	OH	Fire Study
Sandusky	OH	Police Study
Broken Arrow	OK	Comprehensive Analysis of Police Services
Broken Arrow	OK	Comprehensive Analysis of Fire Services
Edmond	OK	Comprehensive Analysis of Police Services
Jenks	OK	Comprehensive Analysis of Police Services
Jenks	OK	Comprehensive Analysis of Fire Services
Muskogee	OK	Comprehensive Analysis of Police Services
Tulsa	OK	Comprehensive Analysis of Fire Services
Bend	OR	Comprehensive Analysis of Police Services
Grants Pass	OR	Comprehensive Analysis of Fire Services
Grants Pass	OR	Comprehensive Analysis of Police Services
Grants Pass	OR	Public Safety Strategic Plan Development
Ontario	OR	Comprehensive Analysis of Police Services
Ontario	OR	Comprehensive Analysis of Fire Services
Mohnton	PA	Comprehensive Analysis of Police Services
Mohnton	PA	Police Chief Selection
Ephrata	PA	Comprehensive Analysis of Police Services
Farrell	PA	Comprehensive Analysis of Police Services
Jamestown	PA	Comprehensive Analysis of Police Services
Wrightsville	PA	Comprehensive Analysis of Police Services
Lancaster	PA	Police Study
Berwyn	PA	Comprehensive Analysis of Police Services
East Providence	RI	Comprehensive Analysis of Fire Services
East Providence	RI	Expert Witness Fire Issues
Beaufort	SC	Review of Fire Service Contract
Beaufort	SC	Comprehensive Analysis of Police Services
Beaufort	SC	Comprehensive Analysis of Fire Services

Walterboro	SC	Comprehensive Analysis of Public Safety Dept.
Rapid City	SD	Comprehensive Analysis of Fire Services
Germantown	TN	Comprehensive Analysis of Fire Services
Johnson City	TN	Comprehensive Analysis of Fire Services
Johnson City	TN	Comprehensive Analysis of Police Services
Smyrna	TN	Comprehensive Analysis of Police Services
Smyrna	TN	Comprehensive Analysis of Fire Services
Addison	TX	Comprehensive Analysis of Fire Services
Addison	TX	Comprehensive Analysis of Police Services
Baytown	TX	EMS Study
Belton	TX	Comprehensive Analysis of Police Services
Belton	TX	Comprehensive Analysis of Fire Services
Belton	TX	Police Chief Selection
Belton	TX	Fire Chief Selection
Buda	TX	Comprehensive Analysis of Police Services
Cedar Park	TX	Comprehensive Analysis of Police Services
Conroe	TX	Fire Services Analysis and Standard of Response
Frisco	TX	Comprehensive Analysis of Fire Services
Highland Village	TX	Fire Review
Hutto	TX	Comprehensive Analysis of Fire Services
Lucas	TX	Fire and EMS Analysis
New Braunfels	TX	Fire Study
New Braunfels	TX	Police Study
Prosper	TX	Comprehensive Analysis of Police Services
Round Rock	TX	Comprehensive Analysis of Fire Services
Sugarland	TX	Fire Department Overtime Analysis
Sugarland	TX	Comprehensive Analysis of Fire Services
Victoria	TX	Comprehensive Analysis of Police Services
Washington City	UT	Comprehensive Public Safety Analysis
Hampton	VA	Police Chief Selection
Leesburg	VA	Comprehensive Analysis of Sheriff Services
Leesburg	VA	Comprehensive Analysis of Fire Services
Bonney Lake	WA	Comprehensive Analysis of Police Services
Lacey	WA	Comprehensive Analysis of Fire Services
Snoqualmie	WA	Police Workload & Deployment Analysis
Spokane Valley	WA	Comprehensive Analysis of Police Services
Vancouver	WA	Comprehensive Analysis of Police Services
Vancouver	WA	Police Chief Selection
Menomonie	WI	Sheriff Office Study
Wauwatosa	WI	Comprehensive Analysis of Fire Services
Wauwatosa	WI	Comprehensive Analysis of Police Services
Jackson	WY	Police Consolidation Review
Laramie	WY	Comprehensive Analysis of Police Services
Jackson	WY	Police Consolidation Review

SUBMITTAL FORM

(Offeror to complete all blanks)

Page One

DATE: September 6, 2023

ORGANIZATIONAL INFORMATION

NAME OF OFFEROR: Center for Public Safety Management, LLC

BUSINESS ADDRESS: 475 K Street NW, Suite 702

Washington, DC 20001

BY SUBMITTING HIS PROPOSAL, THE UNDERSIGNED OFFEROR REPRESENTS:

1. that he has carefully examined specifications for the Services;
2. that he is familiar with all the conditions surrounding the performance of the Services;
3. that, if awarded the Contract, he will provide all labor, material, supplies and equipment necessary to execute the Services in accordance with the Contract Documents;
4. that he understands that the Town reserves the right to reject any or all responses which does not meet the proposal requirements, or all proposals in the event that the Project is canceled, postponed, or if it is in the best interest of Town of Kiawah Island;
5. that, if awarded the Contract, he will enter and execute a contract as required in the Invitation to Bid;
6. that the Offeror is legally able to enter into and perform a contract, if awarded;
7. that the Offeror is current on all taxes and fees owed to the Town.
8. that the Offeror has provided proof of insurance as required by the Town.

I. PERSONNEL:

Provide a list of personnel that will be committed to this engagement and their job function.

