



Town of Hilton Head Island
**Community Services & Public Safety
Committee Meeting**

Monday, April 17, 2023, 10:00 AM

AGENDA

The Community Services and Public Safety Committee meeting will be held in-person at Town Hall in the Benjamin M. Racusin Council Chambers. The meeting can be viewed on the [Town's YouTube Channel](#), the [Beaufort County Channel](#), and Spectrum Channel 1304.

1. Call to Order

- 2. FOIA Compliance:** Public notification of this meeting has been published, posted, and distributed in compliance with the South Carolina Freedom of Information Act and the requirements of the Town of Hilton Head Island.

3. Roll Call

4. Approval of the Minutes

- a. Regular Meeting – March 20, 2023

- 5. Appearance by Citizens:** Citizens who wish to address the Committee may do so by contacting the Town Clerk at 843.341.4646, no later than 12:00 p.m., Sunday, April 16, 2023. Citizens may also submit written comments on the agenda item via the [Open Town Hall Portal](#).

6. Unfinished Business

- a. Preliminary Discussion of Beach Parking Management Program
- i. Policy Considerations
 - ii. Operations Considerations

7. New Business

- a. Consideration of a Resolution supporting the proposed approach to complete a Strengths, Weaknesses, Opportunities, and Threats (SWOT) Assessment for Solid Waste and Recycling for Hilton Head Island
- b. Review of Proposed Amendments to the Franchise Agreement between the Town of Hilton Head Island and Shore Beach Services, Inc. concerning the allocation of lifeguard personnel

8. Executive Session

- a. Discussion of Personnel Matters [pursuant to the South Carolina Freedom of Information Act Section 30-4-70(a)(1)] Related to:
- i. Appointments to Town Boards, Commissions, and Committees
 - 1. Accommodations Tax Advisory Committee
 - 2. Board of Zoning Appeals

3. Parks and Recreation Commission
4. Planning Commission

9. Possible Action by the Committee Concerning Matters Discussed in Executive Session

10. Adjournment

Please note, a quorum of Town Council may result if four (4) or more of their members attend this meeting.



Town of Hilton Head Island COMMUNITY SERVICES & PUBLIC SAFETY COMMITTEE Monday, March 20, 2023, 10:00 a.m. MINUTES

Present from Committee: Tamara Becker, *Chair*; Steve Alfred, Patsy Brison, Alex Brown, *Committee Members*

Present from Town Council: David Ames, Glenn Stanford

Present from Town Staff: Josh Gruber, *Deputy Town Manager*; Jeff Buckalew, *Town Engineer*; Mac Deford, *General Counsel*; Shawn Colin, *Assistant Town Manager – Community Development*; Angie Stone, *Assistant Town Manager*; Taylor Ladd, *Projects Manager*; Aaron Black, *Facilities Manager*; Bob Bromage, *Public Safety Director*; Bryan McIlwee, *Assistant Community Development Director*; Cindaia Ervin, *Interim Town Clerk*

1. Call to Order

Chair Becker called the meeting to order at 10:00 a.m.

2. FOIA Compliance:

Public notification of this meeting has been published, posted, and distributed in compliance with the South Carolina Freedom of Information Act and the requirements of the Town of Hilton Head Island.

Ms. Ervin confirmed compliance with the SC Freedom of Information Act.

3. Roll Call

Attendance was confirmed by way of roll call.

4. Approval of the Minutes

- a. Regular Meeting – January 23, 2023
- b. Special Meeting – February 23, 2023
- c. Special Meeting – February 24, 2023
- d. Regular Meeting – February 27, 2023
- e. Special Meeting – March 1, 2023
- f. Special Meeting – March 13, 2023

Mr. Alfred moved to approve. Ms. Brison seconded. Motion carried 4-0.

5. Appearance by Citizens:

Mr. Frank Babel addressed the Committee regarding beach parking.

6. New Business

- a. Preliminary Discussion of Beach Parking Management Program
 - i. Policy Considerations
 - ii. Operations Considerations

Jeff Buckalew, Mac Deford delivered presentations, reviewing this matter with the committee. They answered questions posed to him by the committee, taking the feedback and input to prepare for further discussion. Jack Skelton of PCI was on hand to explain procedures and answer questions. Committee members provided input regarding the program. Mr. Jack Daly provided public comment.

7. Adjournment

The meeting was adjourned at 11:45 a.m.

Drafted and Submitted by:
Vicki L. Pfannenschmidt
Temporary Administrative Assistant

APPROVED:

The recording of this meeting can be found on the Town's website at www.hiltonheadislandsc.gov



TOWN OF HILTON HEAD ISLAND

Community Services and Public Safety Committee

TO: Community Services and Public Safety Committee
FROM: Jeff Buckalew, PE, Town Engineer
Mac Deford, General Counsel
VIA: Bryan McIlwee, PE, Assistant Community Development Director
Shawn Colin, AICP, Assistant Town Manager – Community
Development
CC: Marc Orlando, Town Manager
DATE: April 17, 2023
SUBJECT: Preliminary Discussion of Beach Parking Management Program

RECOMMENDATION:

Community Services and Public Safety Committee continue discussion of the Beach Parking Management Program and provide staff input and direction towards implementation of policy and operations considerations.

