

Mayor
Elise Partin

Mayor Pro-Tem
James E. Jenkins

Council Members
Tara S. Almond
Phil Carter
Eva Corley

City Clerk
Mendy Corder

Interim City Manager
Rachelle Moody



**City of Cayce
Special Council Meeting
Wednesday, March 21, 2018
5:00 p.m. – Cayce City Hall – 1800 12th Street
www.caycesc.gov**

I. Call to Order

- A. Invocation and Pledge of Allegiance

II. Public Comment Regarding Items on the Agenda

III. Resolutions and Ordinances

- A. Consideration and Approval of Resolution Approving Financing Terms for Utility Fund Meter Lease Purchases
- B. Discussion and Approval of Ordinance 2018-02 Amending Sec. 2-144(9) (Procurements and Contracts) of Chapter 2 (Administration) of the Cayce City Code – Second Reading
- C. Discussion and Approval of Ordinance 2018-03 Amending Appendix A (Classification and Rates) of the City Business license Ordinance – Second Reading

IV. City Manager's Report

V. Council Comments

VI. Executive Session

- A. Receipt of legal advice relating to claims and potential claims by and against the City and other matters covered by the attorney-client privilege
- B. Discussion of negotiations incident to proposed contractual arrangements for the 12,000 Year History Park
- C. Discussion of employment for City Manager position
- D. Discussion of negotiations incident to proposed contractual arrangements relating to the City's waterline replacement project
- E. Discussion of negotiations incident to proposed contractual arrangements relating to the Knox Abbott Drive Pedestrian Safety and Traffic Calming Project

VII. Reconvene

VIII. Possible Actions by Council in follow up to Executive Session

IX. Adjourn

SPECIAL NOTE: Upon request, the City of Cayce will provide this document in whatever form necessary for the physically challenged or impaired.

STATE OF SOUTH CAROLINA)	RESOLUTION
)	
COUNTY OF LEXINGTON)	APPROVING FINANCING TERMS
)	FOR UTILITY FUND
CITY OF CAYCE)	METER LEASE PURCHASES

WHEREAS, the City of Cayce (“City”) has previously determined to undertake a project for the financing of water meters for The Utility Fund Lease Purchases (“the Project”), and the Finance Officer has now presented a proposal for the financing of such Project.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the City of Cayce, in Council, duly assembled, that:

1. The City hereby determines to finance the Project through Branch Banking and Trust Company (“BB&T”), in accordance with the proposal dated February 13, 2018. The amount financed shall not exceed \$1,200,000, the annual interest rate (in the absence of default or change in tax status) shall not exceed 2.63%, and the term shall not exceed four (4) years.

2. All financing contracts and all related documents for the closing of the financing (the “Financial Documents”) shall be consistent with the foregoing terms. All officers and employees of the City are hereby authorized and directed to execute and deliver any Financing Documents, and to take all such further action as they may consider necessary or desirable, to carry out the financing of the Project as contemplated by the proposal and this resolution. The Financing Documents shall include a Financing Agreement and an Escrow Agreement as BB&T may request.

3. The Finance Officer is hereby authorized and directed to hold executed copies of the Financing Documents until the conditions for the delivery of the Financing Documents have been completed to such officer’s satisfaction. The Finance Officer is authorized to approve changes to any Financing Documents previously signed by City officers or employees, provided that such changes shall not substantially alter the intent of such documents or certificates from the intent expressed in the forms executed by such officers. The Financing Documents shall be in such final forms as the Finance Officer shall approve, with the Finance Officer’s release of any Financing Document for delivery constituting conclusive evidence of such officer’s final approval of the Document’s final form.

4. The City shall not take or omit to take any action the taking or omission of which shall cause its interest payments on this financing to be includable in the gross income for federal income tax purposes of the registered owners of the interest payment obligations. The City hereby designates its

obligations to make principal and interest payments under the Financing Documents as “qualified tax-exempt obligations” for the purpose of Internal Revenue Code Section 265 (b)(3).