Thomas J. Wieczorek, Project Manager (on-site and off)

Leonard Matarese, Managing Partner (administrative support)

Dr. Dov Chelst, Director of Quantitative Analysis

Dr. Shan Zhou, Data Analyst for Police

Dr. David Martin, Geospatial location and analytics

Victor Lauria, Project Specialist

(If Phase II, we will incorporate our Strategic Planning Team led by Dr. Randa Matusiak who will be off-site)

Other personnel that may be called upon depending on findings, conditions, and direction are included in response.

II. EXPERIENCE:

At least three (3) references for similar work performed are required; however, you may provide as many as five (5) references.

1. COMPANY NAME:

ALL REFERENCES ARE INCLUDED IN THE PROPOSAL AND WOULD BE CITY MANAGERS/CITY OFFICIALS INSTEAD OF COMPANIES.

We have included a master listing of other cities, departments, and communities in which we have performed work.

II. COST:

In Compliance with Request for Proposals, the undersigned hereby proposes to provide all materials, equipment, and labor, except as otherwise provided noted, for the Services agreement for the following cost:

All-inclusive Cost for Services:**Phase I -- \$24,257****Phase II-- \$36,372****TOTAL BOTH PHASES: \$60,629**

NAME OF COMPANY: Center for Public Safety Management, LLC

By: Thomas J. Wieczorek

Title: Director/Partner (i.e., Owner, Partner, Corporate Officer, etc.)

Address: 475 K Street NW, Suite 702

City: Washington

State: DC

Zip: 20001

Telephone Number: 616-813-3782 Business Fax Number: _____

Is your firm a ☒ Corporation, ☐ Sole Proprietorship, or ☐ Partnership?

If incorporated, please list state of incorporation: District of Columbia (attached)

FEIN or SSN: 46-5366606

III. BUSINESS LICENSE:

The Offeror is not required to have valid business licenses to submit a Proposal. However, Offeror's must possess a valid Business License for business undertaken within the corporate limits of the Town of Kiawah Island.

Does your business have a valid Town of Kiawah Island Business License?

___ Yes X No If yes, list the number _____

Contact (843) 768-9166 with any questions. If no, a business license must be obtained upon award of the contract.

IV. INSURANCE:

Contractor shall carry and maintain Worker's Compensation Insurance in statutory amounts for its employees, unless exempt by State statute. Contractor shall provide Town with certification of this coverage, or if exempt, written confirmation of this.

Contractor shall be insured with Worker's Compensation, carry a Comprehensive Liability Policy of at least One Hundred Thousand (\$100,000) Dollars per occurrence (combined single limit of liability) to cover operations equipment and contractual liability, and have a (\$50,000 minimum) janitorial bond. Contractor shall provide Town with a copy of the policy which shall name the Town as an additional insured.

Contractor shall defend, indemnify, and hold harmless the Town, its elected officials and employees from and against any and all actions, costs, claims, losses, expenses and/or damages arising out of performance of the working contractor. **COPY OF INSURANCE ATTACHED**

V. MINORITY/WOMEN-OWNED ENTERPRISE:

Are you a Minority or Woman-Owned business? ___ Yes X No

If so, are you certified? ___ Yes X No

If you are certified, you must furnish a copy of your certificate with your submittal.

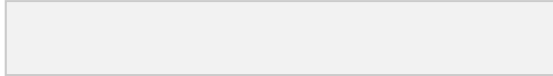


Thomas J. Wieczorek

Director CPSM

NON-COLLUSION OATH

SEE NOTARIZED DOCUMENT ATTACHMENT



CITY OF: WASHINGTON

STATE OF: **DISTRICT OF COLUMBIA**

Before me, the Undersigned, a Notary Public, for and in the County and State aforesaid, personally appeared **THOMAS J. WIECZOREK** and made oath that the Offeror herein, his agents, servants, and/or employees, to the best of his knowledge and belief, have not in any way colluded with anyone for and on behalf of the Offeror, or themselves, to obtain information that would give the Offeror an unfair advantage over others, nor have they colluded with anyone for and on behalf of the Offeror, or themselves, to gain any favoritism in the award of the contract herein.

SWORN TO BEFORE ME THIS 6th DAY OF SEPTEMBER, 2023

Thomas Joseph Wieczorek

Authorized Signature for Offeror

Please print Offeror's name and address:

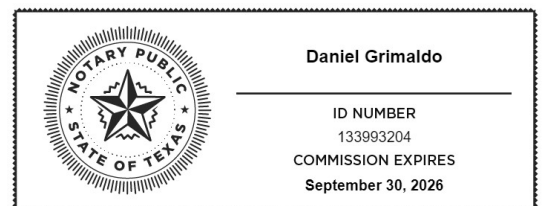
Thomas J. Wieczorek

475 K Street NW, Suite 702

Washington, DC 20001

Notary Signature

NOTARY PUBLIC FOR THE STATE OF Texas



Notarized online using audio-video communication

My Commission Expires: 09/30/2026 _____

Print Name: Daniel Grimaldo _____



CENTFOR-04

MDICELLO

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

5/9/2023

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Clements Worldwide 1220 L St. NW Suite 1200 Washington, DC 20005	CONTACT NAME:	
	PHONE (A/C, No, Ext): (202) 872-0060	FAX (A/C, No):
	E-MAIL ADDRESS: Info@Clements.com	
	INSURER(S) AFFORDING COVERAGE	
	INSURER A: Lloyds of London	
	NAIC #	
INSURED Center for Public Safety Manag Leonard A. Matarese 475 K Street, NW, Suite 702 Washington, DC 20001	INSURER B: Hartford	22357
	INSURER C:	
	INSURER D:	
	INSURER E:	
	INSURER F:	

