

AN ORDINANCE TO ADOPT A BUDGET AND RAISE REVENUE FOR THE CITY OF GEORGETOWN, SOUTH CAROLINA, FOR THE FISCAL YEAR ENDING JUNE 30, 2022 (FY 2022);

AND

TO AMEND THE FEES CONTAINED IN THE CITY CLERK'S OFFICIAL RECORD FOR THE BUILDING AND PLANNING FUNCTIONS IN THE CITY; AMEND THE WATER UTILITY RATES CONTAINED IN THE CITY CLERK'S OFFICIAL RECORD OF UTILITY RATES, DEPOSITS, AND MISCELLANEOUS FEES AND CHARGES FOR THE CITY; AMEND THE WASTEWATER UTILITY RATES CONTAINED IN THE CITY CLERK'S OFFICIAL RECORD OF UTILITY RATES, DEPOSITS, AND MISCELLANEOUS FEES AND CHARGES FOR THE CITY; AND AMEND THE RESIDENTIAL AND GENERAL ELECTRIC SERVICE RATE PROVISIONS CONTAINED IN THE CITY CLERK'S OFFICIAL RECORD OF UTILITY RATES, DEPOSITS, AND MISCELLANEOUS FEES AND CHARGES FOR THE CITY; AND OTHER MATTERS RELATING THERETO.

WHEREAS, the City of Georgetown, South Carolina (the "City") is a municipal corporation of the State of South Carolina (the "State"), located in Georgetown County, South Carolina (the "County") and as such possesses all general powers granted by the South Carolina Constitution (1895, as amended) and statutes of the State to municipal corporations; and

WHEREAS, pursuant to Sections 5-9-10 *et seq.* of the Code of Laws of South Carolina 1976, as amended (the "SC Code") and Section 2-1 of the City's code of ordinances, the City operates under the mayor-council form of government, with a mayor and six council members serving as the governing body of the City (the "City Council"); and

WHEREAS, Section 5-9-30 of the SC Code requires that Mayor, in supervision of the City Administrator and City staff, prepare and submit a budget for consideration by City Council; and

WHEREAS, Section 5-9-40 of the SC Code the City Council shall adopt a budget for each fiscal year (July 1 through June 30 of the following calendar year and for purposes herein a, "Fiscal Year") to appropriate revenues and expenditures for various purposes necessary to conduct of business of City; and

WHEREAS, prior to the adoption of the budget the City Council is required to hold a public hearing on the budget and any new fees resulting therefrom as required pursuant to Sections 5-7-260, 6-1-80, and 6-1-330 of the SC Code and the City's code of ordinances; and

WHEREAS, heretofore, and acting pursuant to the various authorizations described in the foregoing recital, the City Council, after due and proper notice, held public hearings on [June 17, 2021] on the adoption of the budget and the various fees implemented thereunder; the hearings were conducted publicly and both proponents and opponents of the proposed actions of City Council were given the full opportunity to be heard; and

WHEREAS, subject to the limitations in Section 6-1-320 of the SC Code, City Council is authorized to increase the millage rate imposed for general operating purposes; and

WHEREAS, Section 6-1-330 of the SC Code authorizes City Council to charge and collect new service and user fees after public notice and hearing (as noted and recited above); and

WHEREAS, as required by the City's Master Bond Ordinance dated July 28, 2011, , as amended on August 20, 2015 (the "Master Bond Ordinance") the City has covenanted to maintain rates and charges for the City's Combined Public Utility System (the "System") necessary to support the System and sustain the various revenue coverage requirements provided thereunder; acting under this legal mandate, the City shall periodically review its policies, rates, and fees necessary to facilitate operations, maintenance, capital expenditures, and debt service payments on revenue bonds payable from revenues of the System; and

WHEREAS, on the basis of the foregoing, this Ordinance authorizes and approves the City of Georgetown Annual Budget by Organization Report for FY 2022 (the "Budget"), a copy of which is attached hereto as Exhibit A, and further authorizes and implements certain new fees and charges as necessary to support and fund the Budget.

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GEORGETOWN, SOUTH CAROLINA:

SECTION 1. Enactment

This Ordinance was enacted by the City Council by a positive majority vote.

SECTION 2. Hearing

Following public hearings held after due and proper notice on June 17, 2021, this Ordinance and the Budget approved hereby complies with Sections 6-1-80, 5-7-260, 6-1-320 and 6-1-330 of the SC Code as well as Sections 2-41 and 2-46 of the City's code of ordinances.