5. The City intends that the adoption of this resolution will be a declaration of the City’s official intent to reimburse expenditures for the project that is to be financed from the proceeds of the BB&T financing described above. The City intends that funds that have been advanced, or that may be advanced, from the City’s general fund or any other City fund related to the project, for project costs may be reimbursed from the financing proceeds.

6. All prior actions of City officers in furtherance of the purposes of this resolution are hereby ratified, approved and confirmed. All other resolutions (or parts thereof) in conflict with this resolution are hereby repealed, to the extent of the conflict. This resolution shall take effect immediately.

APPROVED this _____ day of _____, 2018.

Elise Partin, Mayor

ATTEST:

Mendy C. Corder, Municipal Clerk



Branch Banking & Trust Company

Governmental Finance

1201 Main Street 7th Floor
Suite 700
Columbia, S.C. 29201
Office: (803) 251-1328

February 13, 2018

E. Garrett Huddle
City Treasurer
City of Cayce
1800 12th Street
Cayce, SC 29171

Dear Mr. Huddle:

Branch Banking and Trust Company ("BB&T") is pleased to offer this proposal for the financing requested by City of Cayce ("City").

- (1) **Project:** Equipment Lease Purchase – Water Meters
- (2) **Amount to Be Financed:** \$1,200,000
- (3) **Interest Rates, Financing Terms and Corresponding Payments:**

<u>Term</u>	<u>Rate</u>
4 Years	2.63%

Principal and interest payments shall be monthly in arrears, as requested.

The interest rate stated above is valid for a closing not later than 45 days from the proposal date. Closing of the financing is contingent upon completing documentation acceptable to BB&T and upon the condition of the property being acceptable to BB&T. Proceeds of this transaction will be deposited in a Project Fund Account with BB&T Governmental Finance at the time of closing.

All applicable taxes, permits, costs of lawyers for the City and any other costs shall be the City's responsibility and separately payable by the City. The financing documents shall allow prepayment of the principal balance in whole at any time without penalty.

The stated interest rate assumes that the City expects to borrow no more than \$10,000,000 in calendar year 2018 and that the financing shall qualify as qualified tax-exempt financing under the Internal Revenue Code. BB&T reserves the right to terminate its interest in this bid or to negotiate a mutually acceptable rate if the financing is not qualified tax-exempt financing.

BB&T will require audited financial statements to be delivered within 270 days after the conclusion of each fiscal year-end throughout the term of the financing.

(4) Financing Documents:

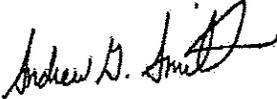
BB&T proposes to use its standard form financing contracts and related documents for this installment financing. We shall provide a sample of those documents to you should BB&T be the successful proposer. This financing shall be secured by a first lien security interest in all personal property acquired with proceeds.

BB&T shall have the right to cancel this offer by notifying the City of its election to do so (whether or not this offer has previously been accepted by the City) if at any time prior to the closing there is a material adverse change in the City's financial condition, if we discover adverse circumstances of which we are currently unaware, if we are unable to agree on acceptable documentation with the City or if there is a change in law (or proposed change in law) that changes the economic effect of this financing to BB&T.

BB&T appreciates the opportunity to make this financing proposal and requests to be notified within five days of this proposal should BB&T be the successful proposer. Please call me at 803-251-1328 with your questions and comments. We look forward to hearing from you.

