

Ordinance No. 2017-1

AN ORDINANCE AMENDING SECTION 2-5.3, PURCHASING PROCEDURES, SECTIONS f., n., s., and x. OF THE CODE OF ORDINANCES OF THE CITY OF ORANGEBURG

NOW THEREFORE, BE IT ORDIANED by the City Council of the City of Orangeburg, duly assembled this 17th day of January, 2017, that Section 2-5.3, Purchasing Procedures, Sections f., n., s., and x. of the Code of Ordinances of the City of Orangeburg, South Carolina are hereby amended and after amendment shall read as follows:

Section f. is amended and shall read as follows:

“f. *Special Purchasing Authorization*

1. The City Administrator may by written authorization permit any Department to purchase or contract directly for certain specified classes of supplies, materials, equipment or contractual services. Such purchases or contracts shall be made in conformance with the provisions of this article and such authorization to purchase independently may be rescinded at any time.

2. Information Technology Related Equipment and Services

All requests for computer equipment, software, telecommunications and related services or supplies should be submitted to the Information Technology (IT) department for review and technical evaluation. IT will review each request for compatibility with other hardware and software and will investigate alternatives.

Recommendations and comments will include but not be limited to:

- Additional costs incurred because of the purchase;
- Compatibility considerations;
- Cost effectiveness of the request; and
- Alternatives that would effectively meet the users' needs.”

Section n. is amended by adding new subsections 2., 3., and 4. which shall read as follows:

“2. Equal Opportunity

The policies and procedures of the City of Orangeburg prohibit discrimination against any person or business in pursuit of business opportunities on the basis of race, color, sex, religion, or national origin. Furthermore, it is the policy of the City of Orangeburg to conduct its contracting and procurement programs so as to prevent any discrimination and to resolve any and all claims of such discrimination.

3. Fair and Open Competition

The City of Orangeburg promotes fair and open competitive solicitation process, wherever practicable. Restrictive or proprietary specifications are kept at minimum and applied where absolutely necessary to meet technical demands for operational compatibility with existing City equipment and/or operations which are truly unique and cost effective performance applications.

The City may contract with persons other than City personnel for the preparation of specifications. However, no person or entity preparing specifications shall receive any direct or indirect advantage or benefit from the utilization of such specifications.

4. Women/Minority Business Enterprises

It is the policy of the City of Orangeburg to provide minorities and women equal opportunity for participating in all aspects of the City's contracting and procurement programs, including but not limited to employment, construction projects, and lease agreements consistent with the laws of the State of South Carolina.

It is further the policy of the City of Orangeburg to prohibit discrimination against any person or business in pursuit of these opportunities on the basis of race, color, national origin, religion, sex, age, handicap or veteran status."

Section s. is amended and shall read as follows:

"s. Right to Reject All Bids & Proposals

An invitation for bids, a request for proposals or other solicitation may be canceled or any or all bids or proposals may be rejected in whole or in part when it is in the best interest of the City and documentation supporting the reason(s) for rejection shall be made a part of the solicitation file.

Nothing contained in these procedures shall preclude the City from rejecting all bids and proposals submitted in response to any Request for Bid (RFB), Request for Proposal (RFP), or Request for Qualifications (RFQ)."

Section x. is amended and shall read as follows:

"5. Cooperative Purchasing Plans; Purchases through State or other Cooperative Purchasing Agreements Without Publication and Bidding

The Purchasing Agent shall have authority to join with other units of government in cooperative purchasing plans when the best interests of the city would be served thereby. The Purchasing Agent is hereby given the authority to make purchases of supplies and equipment through the property division of the South Carolina Budget and Control Board, without the formality of publication and receiving competitive bids. The Purchasing Agent may participate in, sponsor, conduct, or administer a cooperative purchasing agreement for the procurement of products, supplies, or services with one or more public procurement units in accordance with an agreement entered into between the participants.

DONE AND RATIFIED BY THE CITY OF ORANGEBURG, STATE OF SOUTH CAROLINA, IN COUNCIL ASSEMBLED THIS 17th DAY OF JANUARY 2017.

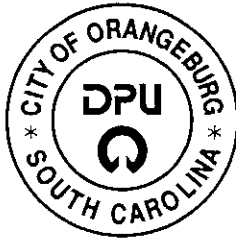


Michael C. Beeth
MAYOR

Chris Dujin
Charles B. Samuel
Jessica P. Foyles
Bernard Hare
Richard T. Stroner

MEMBERS OF COUNCIL

ATTEST:
[Signature]
CITY CLERK



ORDINANCE NO. 2017- 2

**AN ORDINANCE
ADOPTING AMENDED ELECTRIC AND GAS RATES FOR
THE DEPARTMENT OF PUBLIC UTILITIES EFFECTIVE ON MARCH 1, 2017**

BE IT ORDAINED by City Council duly assembled that the following electric and gas rates generally set forth below and specifically set forth in Exhibit "A" consisting of five (5) typewritten pages attached hereto and made a part hereof by reference are adopted and declared effective and in full force on March 1, 2017;

Amended Electric Rate

Electric Rate – Code 2NM – Net Metering Rider

Amended Gas Rate

Gas Rate – Code 3G – Gas Transportation Service

DONE AND RATIFIED by Council duly assembled this 7th day of February 2017.