SECTION 3. Budget

The Budget with proposed revenue for payment thereof, as prepared and as contained in an archived copy on file in the office of the Municipal Clerk, and available for public inspection, which copy is incorporated herein by reference, is adopted and made a part hereof. The Budget, as shown attached as Exhibit A and incorporated herein, is balanced as to receipts and disbursements in the total sum of \$37,432,073. The Budget, as presented, sets forth the necessary revenues and expenditures for the various purposes described therein and shall govern the appropriation of the City's funds for FY 2022. A summary of the revenues and expenditures for each of the City's major funds and the System is set forth in the Sections herein below.

SECTION 4. Ad Valorem Taxes

(a) *Ad valorem* property taxes, as a general fund revenue source, in the amounts and in the manner hereinafter mentioned, are and shall be levied, collected and paid as follows: a tax of one hundred seven dollars and 30/100 (\$107.30) on every one thousand dollars and no/100 (\$1,000.00) in assessed value of all real estate and personal property of every description owned and used in the, except such as such property may be exempt from taxation under the Constitution and laws of the State; such tax shall be levied by the County Auditor and collected by the County Treasurer. Upon such collection, all taxes shall be paid into the City treasury for credit to the City, for the

corporate purposes, permanent improvements, and current expenses. The total millage levy in the City shall be one hundred seven and 30/100 mills (107.3), which includes 4.0 mills of debt service millage to be levied for the City's general obligation bonds.

(b) The millage rates are based on estimated assessments received from the County Auditor and are subject to change based on final assessment figures. Any change in the Budget or the tax levy shall be by subsequent Ordinance enacted in accordance with the SC Code. However, upon information and belief, the millage levied herein is compliant with the terms of Section 6-1-320 of the SC Code.

(c) A copy of this Ordinance and the Budget shall be made available to the County in order to properly order the levy and collection of *ad valorem* property taxes. Additionally, the City Administrator shall be authorized to make the millage certification to the County Auditor required by Section 12-43-285 of the SC Code.

(d) The Finance Director of the City, acting in concert with the proper officials of the County, shall be responsible for the collection of delinquent taxes, penalties and other charges.

SECTION 5. Fees, Taxes and Other Charges.

A. That the Budget imposes revised permit fee schedules; such new schedule shall be the operative permit fee schedule for permits rendered on or after the July 1, 2020. The revised permit fee schedule provides for that no permit, as set forth in the Zoning Ordinance, be issued until the fee prescribed herein shall have been paid, nor shall an amendment to a permit be approved until the additional fee, if any, shall have been paid, and that if any person commencing any work on a building or structure, starts a development or places any mobile home before obtaining the necessary permit from the Building Official, they shall be subject to a penalty of a double permit, and the Building Official shall keep a permanent and accurate accounting of all permits and fees and all other monies collected. A copy of all building permit application and certificate of occupancy shall be kept in file in the Planning & Community Development Office for a period of three (3) years. Therefore, the building fees contained in the City Clerk's Official Record of Utility Rates, Deposits, and Miscellaneous Fees and Charges be revised shall be revised as described in the Budget, a copy of which is summarized on Schedule A attached hereto.

B. That the Budget appropriates sufficient revenues within the local hospital tax account to provide for the payment of all qualified expenses of local hospitality taxes, local accommodations taxes and state accommodations taxes, and debt service, if any.

C. That the Budget appropriates sufficient revenues to fund the City's capital program. The capital program shall be funded from the issuance of debt and other sources made available for pay-as-you-go financing by the City.

SECTION 6. Combined Utility Fund for the System

A. *Generally:* It is prudent and fiscally responsible for the City to periodically review established utility policies and rates to facilitate operations for the System. One such basis, the City has determined to implement certain rate increases for the System as summarized in subsections B, C and D below.

B. *Water Utility Fund:* For the FY 2022, in the Water Utility Fund, a rate increase of 20% is included in the Budget and will apply to all water customers effective July 1, 2021. Therefore, the water utility rates contained in the City Clerk's Official Record of Utility Rates, Deposits, and Miscellaneous Fees and Charges shall be revised as described in the Budget, a copy of which is summarized on Schedule B attached hereto.