COVERAGES

CERTIFICATE NUMBER:

REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	COMMERCIAL GENERAL LIABILITY			PSK0839452708	5/5/2023	5/5/2024	EACH OCCURRENCE \$ 2,000,000
	<input checked="" type="checkbox"/> CLAIMS-MADE <input type="checkbox"/> OCCUR		DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 250,000				
			MED EXP (Any one person) \$ 5,000				
			PERSONAL & ADV INJURY \$ 2,000,000				
	GEN'L AGGREGATE LIMIT APPLIES PER:						GENERAL AGGREGATE \$ 4,000,000
	<input type="checkbox"/> POLICY <input type="checkbox"/> PROJECT <input type="checkbox"/> LOC						PRODUCTS - COMP/OP AGG \$ 2,000,000
	OTHER:						\$
A	AUTOMOBILE LIABILITY			PSK0839452708	5/5/2023	5/5/2024	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000
	<input type="checkbox"/> ANY AUTO OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS		BODILY INJURY (Per person) \$				
	<input checked="" type="checkbox"/> HIRED AUTOS ONLY <input checked="" type="checkbox"/> NON-OWNED AUTOS ONLY		BODILY INJURY (Per accident) \$				
			PROPERTY DAMAGE (Per accident) \$				
						Deductible \$ 2,500	
	UMBRELLA LIAB						EACH OCCURRENCE \$
	EXCESS LIAB						AGGREGATE \$
	DED <input type="checkbox"/> RETENTION \$						\$
B	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY			30WBCCQ4108	5/5/2023	5/5/2024	PER STATUTE <input type="checkbox"/> OTH-ER <input type="checkbox"/>
	ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) <input type="checkbox"/> Y / N <input type="checkbox"/> N / A		E.L. EACH ACCIDENT \$ 1,000,000				
			E.L. DISEASE - EA EMPLOYEE \$ 1,000,000				
			E.L. DISEASE - POLICY LIMIT \$ 1,000,000				
A	Professional Liabili			PSK0839452708	5/5/2023	5/5/2024	Prof Liability 2,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

CERTIFICATE HOLDER

CANCELLATION

Proof of Coverage

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

GOVERNMENT OF THE DISTRICT OF COLUMBIA
DEPARTMENT OF LICENSING AND CONSUMER PROTECTION
CORPORATIONS DIVISION



C E R T I F I C A T E

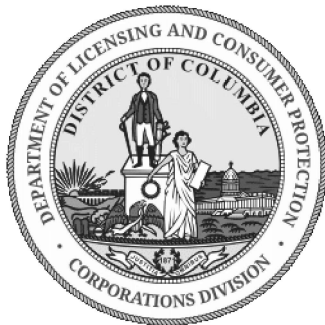
THIS IS TO CERTIFY that all applicable provisions of the District of Columbia Business Organizations Code (Title 29) have been complied with and accordingly, this ***CERTIFICATE OF GOOD STANDING*** is hereby issued to

CENTER FOR PUBLIC SAFETY MANAGEMENT, LLC

WE FURTHER CERTIFY that the domestic entity is formed under the law of the District on 04/07/2014 ; that all fees, and penalties owed to the District for entity filings collected through the Mayor have been paid and Payment is reflected in the records of the Mayor; The entity's most recent biennial report required by § 29-102.11 has been delivered for filing to the Mayor; and the entity has not been dissolved. This office does not have any information about the entity's business practices and financial standing and this certificate shall not be construed as the entity's endorsement.

IN TESTIMONY WHEREOF I have hereunto set my hand and caused the seal of this office to be affixed as of 9/6/2023 2:30 PM

Business and Professional Licensing Administration



Rebecca Janovich

REBECCA JANOVICH
Superintendent of Corporations,
Corporations Division

Muriel Bowser
Mayor

Tracking #: PgaZVwgN



TAB 5

TOWN COUNCIL

Agenda Item



Request for Town Council Action

TO: Mayor and Town Council Members

FROM: Erin Pomrenke, Communications Manager

SUBJECT: Video Production Specialist

DATE: October 16, 2023

OVERVIEW:

The Communications Department works to encourage, facilitate, and maximize citizen awareness and engagement in significant town policy issues, programs, and initiatives, as well as arts and cultural events. The team currently includes the Communications Manager, Communications Specialist, and Arts and Cultural Events Coordinator.

Digital communication is vital to effectively communicating with Kiawah Island's key audiences, especially residents. One way to increase overall digital reach and provide more visual content is to hire a full-time video production specialist.

As mentioned in the enclosed job description, the Video Production Specialist would assist with coordinating and producing our podcast in-house, livestreaming the Town's meetings, providing photography at events, and assisting with videos on specialized social media campaigns. Currently, the podcast and photography are provided by a paid freelancer, and livestreaming is provided by the current Communications staff. The current costs of these services are detailed in the attached document.

ACTION REQUESTED:

The request is to approve the creation of a Video Production Specialist position with the Communications Department with a starting salary of \$52K and to approve an additional \$6,000 for basic video equipment.

BUDGET & FINANCIAL DATA: This cost will come from the General Fund.

Contractor Costs for Video/ Photography Needs

The podcast and photography costs detailed below are costs that would continue if an in-house video production specialist was not hired. The livestream is currently produced by current Communications staff and the contractor below is the cost if this work was outsourced.