Michael C. Butler

Mayor

Benjamin Haire

Daniel P. Kutt

L. Zimmerman Keid

Richard F. Stoma

Charles B. Brundage

Chris [Signature]

Members of Council

ATTEST:

[Signature]

City Clerk

Electric Rate – Code 2NM

Net Metering Rider

Department of Public Utilities – Orangeburg, South Carolina

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Applicable:

To residential and nonresidential Customers (except Customers served under the 2F Time-of-Use or Lighting rates) receiving concurrent service from the Department where a photovoltaic, wind-powered, micro-hydro or biomass-fueled generation source of energy, is installed on the Customer's side of the delivery point, for the Customer's own use, interconnected with and operated in parallel with the Department's distribution system.

General Provisions:

1. To qualify for service under this Rider, a residential Customer may be served on any residential rate schedule. The Nameplate Rating of the Customer's installed generation system and equipment must not exceed the estimated maximum monthly kilowatt (kW) demand of the residence or 20 kW, whichever is less.
2. To qualify for service under this Rider, a nonresidential Customer may be served on one of the Department's general service or demand service rate schedules that does not otherwise provide for parallel operation of a customer generator. The Nameplate Rating of the Customer's installed generation system and equipment must not exceed the Customer's Contract Demand or 50 kW, whichever is less.
3. Charges or credits will be determined using the appropriate energy rates of the applicable rate schedule as further outlined in the RATE paragraph below.
4. If the Customer is not the owner of the premises receiving electric service from the Department, the Department shall have the right to require that the owner of the premises give satisfactory written approval of the Customer's request for service under this Rider.
5. Any renewable energy credits (RECs) shall be retained by the customer until a market for RECs is fully developed. At that time, then annually, any RECs associated with net excess generation shall be granted to the Department on January 1st of each year.

Rate

The rate shall be the applicable rate schedule and the monthly bill shall be determined as follows:

- I. The Service Charge shall be the Service Charge from the applicable rate schedule.
- II. The Demand Charge shall be determined from the applicable rate schedule, as appropriate.
- III. Energy Charges shall be based on the applicable tariff Power Supply Charge plus applicable Distribution Charge applied to the kilowatt-hours purchased from the Department for the bill month. Energy Credits shall be based on the current Rate 2I Power Supply Fuel Charge applied to the kilowatt-hours delivered to the Department for the bill month. The net Energy Charge for any bill month shall be the Energy Charges for the bill month minus the Energy Credits for the bill month. For any bill month during which the net Energy Charges are a credit, the respective Energy Charges for the month shall be zero. Credits shall not offset the Service Charge or the Demand Charge.

Electric Rate – Code 2NM

Net Metering Rider

Department of Public Utilities – Orangeburg, South Carolina

Page 2 of 2

Minimum Bill

The monthly minimum bill for Customers receiving service under this Rider shall be no less than Service Charge plus, applicable Riders and if applicable, the Demand Charge.

Metering Requirements

The Department will furnish, install, own and maintain metering to measure the kilowatt demand delivered by the Department to the Customer, and to measure the net kilowatt-hours purchased by the Customer or delivered to the Department. The Customer will reimburse the Department for the cost and installation of the initial meter. The Department shall have the right to install special metering and load research devices on the Customer's equipment and the right to use the Customer's telephone line for communication with the Department's and the Customer's equipment.

Safety, Interconnection and Inspection Requirements

This Rider is only applicable for installed generation systems and equipment that comply with the Standard for Interconnecting Small Generation 50 kW or less with Electric Power Systems (EPS), hereinafter the "Interconnection Standard." The Customer must comply with the liability insurance requirements of the Interconnection Standard. The Customer must submit an Application to Interconnect Small Generation 50 kW or less which must be accepted by the Department and pay an application fee in accordance with the Interconnection Standard.

Power Factor Correction

When the average monthly power factor of the power supplied by the Customer to the Department is less than 90 percent or greater than 100 percent, the Department may correct the energy in kilowatt-hours, as appropriate. The Department reserves the right to install facilities necessary for the measurement of power factor. The Department will not install such equipment, nor make a power factor correction if the generator system is less than 20 kW and uses an inverter.

Contract Period

Each Customer shall enter into a contract for a minimum original term of one (1) year, and shall automatically renew thereafter, except that either party may terminate the contract after one (1) year by giving at least thirty (30) days prior notice of such termination in writing.

The Department reserves the right to terminate the Customer's contract under this rider at any time upon written notice to the Customer in the event that the Customer violates any of the terms or conditions of this Rider, or operates the generation system and equipment in a manner which is detrimental to the Department or any of its customers. In the event of early termination of a contract under this rider, the Customer will be required to pay the Department for the costs due to such early termination, in accordance with the Department's Terms and Conditions.

Note: "General Terms and Conditions" in effect apply to above.

Effective: March 1, 2017

Gas Rate – Code 3G

Gas Transportation Service

Department of Public Utilities - Orangeburg, South Carolina

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Applicable:

This rate schedule is applicable to any consumer who has entered into a Service Agreement with the Department for the transportation of natural gas through the Department's gas distribution system. Customer is responsible for the delivery of gas to the Department for transportation service hereunder. Service under this Rate Schedule is not available to any Customer who takes service under the Department's Interruptible Service Gas Sales Rate Schedule (Code 3D). The Department is under no obligation to deliver to Customer on any day, quantities of natural gas in excess of receipts by the Department of gas for Customer's account. In order to receive service hereunder, the Customer must provide and pay for the cost of suitable communication equipment and power source (including any ongoing monthly charges) of Department installed flow computer and other metering equipment.