C. *Wastewater Utility Fund:* For the FY 2022, in the Wastewater Utility Fund, a rate increase of 10% is included in the Budget and will apply to all wastewater customers effective July 1, 2021. Therefore, the wastewater rates contained in the City Clerk's Official Record of Utility Rates, Deposits, and Miscellaneous Fees and Charges shall be revised as described in the Budget, a copy of which is summarized on Schedule B attached hereto.

D. *Electric Utility Fund:* For the FY 2022, in the Electric Utility Fund, a rate increase of 5% is included in the Budget and will apply to all electric customers effective July 1, 2021. Further, City Council has previously enacted certain provisions addressing the applicability of residential rates and general service rates to the City's electric utility customers. City Council desires to further refine and clarify the customers subject to each rate category. Therefore, the electric rates and certain categories of rate payors contained in the City Clerk's Official Record of Utility Rates, Deposits, and Miscellaneous Fees and Charges shall be revised as described in the Budget, a copy of which is summarized on Schedule B attached hereto.

SECTION 7. Transfer Policy

The City has adopted a formal 'Transfer Policy' to allocate funds to and otherwise reimburse its General Fund for costs attributable to the Funds established for the System. Any transfer from the Funds to the General Fund are considered an expense of the Funds, but shall only be made from those revenues which constitute surplus funds under the provisions of the Master Bond Ordinance.

SECTION 8. Allocation of Funds.

To facilitate operations and as contemplated by the Budget, there shall be established and maintained a General Fund, Enterprise Funds, and other appropriate funds, in such amounts as are provided for in the budget aforesaid, as hereby adopted or as hereafter modified pursuant to law.

SECTION 9. Reallocation of Funds

That the City Administrator is hereby authorized to administer the budget and to transfer appropriations within and between departments of each fund if necessary to achieve the goals of the Budget. However, no such transfer shall (a) be made from one fund to another fund established pursuant to Section [8] above, or (b) conflict with any previously adopted policy of the City Council. Any change in the budget which would increase or decrease the total of all authorized expenditures must be approved by City Council.

SECTION 10. Ratification

The City Council ratifies and approves the findings of fact recited above. Further, all actions of the Mayor, City Administrator and other City staff regarding the public hearings and drafting, execution and delivery of the Budget are ratified, approved and confirmed. Further, the City Administrator and City staff shall be authorized to do all things necessary to implement the provisions of the Budget.

SECTION 11. Severability

That if any phrase, clause, sentence, paragraph or section of this Ordinance shall be declared unconstitutional by valid judgment or decree of any Court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs or sections of this Ordinance, which remaining parts shall be considered as severable and shall continue in full force and effect.

SECTION 12. Future Adjustments

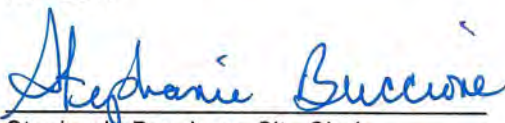
In the event that unforeseen expenditures become necessary during the FY 2022 and such expenditures would cause appropriations of a fund to be exceeded in total, an ordinance amending the original Budget will be necessary to appropriate additional funds.

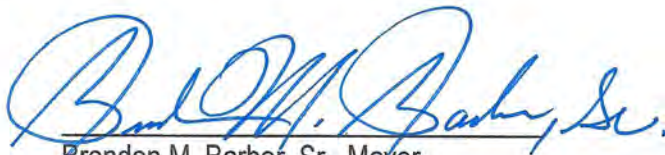
SECTION 13. Creation of the American Rescue Plan Act of 2021 Special Revenue Fund

The American Rescue Plan Act of 2021 Special Revenue Fund ("ARPA Fund") is hereby created as a separate fund to account for the federal allocation from the American Rescue Plan Act of 2021 the City of Georgetown will receive from the federal government through the State of South Carolina. The ARPA Fund is exclusively created to account for the receipt of the funds and all respective expenditures as approved by City Council. This fund will be sunset once the allocation is exhausted and all expenditures as paid.

PASSED by City Council duly assembled this 17th day of June 2021.

ATTEST:


Stephanie Buccione, City Clerk


Brendon M. Barber, Sr., Mayor

Approved as to Form:


Elise F Crosby, City Attorney

First Reading:	May 20, 2021
Second Reading:	June 17, 2021
Public Hearing for Budget:	June 17, 2021
Public Hearing for Adjusted Rates	June 17, 2021

Schedule B

Water, Waste Water and Electric Rate Schedules

Water Utility Rates

In-City Rates

In-City rates apply to all water service located within the City limits of the City of Georgetown.