Podcasts

Current cost: \$1,050 per podcast episode (plus any edits are an additional \$275); two podcast episodes a month would total more than \$25K annually.

Two local competing quotes:

- Keen Eye Marketing: \$1,500 per episode
- Meade Agency: \$2,489 a month (could produce two podcast episodes in one day; however, all interviewees would need to be available the same day each time)

Photography

For events, this cost currently totals approximately \$600 per event.

Livestream

If we hired a company to provide livestreaming and indexing (marking topics on time stamps), this totals more than \$55K with the SwagIt company for 50 meetings total annually.

- Monthly livestreamed meetings: BZA, Planning Commission, TC, and Ways and Means.
- Currently, this takes 8-16 hours monthly of Communications staff time; sometimes this is exceeded when there are Special Call Meetings and Workshops that need to be livestreamed.



JOB DESCRIPTION

To perform this job successfully, an individual must be able to perform the essential job functions satisfactorily. Reasonable accommodations may be made to enable individuals with disabilities to perform the primary job functions herein described. Since every duty associated with this position may not be described herein, employees may be required to perform duties not specifically spelled out in the job description, but which may be reasonably considered to be incidental in the performing of their duties just as though they were actually written out in this job description.

Video Production Specialist

Department: Communications Department

Pay Grade: 107

FLSA Status: Non-Exempt

JOB SUMMARY

This role entails reporting to the Communications Manager while collaborating closely with the Communications Specialist. Its primary objective is to elevate the Town's digital footprint across various digital media, video, and photography channels. We're in search of a creative professional deeply committed to crafting digital content and exploring inventive methods to boost audience engagement on our platforms. The ideal candidate should possess outstanding interpersonal abilities, adeptness in managing multiple projects within stringent timelines, and a keen eye for detail.

ESSENTIAL JOB FUNCTIONS

- Coordinates, edits, produces, and provides video/audio support for the Town's podcast
- Responsible for livestreaming various Town meetings, which can involve some afterhours
- Produces and edits various videos for Town's efforts and campaigns
- Interviews and shoots non-professional talent on camera and edits video for digital platforms
- Develops video concepts, messages, scripts, and video production schedules, and collaborates closely with internal clients and external stakeholders to facilitate the creation of multimedia visual content
- Suggests content ideas to assist staff in achieving desired outcomes from video projects
- Maintains the Town's YouTube Channel
- Photographs internal and external Town events and maintains a photo archive
- Attends special events as needed and films footage for videos

- Creates, writes, and posts digital content that is consistent with the Town's branding and mission
- Assists with posting video and photography to social media pages and the Town's website as needed
- Assists with graphic design projects as needed
- Provides flexible support to the Communications Department as required, assisting with various tasks and initiatives to ensure the team's overall success
- Performs other related duties as assigned

QUALIFICATIONS

Education and Experience:

Associate degree in related field. Three (3) years of experience in video production or related field; or an equivalent combination of education, experience, and training.

Licenses or Certifications:

Valid SC driver's license, or ability to obtain by the start of employment.

Special Requirements:

Subject to varied work hours, including evenings and occasional weekends, to accommodate livestreaming schedules and other special event commitments.

Knowledge, Skills, and Abilities:

- Possesses video, graphic design, and multimedia development skills
- Experience with video and audio production equipment use, maintenance, and applications
- Experience with industry-standard software for audio and video editing and production (such as Final Cut Pro, Avid, Adobe Premiere)
- Experience with digital photography and editing software
- Experience with video graphic design and animation to create engaging content
- Knowledge of search engine marketing (SEM) campaigns, search engine optimization (SEO), and optimized content writing best practices.
- Knowledge of content creation for social media as it relates to promoting campaigns via video and photography
- Ability to organize work and determine priorities
- Ability to complete assigned tasks with minimal supervision
- Ability to communicate effectively orally and in writing.

PHYSICAL DEMANDS

The work is medium work which requires exerting up to 50 pounds of force occasionally, and/or up-to 30 pounds of force frequently, and/or up to 10 pounds of force constantly to move objects. While performing the duties of this job, the employee is regularly required to use hands to finger, handle, feel or operate objects, tools, or controls and reach with hands and arms. The employee frequently is required to stand and talk or hear. The employee is occasionally required to walk, sit, climb, balance, stoop, kneel, crouch, crawl, and smell. This job's specific vision

abilities include close vision, distance vision, color vision, peripheral vision, depth perception, and the ability to adjust focus.

WORK ENVIRONMENT

The work is sedentary with frequent periods of lifting, moving, and positioning equipment (estimated weight range 20-80 pounds). Ability to travel to and access filming locations. Continuous upward and downward flexion of neck. Repetitive use of hands to operate equipment, walking, standing, sitting, bending and twisting of neck; bending and twisting of waist, squatting, grasping and reaching above and below shoulder level; ability to climb stairs and utilize accurate visual color perception.

The Town has the right to revise this job description at any time. This description does not represent in any way a contract of employment.

Employee Signature

Date

Supervisor (or HR) Signature

Date

The Town of Kiawah Island is an Equal Opportunity Employer that does not discriminate on the basis of actual or perceived race, color, creed, religion, national origin, ancestry, citizenship status, age, sex or gender (including pregnancy, childbirth and pregnancy-related conditions), gender identity or expression (including transgender status), sexual orientation, marital status, military service and veteran status, physical or mental disability, genetic information or any other characteristic protected by applicable federal, state or local laws.