Monthly Rate:

The Customer will pay monthly for service hereunder based on separately applied charges for Distribution and Customer Service components. In addition to these charges, the Customer will pay for any gas delivered to the Customer in excess of Receipts and will reimburse the Department for any costs attributable to the Customer's actions or inactions with regard to the Customer's purchase of gas and/or transportation of gas upstream of the Department, including but not limited to, the Customer's failure to balance daily receipts and deliveries and the Customer's failure to properly schedule receipts and deliveries.

Distribution Charge:

First 60,000 dekatherms per month - \$0.95 per dekatherm

Next 60,000 dekatherms per month - \$0.60 per dekatherm

All dekatherms over 120,000 dekatherms per month - \$0.40 per dekatherm

Customer Service Charge:

\$250.00 per bill

Minimum:

The monthly minimum charge will be the Customer Service Charge.

Receipts:

As used herein, the term Receipts represents the volume of gas received for the account of the Department for redelivery to the Customer, less losses. Receipts in excess of the quantity of gas scheduled by Customer for delivery will be considered interruptible transportation gas.

Deliveries:

As used herein, Deliveries represent the volume of gas delivered by the Department to the Customer subject to this Rate Schedule. Deliveries to the customer on any day will be equal to the lesser of the quantity of gas received by the Department for the Customer's account or the metered quantity of gas delivered to the Customer. Metered deliveries on any day in excess of receipts will be used to offset any excess in receipts during the same billing month. Daily receipts by the Department in excess of metered deliveries to the Customer will be used to offset any deficiency in receipts during the same billing month, except, excess receipts may not be used to offset any deficiency which occurred on any day that the Department's system is in curtailment (Operational Flow Order). On any day when the Department's system is in curtailment, excess metered deliveries over receipts will be considered sold to Customer as Unauthorized Overrun gas.

Balancing:

The Customer is required to balance receipts and deliveries on a daily basis. For each billing month, any excess in receipts over metered deliveries to the customer will be purchased by the Department at 95% of the Department's average unit cost of its lowest cost supply (including associated transportation charges as adjusted for losses). Any deficiency in receipts will be purchased by the Customer at 105% of the greater of the Interruptible Gas Supply Charge or the Department's out-of-pocket cost associated with the Customer's deficiency plus the full Distribution Charge. In addition, the Customer will pay any penalty incurred by the Department attributable to the Customer's failure to balance receipts and deliveries. The Competitive Pricing Provision will not apply to any deficiency in monthly receipts.

Scheduling:

The Customer is responsible for the scheduling of receipts and deliveries with the Department (or the Department's agent) and with any other party that requires scheduling. The Customer must schedule receipts and deliveries with the Department 30 minutes in advance of the deadline established by any natural gas transmission entity upstream of the Department.

Service Character:

Transportation service hereunder is considered as firm Transportation Gas up to the quantity of gas scheduled and received for delivery that day by the Department for Customer's account. Quantities of gas delivered by the Department in excess of the received quantity shall be considered as interruptible transportation gas. The Department however, reserves the right to interrupt, curtail, or suspend deliveries and/or receipts under this Rate Schedule if in the sole opinion of the Department such interruption, curtailment, or suspension is required in order to protect the economic and/or operational service to the Department's firm sales customers.

Service hereunder is limited to the delivery to the Customer, by the Department, of gas received by the Department for the account of Customer. Customer assumes all responsibility in connection with the purchase of gas and the delivery of gas to the Department. The Department provides no guarantee or warranty regarding the service provided by any entity upstream of the Department.

Competitive Pricing Provisions:

In the event the Customer can demonstrate that the Customer can deliver natural gas through an alternate pipeline connection at a cost lower than the distribution charge as set forth above, and the customer executes a contract for service of not less than 10 years, the Department, at its sole discretion may reduce the Distribution Charge.

In the event the Customer can demonstrate that the Customer's as-fired price of alternative fuel is less than their total delivered gas cost (including the distribution charge as set forth above), the Department, at its sole discretion may reduce the Distribution Charge to a level, which when added to the Customer's cost of gas delivered to the Department, is competitive with the as-fired cost of the Customer's alternative fuel. In no event will the Department reduce its Distribution Charge below \$0.05 per dekatherm.

Unauthorized Overrun Deliveries:

In the event that the Department's system is in curtailment, excess metered deliveries over receipts will be sold to Customer as Unauthorized Overrun gas. Unauthorized Overrun Deliveries will be subject to a daily Cost of Gas (as defined at time of curtailment), plus a \$25.00 per dekatherm penalty plus any penalty or other charges incurred by the Department attributable to Customer's failure to limit deliveries to authorized levels. The above Competitive Pricing Provision will not apply to unauthorized deliveries.

Cost Of Gas will be defined as the highest price shown among Transco points and South Louisiana-Southern Natural in the "AVG" column of the cash market price table published in the NGI Daily Gas Price Index.

Distribution Integrity Management Plan Charge:

A Distribution Integrity Management Plan ("DIMP") Charge will be assessed on each therm delivered based on eligible DIMP costs incurred by the Department up to and including 60,000 dekatherms per month.

Note: "General Terms and Conditions" in effect apply to above.