Sincerely,

Branch Banking and Trust Company



Andrew G. Smith
Senior Vice President

Enclosure(s)

City of Cayce Estimate Payment Schedule

Compound Period: Monthly

Nominal Annual Rate: 2.630%

CASH FLOW DATA

Event	Date	Amount	Number	Period	End Date
1 Loan	2/13/2018	1,200,000.00	1		
2 Payment	3/13/2018	26,365.41	48	Monthly	2/13/2022

AMORTIZATION SCHEDULE - Normal Amortization

	Date	Payment	Interest	Principal	Balance
Loan	2/13/2018				1,200,000.00
1	3/13/2018	26,365.41	2,630.00	23,735.41	1,176,264.59
2	4/13/2018	26,365.41	2,577.98	23,787.43	1,152,477.16
3	5/13/2018	26,365.41	2,525.85	23,839.56	1,128,637.60
4	6/13/2018	26,365.41	2,473.60	23,891.81	1,104,745.79
2018 Totals		105,461.64	10,207.43	95,254.21	
5	7/13/2018	26,365.41	2,421.23	23,944.18	1,080,801.61
6	8/13/2018	26,365.41	2,368.76	23,996.65	1,056,804.96
7	9/13/2018	26,365.41	2,316.16	24,049.25	1,032,755.71
8	10/13/2018	26,365.41	2,263.46	24,101.95	1,008,653.76
9	11/13/2018	26,365.41	2,210.63	24,154.78	984,498.98
10	12/13/2018	26,365.41	2,157.69	24,207.72	960,291.26
11	1/13/2019	26,365.41	2,104.64	24,260.77	936,030.49
12	2/13/2019	26,365.41	2,051.47	24,313.94	911,716.55
13	3/13/2019	26,365.41	1,998.18	24,367.23	887,349.32
14	4/13/2019	26,365.41	1,944.77	24,420.64	862,928.68
15	5/13/2019	26,365.41	1,891.25	24,474.16	838,454.52
16	6/13/2019	26,365.41	1,837.61	24,527.80	813,926.72
2019 Totals		316,384.92	25,565.85	290,819.07	
17	7/13/2019	26,365.41	1,783.86	24,581.55	789,345.17
18	8/13/2019	26,365.41	1,729.98	24,635.43	764,709.74
19	9/13/2019	26,365.41	1,675.99	24,689.42	740,020.32
20	10/13/2019	26,365.41	1,621.88	24,743.53	715,276.79
21	11/13/2019	26,365.41	1,567.65	24,797.76	690,479.03
22	12/13/2019	26,365.41	1,513.30	24,852.11	665,626.92
23	1/13/2020	26,365.41	1,458.83	24,906.58	640,720.34
24	2/13/2020	26,365.41	1,404.25	24,961.16	615,759.18
25	3/13/2020	26,365.41	1,349.54	25,015.87	590,743.31

26	4/13/2020	26,365.41	1,294.71	25,070.70	565,672.61
27	5/13/2020	26,365.41	1,239.77	25,125.64	540,546.97
28	6/13/2020	26,365.41	1,184.70	25,180.71	515,366.26
2020 Totals		316,384.92	17,824.46	298,560.46	
29	7/13/2020	26,365.41	1,129.51	25,235.90	490,130.36
30	8/13/2020	26,365.41	1,074.20	25,291.21	464,839.15
31	9/13/2020	26,365.41	1,018.77	25,346.64	439,492.51
32	10/13/2020	26,365.41	963.22	25,402.19	414,090.32
33	11/13/2020	26,365.41	907.55	25,457.86	388,632.46
34	12/13/2020	26,365.41	851.75	25,513.66	363,118.80
35	1/13/2021	26,365.41	795.84	25,569.57	337,549.23
36	2/13/2021	26,365.41	739.80	25,625.61	311,923.62
37	3/13/2021	26,365.41	683.63	25,681.78	286,241.84
38	4/13/2021	26,365.41	627.35	25,738.06	260,503.78
39	5/13/2021	26,365.41	570.94	25,794.47	234,709.31
40	6/13/2021	26,365.41	514.40	25,851.01	208,858.30
2021 Totals		316,384.92	9,876.96	306,507.96	
41	7/13/2021	26,365.41	457.75	25,907.66	182,950.64
42	8/13/2021	26,365.41	400.97	25,964.44	156,986.20
43	9/13/2021	26,365.41	344.06	26,021.35	130,964.85
44	10/13/2021	26,365.41	287.03	26,078.38	104,886.47
45	11/13/2021	26,365.41	229.88	26,135.53	78,750.94
46	12/13/2021	26,365.41	172.60	26,192.81	52,558.13
47	1/13/2022	26,365.41	115.19	26,250.22	26,307.91
48	2/13/2022	26,365.41	57.50	26,307.91	0.00
2022 Totals		210,923.28	2,064.98	208,858.30	
Grand Totals		1,265,539.68	65,539.68	1,200,000.00	