TAB 6

TOWN COUNCIL

Agenda Item



Request for Town Council Action

TO: Mayor and Town Council Members

FROM: Brian Gottshalk, Public Works Manager

SUBJECT: Household Hazardous Waste Collection

DATE: 24 October, 2023

BACKGROUND:

Town staff has seen a growing need for proper disposal of household hazardous waste (HHW) on the island. Often, we will find items left at the public solid waste drop sites that should not be recycled or going to the landfill. These items include lawn care products, various types of batteries, and liquid cleaners, among other items. In the past, the Town's solid waste contractor would collect such items on scheduled days, but the county has stopped accepting these items in bulk from a commercial contractor. The Kiawah Island Go Green Committee has identified this as a topic to include among the various action items and has investigated opportunities for proper HHW disposal.

ANALYSIS:

After doing research about how to properly dispose of these items as a municipality, staff got in touch with a company, Clean Harbors, that will mobilize to a central location to receive, transport, and properly dispose of HHW items. The idea would be to have Clean Harbors station at the Municipal Center on a date made known to the public to collect HHW from residents until a certain hour. Afterwards, the labor and materials would be calculated and billed to the Town. Since this operation is based on weight and materials, we are not able to forecast the exact cost. However, attached in the materials is a quote and rates that Clean Harbors sent based off our population. Task 1 in the quote is essentially a mobilization fee, while Task 2 is an operational fee. The mobilization fee is a fixed cost, but the other fees are based on items and volume collected. The quote given to us in the amount of \$50,975.50 assumes that every resident on the island brings HHW items to the collection point.

We would like to arrange for Clean Harbors to perform these services for the Town 2-3 times over the next nine months while we continue to explore adding this service to our new Solid Waste Contract that will be executed in July 2024.

ACTION REQUESTED:

Town staff request that Town Council approve an agreement for Clean Harbors to collect HHW at Town Hall.

BUDGET & FINANCIAL DATA:

If approved, this would be funded through the General Fund.



Clean Harbors Environmental Services, Inc.
208 Watlington Industrial Driv
Reidsville, NC 27320
www.cleanharbors.com

August 28, 2023

Attn: Mr. Michael Nardelli
Town of Kiawah Island
4475 Betsy Kerrison Parkway
Johns Island, SC 29455

Quote #4400007

Dear Mr. Nardelli:

Thank you for considering Clean Harbors Environmental Services, Inc. (Clean Harbors) for your household hazardous waste management needs. We are pleased to provide you with the following pricing. Additionally, Clean Harbors has the appropriate permits and licenses for the acceptance and disposal of the waste streams identified within this quotation.

In addition to providing household hazardous waste management services and disposal to our company owned and operated facilities, Clean Harbors offers a broad range of environmental services including:

- Waste Transportation & Disposal
- Laboratory Chemical Packing
- Field Services
- 24-Hour Environmental Emergency Response
- Industrial Services
- InSite Services

I look forward to continuing to service your environmental needs. To place an order, please contact our Customer Service group at 800.444.4244. If you have any questions or need further assistance, you may reach me at the number below.

Sincerely,

Michael T Galloway
CLH Specialist Cleanpack
Phone: 336.361.6141
galloway.michael@cleanharbors.com



August 28, 2023
Clean Harbors Quote #4400007

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QUOTE SUMMARY

Description	Amount
TASK 1: MOBILIZATION	\$13,250.00
TASK 2: DISPOSAL, ONSITE LABOR, SUPPLIES, & TRANS	\$29,583.00
Subtotal	\$42,833.00
Estimated Recovery Fee	\$8,138.27
Estimated Waste Fee	\$4.23
QUOTE TOTAL	\$50,975.50



August 28, 2023
Clean Harbors Quote #4400007

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TASK 1: MOBILIZATION

TASK 1: TOTAL LABOR, EQUIPMENT, AND MATERIAL	\$13,250.00
Estimated Recovery Fee	\$2,517.50
Estimated total, including Fees	\$15,767.50

TASK 2: DISPOSAL, ONSITE LABOR, SUPPLIES, & TRANS

DISPOSAL

Profile/Waste Code	Waste Description	Qty	UOM	Price	Total
LBBGB	SMALL SEALED CELL BATTERIES AND PORTABLE ELECTRONICS FOR REC	25	pounds	\$5.50	\$150.00
LBD	MIXED BATTERIES FOR RECLAMATION	150	pounds	\$1.35	\$202.50
LCCR	LABPACK FOR INCINERATION	2	5 gallon pail	\$82.50	\$165.00
LCCR	LABPACK FOR INCINERATION	3	55 gallon drum	\$275.00	\$825.00
LCHG2	LABPACK MERCURY DEVICES / MERCURY DEBRIS FOR RETORT	1	5 gallon pail	\$945.00	\$945.00
LCY1	PROPANE CYLINDERS FOR RECYCLING	1	lecture bottle	\$15.00	\$15.00
LCY1	PROPANE CYLINDERS FOR RECYCLING	2	medium cylinder	\$77.00	\$154.00
HHWECFL1-UW / CFL1	STRAIGHT FLUORESCENT TUBES FOR RECLAIM	75	pounds	\$1.15	\$86.25
HHWECFL8-UW / CFL8	COMPACT FLUORESCENT LAMPS FOR RECLAIM	15	pounds	\$5.00	\$75.00
HHWEEE / EEE	OBSOLETE EQUIPMENT FOR DISMANTLING	2700	pounds	\$0.80	\$2,160.00
HHWFB1 / FB1	RCRA EXEMPT CONSOLIDATED SOLVENTS	2	55 gallon drum	\$90.00	\$180.00
HHWELBLA-UW / LBLA	LEAD ACID BATTERIES- UNIVERSAL WASTE	400	pounds	\$0.80	\$320.00
HHWELCCRQ / LCCRQ	RCRA EXEMPT MIXED AEROSOLS	2	55 gallon drum	\$225.00	\$450.00
HHWELPTP / LPTP	RCRA EXEMPT PROCESSABLE PAINTS IN CANS	8	flex bin	\$595.00	\$4,760.00
HHWEPESTL / LCCRC	RCRA EXEMPT PESTICIDE LIQUIDS IN CONSUMER PACKAGING	1	55 gallon drum	\$275.00	\$275.00