Effective: March 1, 2017



ORDINANCE NO. 2017-3

**AN ORDINANCE
ADOPTING NEW ELECTRIC RATE – Code 2J - CONTRACT TRANSMISSION SERVICE
FOR THE DEPARTMENT OF PUBLIC UTILITIES EFFECTIVE ON JULY 1, 2017**

BE IT ORDAINED by City Council duly assembled that the following electric rate generally set forth below and specifically set forth in Exhibit "A" consisting of two (2) typewritten pages attached hereto and made a part hereof by reference are adopted and declared effective and in full force on July 1, 2017;

New Electric Rate

Electric Rate – Code 2J – Contract Transmission Service

DONE AND RATIFIED by Council duly assembled this 2nd day of May 2017.



Mayor
Dana P. Knotts

R. Zimmerman

Charles B. Bamwell

Richard L. Stoma

Members of Council

ATTEST:

[Signature]

City Clerk

Applicable:

Service under this rate is available on the DPU Electric system where adequate capacity and suitable voltage is present. The service is available for consumers contracting for a minimum of 20,000 kW who will be served directly from the Department's 115 kV system. Service must be supplied at one point of delivery. A customer elects to receive service on this schedule by signing a Large Power Contract Electric Service Agreement.

Customer must provide and pay for the cost of suitable communication equipment and power source (including any ongoing monthly charges) for Department installed monitoring and metering equipment.

On or before August 1st of each calendar year, Customer shall provide DPU with a written forecast of Customer's maximum demand during the succeeding year (12-month period beginning January 1st). If agreed to by the DPU, such forecast as provided by Customer shall constitute Customer's contract demand during the succeeding contract year. In the event Customer fails to provide a forecast to DPU or DPU does not agree to Customer's forecast, Customer's contract demand during the succeeding contract year shall be the greater of Customer's current contract demand or Customer's maximum integrated one-hour metered demand during the current contract year.

Character of Service:

Alternating current, 60 hertz, three-phase service. Voltage at the option of the Department.

Contract:

Customer will be required to enter into a contract for service under this rate.

Net Monthly Rate

Delivery Demand Charge:

All kW @ \$2.25 per kW of billing or contract demand.

Billing demand shall be the greater of: (a) customer's maximum integrated one hour metered demand during the current month, adjusted for power factor as defined below, (b) customer's maximum integrated one-hour metered demand during on-peak periods during the current contract year (12-month period beginning January 1st), or (c) customer's contract demand. The contract demand shall be greater than or equal to 20,000 kW.

Substation Surcharge:

The Department will determine the initial cost of the incremental substation and transformation facilities required to serve the customer's load. A surcharge will be added to the customer's transmission demand charge to recover this cost over a ten-year period. Once the initial costs including carrying costs have been recovered, the surcharge will expire.

Supply Charge:

Current supply charge will apply to this rate schedule.

Service Charge: \$500.00 per meter per month.

Power Factor Correction:

The customer shall at all times maintain a power factor of not less than 90-percent. The Department reserves the right to conduct tests to determine the power factor of the customer's installation during periods of maximum demand or by measurement of the average power factor for the monthly billing period. If the power factor so determined falls below 90-percent, the demand for billing purposes will be determined by multiplying the maximum kW demand by 90-percent and dividing by the determined power factor. No credit shall be given for power factor greater than 90-percent.

On-Peak Period:

The on-peak period shall be defined as weekday deliveries between the hours beginning 6:00 a.m. and ending 6:00 p.m.

Note: "General Terms and Conditions" in effect apply to above.

Effective: July 1, 2017

ORDINANCE NO. 2017-4

ORDINANCE TO AMEND SECTION 24-4.1, DISTRICT BOUNDARIES AND MAPS OF THE CODE OF ORDINANCES OF THE CITY OF ORANGEBURG AND THE ZONING MAP CHANGE OF THE CITY OF ORANGEBURG, SOUTH CAROLINA, PROPERTY BELONGING TO CLAFLIN UNIVERSITY LOCATED ON CLARK STREET AT TAX MAP# 0173-10-07-001, 0173-11-01-001, 0173-11-01-002, 0173-11-01-003, 0173-11-01-005 AND 0173-11-01-007; AND,

WHEREAS, Claflin University as the owner of property located on Clark Street, pursuant to Section 24-12.1 Zoning District Map change from A-2 Residential Multi-Unit District to O-I Office Institutional Residential District located on Clark Street, TMP #0173-10-07-001, 0173-11-01-001, 0173-11-01-002, 0173-11-01-003, 0173-11-01-005 and 0173-11-01-007; and,

WHEREAS, proper notice of the Public Hearing for proposed Zoning Map amendment has been duly published in accordance with Section 24-12.5 and the property has been duly posted in accordance with Section 24-12.6 of said Zoning Ordinance; and,

WHEREAS, the City Council of the City of Orangeburg has reviewed said petition and the recommendation of the Planning Commission; and,

NOW, THEREFORE, BE IT ORDAINED by the Mayor and City Council of the City of Orangeburg, State of South Carolina, in Council duly assembled and by the authority of same that the Zoning Map of the City of Orangeburg is hereby amended by changing the classification of the below described property from A-2 Residential Multi-Unit District to O-I Office Institutional Residential District.

BE IT FURTHER ORDAINED that this amendment shall be effective as of the date of this Ordinance and the Zoning Administrator is hereby directed to amend the Zoning Map of the City of Orangeburg to reflect the above within seven (7) days of the adoption of this Ordinance.