Memorandum

To: Mayor and Council
From: Rachele Moody, Interim City Manager
Date: March 19, 2018
Subject: Second Reading of an Ordinance amending Chapter 2

ISSUE

Council approval is needed for the Second Reading of an Ordinance amending Sec. 2-144.9 (Procurements and Contracts) of Chapter 2 (Administration).

BACKGROUND/DISCUSSION

The City of Cayce Code of Ordinances and Purchasing Policy has been updated to allow Council to waive the informal and formal bid procedures when it is to the advantage of the City to acquire goods and/or services on the basis of a previously awarded bid or contract, and for professional services when the person employed is customarily employed on a fee basis rather than by competitive bidding (such as, for an appraiser, architect-engineer, auditor, attorney or physician). These updates have been made to facilitate continuity of an incomplete project through contract extension as well as to increase efficiency through time and cost savings by not re-bidding a project for extensions.

RECOMMENDATION

Staff recommends Council approve Second Reading of Ordinance 2018-02 amending Sec. 2-144.9 (Procurements and Contracts) of Chapter 2 (Administration).

STATE OF SOUTH CAROLINA)
)
COUNTY OF LEXINGTON)
)
CITY OF CAYCE)
)

ORDINANCE 2018-02
Amending Section 2-144(9) of the
Cayce City Code Concerning
Procurements and Contracts so as to
Allow the Council to Waive Bid
Procedures When Advantageous to
the City for Certain Fee-Based
Professional Services

WHEREAS, the City Council has determined that it is in the best interest of the public and the City to amend subsection (9) (“Procurements and contracts”) of Section 2-144 (“Powers and duties”), so as to allow the City Council to waive informal and formal bid procedures when advantageous to the City for certain fee-based professional services,

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the City of Cayce, in Council, duly assembled, as follows:

Section 2-144 (“Powers and duties”) of the City Code, in its subsection 9 (“Procurements and contracts”), is hereby amended to add new fourth sentence therein to read:

City council may waive the informal and formal bid procedures when it is to the advantage of the city to acquire goods and/or services on the basis of a previously awarded bid or contract, and for professional services when the person employed is customarily employed on a fee basis rather than by competitive bidding (such as, by way of example, for an appraiser, architect-engineer, auditor, attorney or physician).

This Ordinance shall be effective from the date of second reading approval by Council.

DONE IN MEETING DULY ASSEMBLED, this _____ day of _____ 2018.

Elise Partin, Mayor

Attest:

Mendy Corder, CMC, Municipal Clerk

First Reading: _____

Second Reading and Adoption: _____

Approved as to form: _____
Danny C. Crowe, City Attorney

Procurements and contracts. Procure (**purchase**, rent, lease or otherwise acquire) all materials, supplies, services or equipment for which funds are provided in the budget, but he/**she** may not procure any item which exceeds any budget appropriation until the council has increased the appropriation, provided that for procurements of more than \$25,000.00, except for emergency services or emergency replacement of essential equipment or except as further provided or allowed herein, the manager shall be required to receive formal, written bids or proposals after due notice inviting bids or proposals. For procurements of more than \$25,000.00 and for all contracts for new construction, he/**she** shall present such bids or proposals to the council for approval or rejection. **He/She** may make procurements or let contracts not in excess of \$25,000.00, necessary in the operation or maintenance of city services, without the approval of the city council, when sufficient funds for such purposes have been appropriated in the budget, but the city council shall authorize procurements or let all contracts for more than \$25,000.00, all contracts for new construction and all procurements or contracts which cannot be consummated with funds provided in the current budget. City Council may waive the informal and formal bid procedures when it is to the advantage of the City to acquire goods and/or services on the basis of a previously awarded bid or contract, and for professional services where the person employed is customarily employed on a fee basis rather than by competitive bidding. Examples would include, appraiser, architect-engineer, auditor, legal services, physician, etc. The city manager shall advise the council as to whether or not any contract offered is desirable, or which of several contracts offered is most desirable for the city. Pursuant to regulations and procedures approved by the council, the city may enter into cooperative purchasing with other governmental units, sole-source procurements, sole-source contracts, purchases at auction, competitive on-line bidding, fixed price bidding, competitive best value bidding, negotiations after unsuccessful competitive sealed bidding, or design-build contracts. The requirements of competitive bidding shall not apply to the procurement of professional legal, medical, or accounting services. The city manager may issue such rules and regulations governing procurements, and governing requisitions and the transaction of the business of purchasing between himself/**herself** as purchasing agent and the heads of the departments, officers and employees of the city as the council may approve. No contract or procurement shall be subdivided to avoid the requirements of this section.

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Purchasing Policy

For the purposes of this Policy, the Term “**Purchasing Agent**” may refer to the City Manager, Department Head or designated appropriate employee.

All purchases by the City of Cayce will be made in conformance with the procedures as prescribed in this policy. The purchasing system will be one of centralized purchasing with provisions for purchase orders, emergency purchases, specialized cases, and contracts/agreements. Contracts/-agreements are those items such as maintenance contracts, rental agreements, etc., which are agreed upon for a long-term basis. A one-time notification basis to purchasing will suffice for those items.

All ~~P~~purchases ~~will shall~~ be initiated ~~enusing a requisition form with the signature by creating an electronic requisition in the City's financial software with the approval of a department head or his/her authorized representative. Completed requisition forms shall be submitted to XXXX for handling.~~ The Purchasing Agent shall proceed with the purchase only after a purchase order number is generated by the City. **Any invoice received from a vendor which reflects a purchase made outside of policy will be disallowed for payment and will be returned to the vendor for clarification or correction.**

Additional policies and procedures have been established based on the purchase amount, type and/or special condition.

Formal Bid Policy (Sealed Bidding)

Sealed, competitive bidding is required on all expenditures of ~~\$20,000~~\$25,000 and above except for professional services, technical services, or process materials. The competitive bidding process is as follows:

1. The purchasing agent will submit the draft **bid package** listing specifications for the purchase to the City Manager's office.
2. The City Manager will review the draft submitted and provide any revisions that are deemed necessary.
4. The purchasing agent will establish a bid opening date and mail and/or email the notices to the potential bidders and/-or place the notice on South Carolina Business Opportunities website and the City's website.

3.

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~~2.4.~~ The Notice shall include: a general description of the articles or services to be purchased; ~~shall state where bid blanks and specification may be secured; and the time and place for opening bids.~~

~~3.5.~~ To be considered, All bids ~~will~~ must be received by the appropriate location at the specified time; prior to opening. Any bids received after the specified time will be returned unopened. Bids shall be opened in public at the time and place stated in the public notices.

~~4.6.~~ The lowest responsible, responsive bidder will receive the award (or all bids will be rejected) unless it is determined that the lowest bid does not meet the specifications or in any other way is not considered as per the solicitation. In determining "lowest responsible bidder," in addition to price, the purchasing agent shall also consider:

- a. The ability, capacity and skill of the bidder to perform the contract or provide the service required;
- b. Whether the bidder can perform the contract or provide the service promptly, or within the time specified, without delay or interference;
- c. The character, integrity, reputation, judgment, experience and efficiency of the bidder;
- d. The quality of performance of previous contracts or services;
- e. The previous and existing compliance by the bidder with laws and ordinances relating to the contract or services;
- f. The sufficiency of the financial resources and ability of the bidder to perform the contract or provide the service;
- g. The quality, availability and adaptability of the supplies or contractual services to the particular use required;
- h. The ability of the bidder to provide future maintenance and service for the use of the subject of the contract;
- i. The number and scope of conditions attached to the bid.