August 28, 2023
Clean Harbors Quote #4400007

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Profile/Waste Code	Waste Description	Qty	UOM	Price	Total
HHWEPESTS / LCCRC	RCRA EXEMPT PESTICIDE SOLIDS IN CONSUMER PACKAGING	1	55 gallon drum	\$275.00	\$275.00
				Total	\$11,037.75

*The following minimum price(s) will apply:

Profile/Waste Code	UOM	Minimum Price
LBBGB	5 gallon pail	\$150.00
LBD	16 gallon drum	\$175.00
HHWECFLI-UW	pallet	\$72.00
HHWECFL8-UW	pallet	\$72.00
HHWEEE	flex bin	\$540.00
HHWELBLA-UW	55 gallon drum	\$225.00

LABOR, SUPPLIES, AND EQUIPMENT

Amount	Description	Qty/UOM	Days	Unit Price	Extended Total
1	Chemist Overtime	10 hour	1	\$105.00	\$1,050.00
1	Driver Overtime	10 hour	1	\$105.00	\$1,050.00
5	HHW Technician, Overtime	10 hour	1	\$75.00	\$3,750.00
1	Program Manager Overtime	10 hour	1	\$120.00	\$1,200.00
1	Box Truck	10 hour	1	\$50.00	\$500.00
1	Forklift, 2,000Lb Capacity	1 day	n/a	\$450.00	\$450.00
1	Level C w/CPF1,2 or Polytyvec/Changeout	1 each	n/a	\$66.00	\$66.00
7	Modified Level D (Tyvek, Gloves and Boots)	1 each	n/a	\$33.00	\$231.00
2	Pickup/Van/Car/Crew Cab	10 hour	1	\$25.00	\$500.00
1	Tractor w/Box Van	10 hour	1	\$75.00	\$750.00
1	16 Gal / 70 L Open Poly Drum 1H2/Y56/S	1 each	n/a	\$88.00	\$88.00
5	5 Gal / 20 Litre Poly Drum 1H2/Y1.5/60	1 each	n/a	\$24.00	\$120.00
2	55 Gal / 205 Litre Closed Steel Drum, New 1A1/Y1.8/300	1 each	n/a	\$127.00	\$254.00
1	55 Gal / 205 Litre Poly Drum 1H2/Y237/S	1 each	n/a	\$121.00	\$121.00
12	DOT Rated Heavy Duty Pallet	1 each	n/a	\$40.00	\$480.00
12	Flexbin, 1 Cubic Yard Flexbin 11G/Y/2022/1122	1 each	n/a	\$107.00	\$1,284.00
1	Fluorescent Bulb Tubes, 4ft 100 bulb capacity	1 bulb box	n/a	\$102.00	\$102.00
1	Lab pak box, 30GAL, un 4g/y113/s HD poly liner included	1 each	n/a	\$35.00	\$35.00



August 28, 2023
Clean Harbors Quote #4400007

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Amount	Description	Qty/UOM	Days	Unit Price	Extended Total
7	Lab pak box, 55gal UN 4G/Y147.3/S HD poly liner included	1 each	n/a	\$37.00	\$259.00
8	Per Diem / Subsistence	1 day	n/a	\$170.00	\$1,360.00
1	Speedi Dry	1 bag	n/a	\$18.00	\$18.00
15	Vermiculite 4 cuft	1 bag	n/a	\$70.55	\$1,058.25
				Total	\$14,726.25

TRANSPORTATION

Dispatch Location	Qty	Price UOM	Total
Clean Harbors Reidsville, NC	67	\$57.00 container	\$3,819.00

Minimum charge \$565.00 per trip.

TASK 2: TOTAL ESTIMATE

\$29,583.00

Estimated Recovery Fee

\$5,620.77

Estimated Waste Fee

\$4.23

Estimated total, including Fees

\$35,208.00

WASTE CLASSIFICATIONS SPECIFICATIONS

Waste Code	Description
CFL1	Mercury Bulbs For Reclamation Less than 5 percent broken bulbs Intact 4 foot or 8 foot bulbs Packaged in original bulb boxes or specialty containers Shrink wrapped to pallets No free mercury PRIMARY DISPOSAL METHOD: RECLAMATION
CFL8	Compact Fluorescent Lamps For Reclaim Packaged in original bulb boxes or specialty containers Shrink wrapped to pallets No free mercury PRIMARY DISPOSAL METHOD: RECLAMATION
EEE	Equipment for Reclamation Computer keyboards and terminals Misc equipment (compressors, machinery, refrigeration units)



WASTE CLASSIFICATIONS SPECIFICATIONS

Waste Code	Description
EEE	Equipment for Reclamation No batteries Refrigeration units limited to Freons only, no Ammonia Other miscellaneous equipment PRIMARY DISPOSAL METHOD: RECLAMATION
FB1	Liquid For Fuel Example: paint thinner, solvents Less than 4 inches of dispersible sludge Less than 5 percent halogens/sulfur Source of PCB < 50 ppm Greater than 10,000 BTU's No pesticides No debris Low viscosity (e.g. thinners) Must not set-up with water or with organic solvents PRIMARY DISPOSAL METHOD: FUEL BLENDING/INCINERATION

QUOTE CONDITIONS

This pricing assumes cars will be accepted for the event from 9AM - 1PM on the chosen Saturday.