<u>Meter Size</u>	<u>Customer Charge</u>	<u>Usage Charge (Per Thousand Gallons)</u>
.075"	\$12.87 \$15.44	\$2.94 \$3.53
1.00"	\$21.44 \$25.73	\$2.94 \$3.53
1.50"	\$42.77 \$51.32	\$2.94 \$3.53
2.00"	\$68.43 \$82.12	\$2.94 \$3.53
3.00"	\$128.36 \$154.03	\$2.94 \$3.53
4.00"	\$214.02 \$256.82	\$2.94 \$3.53
6.00"	\$427.88 \$513.46	\$2.94 \$3.53
8.00"	\$770.26 \$924.31	\$2.94 \$3.53

Out-of-City Rates

Out-of-City rates apply to all water service located outside the City limits of the City of Georgetown.

<u>Meter Size</u>	<u>Customer Charge</u>	<u>Usage Charge (Per Thousand Gallons)</u>
.075"	\$25.75 \$30.90	\$5.89 \$7.07
1.00"	\$42.88 \$51.46	\$5.89 \$7.07
1.50"	\$85.53 \$102.64	\$5.89 \$7.07
2.00"	\$136.86 \$164.23	\$5.89 \$7.07
3.00"	\$256.73 \$308.08	\$5.89 \$7.07
4.00"	\$428.04 \$513.65	\$5.89 \$7.07
6.00"	\$855.75 \$1,026.90	\$5.89 \$7.07
8.00"	\$1,540.53 \$1,848.62	\$5.89 \$7.07

The above customer charges, based upon nominal meter size, shall be the minimum charge each month. No allowance for usage is included in the customer charge.

Wastewater Utility Rates

In-City Rates

In-City rates apply to all wastewater service located within the City limits of the City of Georgetown.

Meter Size	Customer Charge	Usage Charge (Per Thousand Gallons)
.075"	\$19.03 \$20.93	\$3.80 \$4.18
1.00"	\$30.16 \$33.18	\$3.80 \$4.18
1.50"	\$60.30 \$66.33	\$3.80 \$4.18
2.00"	\$95.48 \$105.03	\$3.80 \$4.18
3.00"	\$179.25 \$197.18	\$3.80 \$4.18
4.00"	\$298.16 \$327.98	\$3.80 \$4.18
6.00"	\$594.63 \$654.09	\$3.80 \$4.18
8.00"	\$1,068.67 \$1,175.54	\$3.80 \$4.18

Out-of-City Rates

Out-of-City rates apply to all wastewater service located outside the City limits of the City of Georgetown.

Meter Size	Customer Charge	Usage Charge (Per Thousand Gallons)
.075"	\$38.05 \$41.86	\$7.61 \$8.37
1.00"	\$60.31 \$66.34	\$7.61 \$8.37
1.50"	\$120.60 \$132.66	\$7.61 \$8.37
2.00"	\$190.95 \$210.05	\$7.61 \$8.37
3.00"	\$358.49 \$394.34	\$7.61 \$8.37
4.00"	\$596.32 \$655.95	\$7.61 \$8.37
6.00"	\$1,189.25 \$1,308.18	\$7.61 \$8.37
8.00"	\$2,137.34 \$2,351.07	\$7.61 \$8.37

The above customer charges, based upon nominal meter size, shall be the minimum charge each month. No allowance for usage is included in the customer charge.

Electric Utility Rates

Definitions:

Customer: The actual user of the electric service.

Customer Charge: A monthly fee that is not just for expenses related to the meter, but also includes other costs that do not vary with consumption. Since these costs are incurred regardless of customer consumption, they are collected as a set fee even though a customer may have no consumption.

Commercial Non-Demand Customer: All commercial customers that are not demand metered. Commercial Demand Customer: All commercial customers that are demand metered and have monthly demands of less than 1000 KW.

Demand: The maximum measured KW over a period of fifteen (15) minutes.

Energy: The amount of power used over a period of time. Energy is measured in kilowatt-hours.

Extra Large Commercial Customer: All commercial customers that are demand metered and are reasonably expected to have monthly demands that exceed 1000 KW.

Hours Use Demand: A representation of load factor and is the total energy usage of a customer in a particular month divided by the customer's demand for the same month.

KW (Kilowatt): A unit of power equal to 1,000 watts.

KWH (Kilowatt Hour): A unit of energy equal to one thousand (1,000) watt hours.

Load Factor: The relative use of energy for the maximum amount of demand placed on the system in a given time period.