~~5.7.~~ A tabulation of all bids received shall be available for public inspection.

~~6.8.~~ The purchasing agent shall have the authority to reject all bids, parts of all bids, or all bids for any one or more supplies or contractual services included in the proposed contract, when the public interest will be served thereby.

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~~7-9.~~ The purchasing agent shall not accept the bid of a vendor or contractor who is delinquent in the payment of taxes, license, or other moneys due the ~~city~~City.

~~8-10.~~ When the award is not given to the lowest bidder, a full and complete statement of the reasons for placing the order elsewhere shall be prepared by the purchasing agent and filed with the papers relating to the transaction and held for a period of no less than 12 months.

~~9-11.~~ Local Vendors/Tie Bids. If all bids received are for the same total amount of unit price, quality and services being equal, the contract shall be awarded to the local bidder. If two or more of such bids are submitted by local bidders, the purchasing agent shall award the contract to one of the local tie bidders by drawing lots in public. If local bidders are not involved in the tie bids, the purchasing agent shall award the contract to one of the outside two bidders by drawing lots in public. The purchasing agent, local bidders, and vendors should bear in mind, however, that to award a contract to a local vendor where he is not the lowest responsive, responsible bidder, or where price, quality and service are not equal, is to give preference to one minute segment of the citizenry against the best interests of the community as a whole.

~~10-12.~~ Performance bonds. The purchasing agent shall have the authority to require a performance bond, before entering into a contract, in such form and amount as he/she shall find reasonably necessary to protect the best interest of the ~~city~~City.

~~11-13.~~ Payment Bond/Labor and Material Bond. The ~~P~~purchasing agent may require a Payment Bond and a Labor and Material Bond, before entering into a contract, in such form and amount as he/she shall deem necessary to protect the best interest of the ~~city~~City.

Request-for-Proposals (RFP)

When the purchasing agent determines that the use of competitive sealed bids (formal sealed bids) is neither practical nor advantageous to the City, a contract agreement may be entered through Request-for-Proposals (RFP) or Competitive Sealed Proposals. Proposals shall be solicited from a minimum of three (3) qualified sources, when such sources are available, through an RFP. Adequate public notice of the RFP may be given in one or more newspapers of general circulation as the purchasing agent deems necessary. The purchasing agent may also run a public notice in SC Business Opportunities, the Dodge Report, and the City's website. Receipt of the written proposals shall be handled publicly by the purchasing agent. The RFP should state the relative importance of price or fee and other evaluation criteria. To ensure complete understanding of and responsiveness to the RFP scope-of-work, discussion with responsible respondents who submit proposals that appear to be eligible for contract award may be appropriate. Respondents will be accorded fair and equal treatment with

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respect to any opportunity for discussion and revision of proposals. In conducting discussions there shall be no disclosure of any information derived from proposals submitted by competing respondents.

Award shall be made to the responsive respondent whose proposal is determined in writing to be the most advantageous to the City of Cayce, considering price and other evaluation criteria set forth in the RFP. This procurement method has traditionally been utilized for: 1) services rendered by consultants offering advice in specialized fields like economic development; 2) services rendered for an update of the City's classification and compensation plan; 3) cash management or banking services, as well as other financial services provided to the City; etc.

Informal Bid Policy

Purchase of items of **\$5,000 - \$1924,999** require three (3) written competitive bids. These bids should be attached to the requisition for purchase, submitted to the Finance Department and will be handled as prescribed.