Please note that this price is based on assumptions made about the actual container sizes and volume of items for disposal. Final billing will be based upon the actual materials packaged for disposal based on the unit rates quoted.

Please note that this price is based on assumptions made about chemical constituents of trade name materials. Final billing will be based on the actual materials packaged for disposal. Material safety data sheets or similar information may be required for chemicals listed on the inventory.

Additional charges may be incurred for cylinders with deficiencies that cannot be identified through the basic on site evaluation. These charges include, but are not limited to:

- Analytical charge for improperly labeled cylinders
- Revalving Fee
- Tapping Fee
- Recontainerization Fee
- Overpack Fee

Prior to packaging and removing the cylinders, our field chemists will inspect them for integrity and transportability. This evaluation will include a leak test to ensure the cylinders are safe to handle and transport. The cylinders must have their original manufacturers label or a surcharge may be applied



QUOTE CONDITIONS

to your invoice. Cylinders with greater than 5% solids may be subject to surcharge or rejection.

Drum quantity material in containers larger than 5 gallons or 50 pounds will need to be profiled for shipment. Actual disposal pricing will be pending full profile review and approval. The drums are subject to additional charges if they do not conform to their specifications.

GENERAL CONDITIONS

- Except where superseded by an existing services agreement the following terms and conditions apply to this quoted business.
- Prices firm for 30 days.
- Terms: Net 30 Days
- Interest will be charged at 1.5% per month or the maximum allowed by law for all past due amounts.
- Local, state and federal fees/taxes applying to the generating location/receiving facilities are not included in disposal pricing and will be added to each invoice as applicable.
- Materials subject to additional charges if they do not conform to the listed specifications.
- Electronically submitted profiles will be approved at no charge. Paper profiles will be charged at \$75.00 each.
- Clean Harbors supports many invoice delivery options (E-mail, Electronic Invoicing, EDI, Etc.). Pricing is based on Clean Harbors' standard invoice delivery method of E-mail. If another delivery method is required there could be an additional service fee per invoice. Any alternate delivery methods must be reviewed and approved by Clean Harbors prior to acceptance and implementation.
- Compressed gas cylinders requiring special handling due to inoperable valves will be assessed an additional charge of \$400.00 per cylinder. Cylinders larger than medium size will be quoted case by case. This charge may be sent as supplemental invoice.
- A variable Recovery Fee (that fluctuates with the DOE national average diesel price), currently at 19.0%, will be applied to the total invoice. For more information regarding our recovery fee calculation please go to: www.cleanharbors.com/contact-us/customer-resources.
- Pickups that require same day or next day service may be subject to additional charges.
- Pickups cancelled within 72 hours of scheduling will be subject to cancellation charges.
- Transportation charges to the final disposal facility will be charged in addition to local transportation to our truck to truck hub/local facility and will vary with logistics and routing.
- Clean Harbors will provide a manifest and necessary labels for transportation with a charge of \$1.80 per label.
- Clean Harbors reserves the right to charge \$50 a day for all transportation equipment not owned or subcontracted by Clean Harbors that remain at a Clean Harbors TSDF in excess of 7 days of being emptied and the customer receiving notification that the equipment is available for pick up.



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Clean Harbors Quote #4400007

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GENERAL CONDITIONS

- Time over eight (8) hours in the normal workday and all day Saturday is considered overtime and will be billed at 1.5 times the applicable straight time rate for all billable personnel unless otherwise quoted. Sunday and Holidays are considered premium time and will be billed at 2.0 times the applicable straight time rate for all billable personnel unless otherwise quoted.
- Standard disposal conversions (excluding minimums) apply to containers other than 5 gallon drums unless otherwise quoted: 6-20g 60%, 21-30g 75%, 31-55g 100%, 56-85g 145%, FBIN 350%, TOT2(<300gal TOTE) 500%, TOTE 630%.
- In the event that legal or other action is required to collect unpaid invoice balances, Customer agrees to pay all costs of collection, including reasonable attorneys' fees, and agrees to the jurisdiction of the Commonwealth of Massachusetts.
- The USEPA implemented the E-manifest system in June 2018 and charges the receiving TSDF a fee per manifest that is subject to change at USEPA's discretion. Clean Harbors currently charges \$20 per manifest to cover this cost on every invoice. This charge is subject to change if USEPA applies increased charges in the future.
- Unless specifically noted, these rates are not valid where Prevailing Wages and / or certified payroll apply. Any Prevailing Wage rates will be quoted on a case-by-case basis.

ACKNOWLEDGEMENT

Your signature below indicates your acceptance of the pricing and terms detailed in the quote above.

Thank you for the opportunity to be of service.