Description of property:

All that certain piece, parcel or lot of land with improvements thereon, situate, lying and being in City of Orangeburg, School District No. 5, Orangeburg County, South Carolina, measuring and bounding as follows; on the north 50 feet on a street formerly called Brown Street, now Clark Street; on the east 100 feet by lands now or formerly of T. J. Clark; on the south 55 feet, by other lands now or formerly of Clark; on the west 100 feet by other lands now or formerly of Clark. Also: All that certain piece, parcel or lot of land with improvements thereon, situate, lying and being in the City of Orangeburg, County of Orangeburg, School District 5, State of South Carolina, measuring and bounded as follows: on the north by the above described tract now or formerly of Adam Brown and measuring thereon 55 feet; on the east by estate lands now or formerly of Clark and measuring thereon 83 feet; on the south by lands now or formerly of L. M. Dunton and measuring thereon 55 feet; and on the west by lands now or formerly of the estate of Clark and measuring thereon 67 feet. This property was conveyed to the grantor herein by deed of Willie B. Owens, dated June 29, 2006 and recorded in the Office of the Register of Deeds for Orangeburg County in Deed book 1157, Page 109. **TMP# 0173-10-07-001**

All that certain piece, parcel or lot of land with improvements thereon, situate, lying and being in Northeastern suburb, City of Orangeburg, School District No. 5, Orangeburg County, South Carolina, fronting on Clark Street, said lot being measured and bounded as follows: northeast by Clark Street and measuring thereon 109.6 feet; on the southwest by lands of Annie Moses and measuring thereon 170.3 feet; on the southwest by lands of Claflin College and measuring thereon 45.5 feet; and on the northwest by lands now or formerly of the estate of Adam Brown and measuring thereon 161.3 feet, more or less. This same property being more fully described on the plat of property of Matilda Baker by H. Frank O'Cain, C. E., dated August 18, 1958, and recorded in Plat book 14, page 43. This property was conveyed to the grantor herein by deed of Bruce M. Hook, recorded in the Office of the Register of Deeds for Orangeburg County in Deed book 1132, Page 279. **TMP# 0173-11-01-001**

All that certain piece, parcel or lot of land with any improvements thereon, situate, lying and being in City of Orangeburg, School District No. 5, Orangeburg County, South Carolina, located on Clark Street and measuring thereon and on the rear line for a distance of 47 feet and measuring 150 feet on the respective sidelines and being bounded on the north by Clark Street and on the east by property now or formerly of Benjamin Jones and on the south by property now or formerly of L. M. Dunton and on the west by property now or formerly of Tobias. This property adjoins the property described above. This property was conveyed to Eddie White and Etta White by deed of C. E. Summers, County Judge as Special Referee, dated and recorded February 18, 1972 in the Office of the Register of Deeds for Orangeburg County in Deed Book 358, page 351. This property was conveyed to grantor herein by deed of Major White, et al, dated December 1, 2006 and recorded in the Office of the Register of Deeds for Orangeburg County in Deed book 1182, Page 54. **TMP# 0173-11-01-002**

All that certain piece, parcel or lot of land with residence and other improvements thereon, situate, lying and being in City of Orangeburg, School District No. 5, Orangeburg County, South Carolina, known as 577 Clark Street, Orangeburg, SC, being bounded on the north by property now or formerly of T. J. Clark for a distance of 150 feet; on the east by Clark Street for a distance of 48 feet; on the south by property now or formerly of Dunton for a distance of 150 feet; and on the west by property now or formerly of Dunton for a distance of 48 feet. This is the same property conveyed to Eddie White by deed of Annie Tobias (now Moses) dated June 5, 1967 and recorded June 20, 1967 in the Office of the Register of Deeds for Orangeburg County in Deed book 296, Page 427. **TMP# 0173-11-01-003**

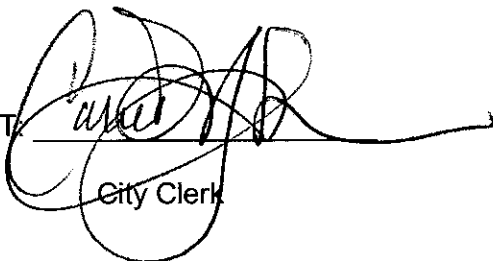
All that certain piece, parcel or lot of land, with any and all improvements thereon, situate, lying and being in the City of Orangeburg, Orangeburg School District No. 5, County of Orangeburg, State of South Carolina, designated as 529 Clark Street shown as Lot #4 on plat of property of L. M. Dunton measuring 45 feet, more or less, on Clark Street, 150 feet on the respective side line and 45 on the westerly sideline. This property was conveyed to the grantor herein by deed of Loretta Burns dated December 18, 2006 and recorded December 28, 2006, in the Office of the Register of Deeds for Orangeburg County in deed book 1184, page 5. **TMP#0173-11-01-005**