Purchase of items of **\$151 - \$4,999** require three (3) oral competitive bids. These bids must be written on the requisition for the purchase, submitted to the Finance Department and will be handled as prescribed.

Small purchase orders and/or Debit Card Purchase of items **up to \$150** do not require oral or written bids if the prices are considered to be reasonable.

Emergency Circumstances

In the event of an emergency situation, including to include Federally declared disasters, the City Manager has the authority to forgo the formal bid policy and approve emergency services and/or replacement of essential equipment.

Exemption from bids

City Council may waive the informal and formal bid procedures:

1. ~~w~~When it is to the advantage of the cityCity to acquire goods and/or services on the basis of a previously awarded bid or contract, and
2. for professional services where the person employed is customarily employed on a fee basis rather than by competitive bidding. Examples would include, appraiser, architect-engineer, auditor, legal services, physician, etc., and
- 2-3. when it is appropriate or necessary to issue a Request for Qualifications or Request for Quote (RFQ) as a screening step to identify a vendor or firm that

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is qualified to perform a service for hire with evaluation utilizing a scoring rubric.

Financial interest of city officials and employees prohibited

No member of the cityCity eCouncil or any officer or employee of the city, shall have a financial interest in any contract or in the sale to the cityCity or to a contractor supplying the cityCity of any land or rights or interests in any land, material, supplies or services; except when a majority of the cityCity council determines such exception in the best interest of the cityCity, provided, that no council member whose interest is involved shall vote on the question. Any willful violation of this section shall constitute malfeasance in office, and any officer or employee of the city found guilty thereof shall ~~there by~~there by forfeit his/her office or position. Any violation of this section with the knowledge express or implied of the person or corporation contracting with the city shall render the contract voidable by the eCity mManager or the eCity eCouncil.

Cooperative purchasing

The purchasing agent shall have authority to join with other units of government in cooperative purchasing plans when the best interests of the cityCity would be served thereby; provided that the purchasing agent of the cityCity is given the authority to make purchases of supplies and equipment through the property division of the state budget and control board, without the formality of publication and receiving competitive bids.

Memorandum

To: Mayor and Council

From: Carroll Williamson, Planning and Development Director

Date: March 19, 2018

Subject: Second Reading of an Ordinance amending Appendix A
("Classification and Rates") of the City Business License Ordinance

ISSUE

Council approval is needed for the Second Reading of an Ordinance amending the City of Cayce Business License Ordinance to make further changes to Appendix A ("Classification and Rates") to conform to the language of the Municipal Association of South Carolina (MASC) Model Business License Ordinance.

BACKGROUND/DISCUSSION

On December 4, 2012, City Council amended Appendix A of the business license sections of the City Code to address changes in State law relating to the broker's premium tax. An agreement was established for MASC to serve as the City's agent for purposes of the administration of the municipal broker's premium tax.

MASC has requested that additional language in the City's business license concerning insurance companies be amended to fully conform to the MASC model business license.

This amendment has no effect on the current agreement with MASC or the current agreement with the Farm Bureau.

RECOMMENDATION

Staff recommends Council approve Second Reading of an Ordinance amending Appendix A ("Classification and Rates") of the City Business License Ordinance to conform with the MASC Model Business License Ordinance.

and 38-45-10 through 38-45-195. The act establishes a blended broker's premium tax rate of 6 percent comprised of a 4 percent state broker's premium tax and a 2 percent municipal broker's premium tax. The act states a municipality may not impose on brokers of non-admitted insurance in South Carolina an additional license fee or tax based upon a percentage of premiums.]

4. All other provisions of the business license sections of the City Code shall remain in effect.

This Ordinance shall be effective from the date of second and final reading.

DONE IN MEETING DULY ASSEMBLED, this ____ day of _____, 2018.

Elise Partin, Mayor

ATTEST:

Mendy C. Corder, CMA, Municipal Clerk

First Reading: _____

Second reading and adoption: _____

Approved as to form: _____
Danny C. Crowe, City Attorney