Signature

PO#

Date

Print Name

Quote # 4400007



TAB 7

TOWN COUNCIL

Agenda Item



Request for Town Council Action

TO: Mayor and Town Council Members

FROM: Brian Gottshalk, Public Works Manager

SUBJECT: Dumpster Pad at Town Hall

DATE: 24 October, 2023

BACKGROUND:

Town staff has been exploring ways to improve the public solid waste and recycling area that the Town offers at the Municipal Center, as well as open more parking spaces for staff and visitors.

Staff has discussed this plan with our contractor, and we have come up with placing installing a dumpster pad on the Northwest side of the garage.

ANALYSIS:

This project was initially brought before the Ways and Means Committee in August. The original proposal called for recycled asphalt to be used for the pad. The committee asked staff to get pricing for a concrete pad due to the recycled asphalt potentially failing due to the heat in the summer months. Staff received pricing as follows:

- +/- 3200 sf of reinforced concrete at a depth of 6" a turnkey price for this alternative amounts to \$46,400.00
- +/- 3200 sf of asphalt paving with a ROC base of 6" and 3" lift of new asphalt a turnkey price for this alternative amounts to \$33,600.00

The original proposal for labor and materials for just the recycled asphalt pad came out to a total of \$11,635.

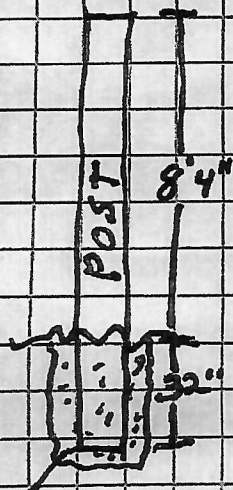
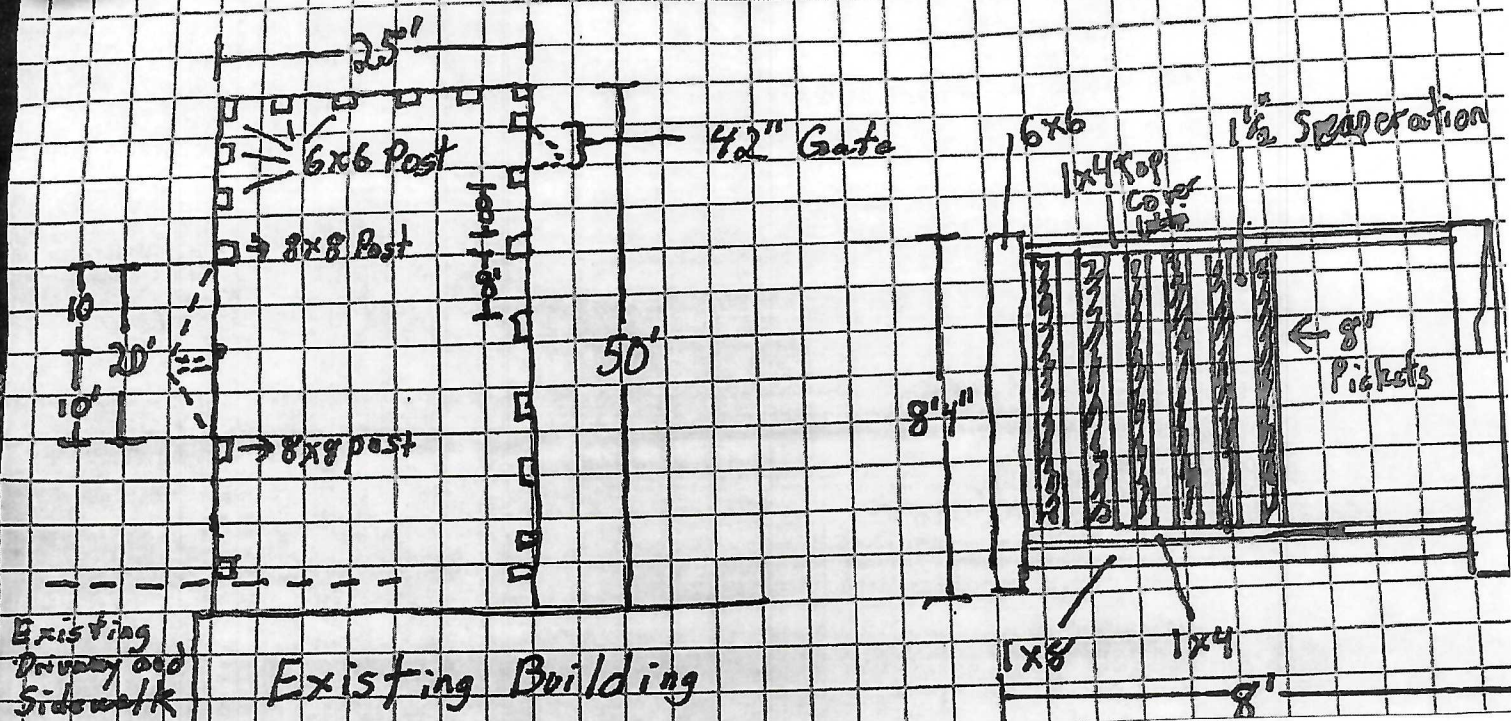
After a careful review, the staff believes the recycled asphalt would hold up during the summer months. The current solid waste site at Kestrel Court has an apron utilizing recycled asphalt, and it has held up well through this past summer.

ACTION REQUESTED:

After consulting with the contractor, town staff requests that the Town Council approve the Town Hall Dumpster pad using the recycled asphalt.

BUDGET & FINANCIAL DATA:

If approved, this project will be funded through the General Fund



Cement
 Estimated 1.5 Bags Per Hole
 Gate 2.5 to 3 Bags Per Post