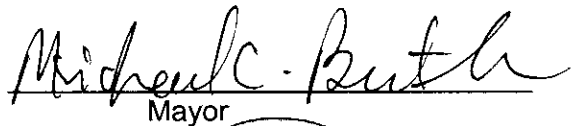
All that certain piece, parcel or lot of land with all improvements thereon, situate, lying and being in School District 5 (o), Orangeburg County, South Carolina, being bounded on the north by property now or formerly of L. M. Dantzler for a distance for 150 feet; on the east by Clark Street for a distance of 46 feet; on the south by property now or formerly of R. H. Cunningham for a distance of 150 feet; and on the west by property now or formerly of L. M. Dantzler for a distance of 46 feet. This property was conveyed to Lillie Ruth W. Owens by deed of Furman R. Marcus dated February 14, 1961 and recorded in the Office of the Register of Deeds for Orangeburg County in Deed book 237, page 639 and devised to the grantors herein by the Last Will and Testament of Lillie Ruth W. Owens dated April 21, 2004 and filed for probate in the Office of the Judge of Probate for Orangeburg County as case number 2006ES3800458. **TMP#0173-11-01-007**

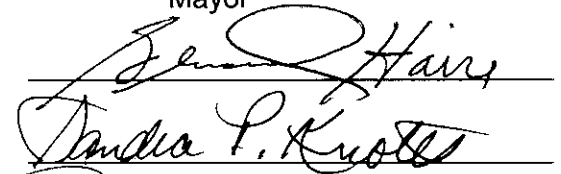
DONE AND RATIFIED BY THE CITY OF ORANGEBURG, STATE OF SOUTH CAROLINA THIS 6th DAY OF JUNE 2017.

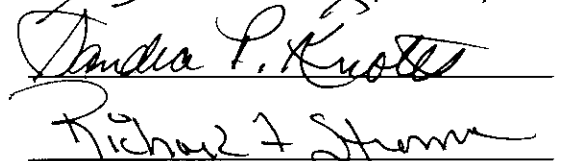


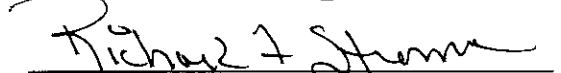
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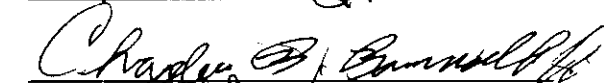

City Clerk


Mayor



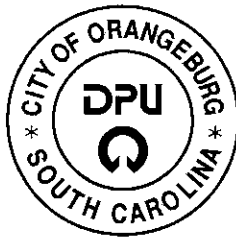








Members of Council



ORDINANCE No. 2017-7

AN ORDINANCE TO (1) ADOPT A BUDGET FOR THE OPERATION OF THE DEPARTMENT OF PUBLIC UTILITIES OF THE CITY OF ORANGEBURG, STATE OF SOUTH CAROLINA FOR THE FISCAL YEAR OCTOBER 1, 2017 THROUGH SEPTEMBER 30, 2018 AND (2) ADOPT AMENDED WATER AND WASTEWATER RATES EFFECTIVE OCTOBER 1, 2017

BE IT ORDAINED BY THE CITY COUNCIL DULY ASSEMBLED, that the attached budget consisting of seven (7) pages is hereby adopted as the operating budget for the Department of Public Utilities of the City of Orangeburg, consisting of the Administrative, Electric, Natural Gas, Water and Wastewater Divisions (collectively referred to as the "System") for the fiscal year October 1, 2017 through September 30, 2018.

BE IT FURTHER ORDAINED that the Manager of the Department of Public Utilities is authorized to transfer budgeted amounts between line items and/or divisions or between approved capital projects in accordance with the duties and responsibilities of said Manager, subject to the limitations of the Revenue Bond Act for Utilities, South Carolina Ann. Code Sec. 6-21-440.

BE IT FURTHER ORDAINED that the City Council hereby finds and determines, as a fact and after appropriate investigation, as follows:

The Fiscal Year 2017-2018 Budget appropriates sufficient revenues to pay the principal of and interest on all bonds secured by revenues of the System as and when they become due and payable in one or more bond and interest redemption funds (a.k.a "debt service funds"). The Fiscal Year 2017-2018 budget allocates \$2,000,000 to remain invested in a sinking fund held by the SC Local Government Investment Pool ("Bond Repayment Account") and appropriations of \$1,970,067 for fiscal year revenue bond repayments.

The Department of Public Utilities maintains an account described as the "Customer Deposit Account." This account is restricted for ensuring the collectability of customer's accounts receivable. This account ensures all customer deposits are held as cash and in trust until the customer's account is closed in good standing. The budget provides a restriction on of all customer deposits held by the Department.

The Fiscal Year 2017-2018 Budget appropriates sufficient revenues to provide for the payment of all expenses of administration and operation of the System, as well as such expenses for maintenance as may be necessary to preserve the System in good repair and working order. These appropriations are shown as multiple accounts, organized by Division and line items collectively serving as the "Operation and Maintenance" fund.

The Department of Public Utilities maintains an account described as the "Capital Reserve Account." The funds held in this account are restricted for the purpose of funding depreciation of the System. The budgeted balance to continue to be invested in the Capital Reserve Account is \$15,000,000. The Fiscal Year 2017-2018 Budget appropriates no additional funds to the Capital Reserve Account. Upon advice of the Manager of the Department of Public Utilities, and as supported by capital improvement plans prepared by the Departments' Directors, the City Council hereby finds and declares that such appropriations are sufficient (together with the existing balance in the Contingency Reserve Account) to build up a reserve for depreciation of the System.