Purchased Power Cost Adjustment: The purchased power cost adjustment (PPCA) is intended to adjust for any over or under recovery of purchased power costs resulting from variances in actual purchased power costs as compared to those costs that are estimated and incorporated in the base electric rates adopted from time to time. This PPCA provision is applicable to and becomes a part of the City's published rate schedules that so specify.

Residential Customer: All customers whose consumption is in a private residence or individual family apartment. This would also include home occupations, bed and breakfast establishments, recognized boarding and rooming houses, and other structures that are primarily used for residential purposes.

Residential Rates

Residential rates shall be applicable for use in private residence or an individual family apartment. Also includes home occupations, bed and breakfast establishments, recognized boarding and rooming houses, and other structures that are primarily used for residential purposes. Each residence or each apartment will be served by a separate meter. Energy may not be resold or shared with others.

Residential service shall be alternating current, 60 hertz, single-phase at available voltage.

Monthly service charges shall consist of the following:

Customer Charge	\$8.00 \$8.40
Energy Charge per KWH	\$0.08640 \$0.09072
Purchased Power Cost Adjustment	As calculated

General Service Rates

General Service rates shall be applicable to commercial and other customers not subject to the residential rate schedule. Churches, synagogues, and other recognized places of religious worship, and all buildings that are a part thereof, shall be exempt from demand charges. Energy may not be resold or shared with others.

General Service shall be alternating current, 60 hertz, single or three-phase at the City's options, at available voltage.

General Service Rates shall consist of three (3) classes: commercial non-demand, commercial demand, and extra-large commercial.

Monthly service charges shall consist of the following:

Commercial Non-Demand Class:

Customer Charge	\$12.00 \$12.60
Implied Demand Charge	
First 10 KW	\$0.00
All above 10 KW	\$6.60 per KW \$6.93 per KW
Energy Charge	
First 2,800 KWH	\$0.08442 per KWH \$0.08864 per KWH
All above 2,800 KWH	\$0.07942 per KWH \$0.08339 per KWH
Purchase Power Cost Adjustment	As calculated

Commercial Demand Class:

Customer Charge	\$12.00 \$12.60
Demand Charge	
First 10 KW	\$0.00
All above 10 KW	\$6.60 per KW \$6.93 per KW
Energy Charge:	
First 400 HUD:	
First 2,800 KWH	\$0.08375 per KWH \$0.08794 per KWH
All above 2,800 KWH	\$0.07875 per KWH \$0.08269 per KWH
Above 400 HUD:	
All KWH	\$0.04250 per KWH \$0.04463 per KWH

Purchase Power Cost Adjustment	As calculated
Extra Large Commercial Class:	
Customer Charge	\$2,000.00 \$2,100.00
Demand Charge – All KW	\$12.00 \$12.60
Energy Charge:	
First 400 HUD	\$0.05400 per KWH \$0.05670 per KWH
Above 400 HUD	\$0.04250 per KWH \$0.04463 per KWH
Purchased Power Cost Adjustment	As calculated

Purchased Power Cost Adjustment (PPCA)

This rate is applicable throughout the entire territory served by the City of Georgetown. It becomes a part of all the City's retail electric service schedules other than lighting and is applicable to all KWH sales hereunder. The monthly bill computed under the appropriate rate schedule will be increased or decreased by an amount equal to the result of multiplying the KWH used by the Purchased Power Cost Adjustment factor.

The PPCA will be calculated as follows:

$$PPCA = ((P_m + T_u) / S_m) - \text{Base Rate}$$

- PPCA = Purchased Power Cost Adjustment factor in dollars per KWH rounded to the nearest one thousandth of a cent applicable to bills rendered during the current billing period.
 - P_m = Total estimated applicable purchased power costs
 - S_m = Energy sales, excluding lighting usage for the projected billing period
 - Base rate = \$0.06476
 - T_u = $[S_{n-2} \times (PPCA_{n-2} + \text{Base Rate})] - [(P_{n-2} + TU_{n-2})]$
- Where:
- S_{n-2} = Total system sales (KWH) excluding street lights from second preceding month
 - P_{n-2} = Actual purchased power cost for the second preceding month
 - $PPCA_{n-2}$ = Purchased power cost adjustment factor in dollars per KWH rounded to the nearest one thousandth of a cent applicable to bills rendered during the second preceding billing month
 - TU_{n-2} = True-up for the second preceding billing month