The Department of Public Utilities maintains an account described as the "Contingency Reserve Account" that is restricted for the purposes of funding improvements, betterments and extensions to the System. The Fiscal Year 2017-2018 Budget appropriates through multiple line items additions to fund capital improvements in this account of \$15,000,000. Upon advice of the Manager of the Department of Public Utilities, and as supported by analyses of the System's current physical condition as presented by the Departments' Directors, the City Council hereby finds and declares that such appropriations are sufficient for funding improvements, betterments, and extensions to the System, other than those necessary to maintain it in good repair and working order as provided above.

The Department of Public Utilities also maintains an account described as the "Liability Reserve Account" that is restricted for the purposes of funding certain liabilities associated with the operation of the System. The budgeted balance to be maintained in the Liability Reserve Account is \$7,700,000. Upon advice of the Manager of the Department of Public Utilities, and as supported by analyses of the utility systems' current financial condition as prepared by the Department's Directors, the City Council hereby finds and declares such amount to be a sufficient reserve for funding liabilities associated with the operation of the utility systems, other than those necessary to maintain it in good repair and working order as provided above. Therefore, the Fiscal Year 2017-2018 Budget appropriates no additional funds to the Liability Reserve Account.

Based on the current levels of funding in the Capital Reserve Account and the Contingency Account and various capital funding appropriations in the Fiscal Year 2017-2018 Budget, the City Council believes that the Department's depreciation and contingency fund is adequately and appropriately funded.

After giving effect to the funding described above, the budgeted revenues for the utility systems exceed the budgeted expenses for the systems by an amount of not less than \$15,409,230. Accordingly, the Council hereby determines and finds, as a fact and based on the information described above, that the amount of \$5,400,000 shall be considered surplus revenues of the utility systems and are hereby budgeted for discretionary transfer by City Council to the City of Orangeburg General Fund. The Council also hereby determines and finds based on the information described above that the additional amount of \$6,500,000 are surplus revenues of the utility systems and are hereby budgeted as industrial development grant funds which will be used for said purpose pursuant to the respective intergovernmental agreements between the City of Orangeburg and the County of Orangeburg for Project Halo totaling \$5,000,000 and the State Infrastructure Bank totaling \$1,000,000. These funds will be transferred to the City of Orangeburg and disbursed by the City in accordance with the terms and conditions of the intergovernmental agreements. The balance of the industrial grant funds in the amount of \$500,000.00 will be transferred to the City and disbursed to South Carolina State University by the City for infrastructure improvements as previously approved by City Council.

BE IT FURTHER ORDAINED by City Council duly assembled that the following water and wastewater rates generally set forth below and specifically set forth in Exhibit "A" attached hereto and made a part hereof by reference are adopted and declared effective and in full force on October 1, 2017:

PROPOSED AMENDED WATER & WASTEWATER RATES

Water Rate – Code 4A, 4B, 4C – General Service (Inside City Limits)

Commodity Charge: \$0.46 per 100 cu. ft. per month
Capacity Charge: \$0.82 per 100 cu. ft. per month

Water Rate – Code 4D, 4E, 4F – General Service (Outside City Limits)

Commodity Charge: \$0.46 per 100 cu. ft. per month
Capacity Charge: \$2.10 per 100 cu. ft. per month

Water Rate – Code 4G – Fire Protection Service (Inside City Limits)

Commodity Charge: \$0.46 per 100 cu. ft. per month
Capacity Charge: \$2.89 per 100 cu. ft. per month

Water Rate – Code 4H – Multiple Unit Dwellings or Businesses (Inside City Limits)

Commodity Charge: \$0.46 per 100 cu. ft. per month
Capacity Charge: \$0.82 per 100 c. ft. per month

Water Rate – Code 4I – Multiple Unit Dwellings or Businesses (Outside City Limits)

Commodity Charge: \$0.46 per 100 cu. ft. per month
Capacity Charge: \$2.10 per 100 cu. ft. per month

Water Rate – Code 4J – Fire Protection Service (Outside City Limits)

Commodity Charge: \$0.46 per 100 cu. ft. per month
Capacity Charge: \$6.24 per 100 cu. ft. per month

Water Rate – Code 4K – Combined General & Private Fire Protection Service (Inside City Limits)

Commodity Charge: \$0.46 per 100 cu. ft. per month
Capacity Charge: \$0.82 per 100 cu. ft. per month

Water Rate – Code 4L – Combined General & Private Fire Protection Service (Outside City Limits)

Commodity Charge: \$0.46 per 100 cu. ft. per month
Capacity Charge: \$2.10 per 100 cu. ft. per month

Water Rate – Code 4M – Separate Private Fire Protection Service (Inside City Limits) - DELETED

Water Rate – Code 4N – Separate Private Fire Protection Service (Outside City Limits) - DELETED

Water Rate – Code 4O – Fire Protection Service (Rural)

Commodity Charge: \$0.46 per 100 cu. ft. per month
Capacity Charge: \$7.58 per 100 cu. ft. per month

Water Rate – Code 4P – Fire Hydrants (Inside City Limits)

Service Charge: \$9.44 per fire hydrant per month

Water Rate – Code 4Q – Fire Hydrants (Outside City Limits)

Service Charge: \$18.88 per fire hydrant per month

Water Rate – Code 4R – Wholesale

Commodity Charge: \$0.46 per 100 cu. ft. per month
Capacity Charge: \$0.98 per 100 cu. ft. per month
Service Charge: \$218.85 per month

Water Rate – Code 4S – Town of Norway – Wholesale - DELETED

Water Rate – Code 4T, 4U, 4V – General Service (Rural)

Commodity Charge: \$0.46 per 100 cu. ft. per month
Capacity Charge: \$2.61 per 100 cu. ft. per month

Water Rate – Code 4W – Multiple United Dwellings or Businesses (Rural)

Commodity Charge: \$0.46 per 100 cu. ft. per month
Capacity Charge: \$2.61 per 100 cu. ft. per month

Water Rate – Code 4X – Detecto Check Fire Service (Rural) - DELETED

Water Rate – Code 4Y – Combined General & Private Fire Protection Service (Rural)

Commodity Charge: \$0.46 per 100 cu. ft. per month
Capacity Charge: \$2.61 per 100 cu. ft. per month

Water Rate – Code 4Z – Bulk Water Sales (Inside or Outside City Limits)

Commodity Charge: \$0.46 per 100 cu. ft. per month
Capacity Charge: \$6.24 per 100 cu. ft. per month

Wastewater Rate – Code 5A – Small General Service (Inside City Limits)

Commodity Charge: \$0.28 per 100 cu. ft. per month
Capacity Charge: \$1.40 per 100 cu. ft. per month
Service Charge: \$12.89 per unit per month

Wastewater Rate – Code 5B – Commercial (Inside City Limits)

Commodity Charge: \$0.28 per 100 cu. ft. per month
Capacity Charge: \$1.40 per 100 cu. ft. per month
Service Charge: \$12.89 per unit per month

Wastewater Rate – Code 5C – Industrial (Inside City Limits)

Commodity Charge: \$0.28 per 100 cu. ft. per month
Capacity Charge: \$1.40 per 100 cu. ft. per month
Service Charge: \$32.21 per unit per month

Wastewater Rate – Code 5D – Small General Service (Outside City Limits)

Commodity Charge: \$0.28 per 100 cu. ft. per month
Capacity Charge: \$3.08 per 100 cu. ft. per month
Service Charge: \$25.78 per unit per month

Wastewater Rate – Code 5E – Commercial (Outside City Limits)

Commodity Charge: \$0.28 per 100 cu. ft. per month
Capacity Charge: \$3.08 per 100 cu. ft. per month
Service Charge: \$25.78 per unit per month

Wastewater Rate – Code 5F – Industrial (Outside City Limits)

Commodity Charge: \$0.28 per 100 cu. ft. per month
Capacity Charge: \$3.08 per 100 cu. ft. per month
Service Charge: \$64.42 per unit per month

Wastewater Rate – Code 5H – Multiple United Dwellings or Businesses (Inside City Limits)

Commodity Charge: \$0.28 per 100 cu. ft. per month
Capacity Charge: \$1.40 per 100 cu. ft. per month
Service Charge: \$12.89 per unit per month

Wastewater Rate – Code 5I – Multiple Unit Dwellings or Businesses (Outside City Limits)

Commodity Charge: \$0.28 per 100 cu. ft. per month
Capacity Charge: \$3.08 per 100 cu. ft. per month
Service Charge: \$25.78 per unit per month

Wastewater Rate – Code 5J – Wholesale (Outside City Limits)

Commodity Charge: \$0.28 per 100 cu. ft. per month
Capacity Charge: \$2.26 per 100 cu. ft. per month
Service Charge: \$25.78 per unit per month

**DONE AND RATIFIED BY THE CITY OF ORANGEBURG, STATE OF SOUTH CAROLINA
THIS 19th DAY OF SEPTEMBER, 2017.**



Michael C. Butler
Mayor
Sam O. Hare
Dana L. Cobb
Alfred B. Boward
Chad D. King
Richard A. Starnes

Members of Council

ATTEST:
[Signature]
City Clerk

ORDINANCE NO. 2017-8

AN ORDINANCE ADOPTING THE 2016-2026 COMPREHENSIVE PLAN FOR THE CITY OF ORANGEBURG, SOUTH CAROLINA

WHEREAS, the General Assembly of South Carolina enacted in 1994 an amendment to the Code of Laws of South Carolina by adding Chapter 29, Title 6, "South Carolina Local Government Comprehensive Planning Enabling Act of 1994", and repealing all previously enacted planning Acts and Codes; and,

WHEREAS, the 1994 Enabling Act requires that the local governing body develop and maintain a planning process, which will result in the systematic preparation and continued reevaluation and updating of those elements considered critical, necessary, and desirable to guide the development and redevelopment of its area of jurisdiction; and,

WHEREAS, the Planning Commission has completed an update and revision of the City's Comprehensive Plan, including all nine elements of the Plan: Population, Economic Development, Natural Resources, Cultural Resources, Community Facilities, Housing, Land Use, Transportation and Priority Investment and recommended its adoption to City Council; and,

WHEREAS, the City Council duly advertised and conducted a Public Hearing on said Comprehensive Plan.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and City Council of the City of Orangeburg, State of South Carolina, in Council duly assembled and by the authority of same, does hereby adopt by Ordinance the 2016-2026 Comprehensive Plan for the City of Orangeburg, South Carolina, as a guide to the orderly development of the City and as a basis for zoning or rezoning property within the City, as now or hereafter established.

Done and ratified in Council assembled this 21st day of November 2017



Michael B. Bell
Mayor
Chris Ferguson
Jeffrey
Gene Haire
L. Zimmerman
Richard J. Stone
Doreen P. Kyles
Councilmembers

ATTEST:

Candy Ann
City Clerk