Policy Framework

Town staff is seeking input from the Community Services and Public Safety Committee on policy considerations for the proposed Beach Parking Management Ordinance. These considerations will ultimately form the basis for the proposed Ordinance, which will be presented to the Committee and Town Council for further evaluation and decision-making.

The need for a new Beach Parking Management Ordinance has been identified to achieve the following objectives:

- Establish a general policy framework for beach parking management that is intended to ensure public safety, parking accessibility, and convenience of beachgoers while promoting the efficient use of parking resources;
- Allow new parking technology solutions for parking management;
- Define paid beach parking areas;
- Establish beach parking policies, such as paid parking rates, times, and locations;
- Grant authority to the Town Manager to oversee enforcement and administration of the Beach Parking Management Ordinance.

The key provisions to be included in the Beach Parking Management Ordinance are as follows:

- Purpose and intent statement
 - This section will outline the overarching goals and objectives of the Ordinance, such as ensuring public safety, accessibility, and convenience of beachgoers, and promoting the effective use of parking resources.
- Definitions
 - This section will provide clear definitions for the terms used throughout the Ordinance, such as beach area, paid parking area, peak season, and off-peak season, to ensure a common understanding of the language and concepts.
- Authorization to implement and use parking technology solutions
 - This provision will grant the Town the authority to incorporate parking technology solutions, such as electronic payment systems (e.g., text-to-park), real-time parking space availability information systems, and automated parking enforcement tools, to improve the overall efficient and effectiveness of public beach parking management.
- Parking fees and resident beach parking access
 - This provision will establish the parking the parking fees to be charged during hours of operation and provides for the issuance of resident beach parking passes, allowing eligible Hilton Head Island residents to obtain a seasonal or yearly parking pass without paying hourly or daily parking fees. It will also include a provision allowing the Town Council to establish the parking rates by Resolution, ensuring that rates can be adjusted if needed to address changing in parking demand and community needs.
- Hours of operation
 - This section will define the hours of operation for beach parking.
- Rules, regulations, and exemptions
 - This provision will outline the specific parking regulations, such as no parking zones, emergency vehicle access, overnight parking restrictions, as well as any exemptions for certain types of vehicles or circumstances.
- Administrative penalties and fines
 - This section will establish a schedule of penalties or fines for parking violations, ensuring the consequences for non-compliance are clearly defined and proportionate to the severity of the infraction.
- Appeals procedures
 - This provision will outline a two-layered appeals process for individuals to appeal parking violations, ensuring a fair and transparent system for reviewing and resolving disputes relating to parking enforcement actions.

Operations Framework

Programs

Resident Beach Parking Permit program – communication, virtual permitting, enforcement of protected spaces. Town staff has always managed this program, but PCI shall assume management of this as soon as the contract is signed.

Public Engagement – PCI will work with Town communications staff to inform the public of the Town’s parking management program.

Projects

PCI will install capital improvements to Town beach parks designed to facilitate the efficient operation and enforcement of the Town’s beach parking management program.

- Automated Parking Gates – 13 new gates shall be installed at certain parks.
- Fixed Camera License Plate Readers (LPR) – 22 cameras strategically placed to read the license plates of vehicles entering the parks.
- In-ground Sensors (pucks) – 153 sensors installed in resident permit only parking spaces to read key fobs with Bluetooth technology.
- Signs – Aesthetic pay-to-park instructional signs with scannable QR code shall be installed
- Launch web site and mobile app to centralize customer friendly information

BACKGROUND:

On October 27, 2020, Walker Consultants presented their proposed Beach Parking Master Plan to Town Council at a workshop.

On November 4, 2020, the Town Council voted 7-0 to accept the Walker Consultants master plan as submitted, with the understanding that specific action items identified within the plan would need to be further discussed and acted upon by Town Council prior to being implemented.

On November 19, 2020, and again on February 25, 2021, the Public Planning Committee met to discuss the Walker Consultants Beach Parking Master Plan and to understand what next steps would need to be taken in pursuit of implementing the plan.

On November 15, 2021, the Town held morning and evening public engagement forums to discuss the Beach Parking Master Plan.

On August 4, 2022, the Public Planning Committee heard a presentation from PCI of their proposed parking management services and endorsed to Town Council the authorization to enter into a contractual agreement with PCI for Beach Parking Management Services. Mr. Stanford moved to forward to Town Council the Resolution authorizing the Town Manager to enter contractual negotiations with PCI Municipal Services to provide beach parking operations, management, and enforcement services within an agreed upon scope of services authorized by the Town Council. Mrs. Becker seconded. With limited discussion, the motion carried 4-0.

On September 20, 2022, Town Council approved a resolution approving the Scope of Work for the contract with PCI for Beach Parking Management Services.

On February 21, 2023, Town Council approved a budget amendment to fully fund the PCI contract for parking management services, including operating and capital expenditures scope of services for fiscal year 2023.

On March 20, 2023, staff presented policy and operations considerations for preliminary discussion of Beach Parking Management Program to the Community Services and Public Safety Committee.

SUMMARY:

The Town has entered enter into a contract with PCI Municipal Services, LLC to provide parking management and enforcement services. The schedule to implement the new beach parking program is as follows:

Proposed Implementation Schedule

- Execute PCI Contract – March 2023 - COMPLETE
- Residential Parking Permit Launched: no later than April 1, 2023
COMPLETE
- Develop Communications Plan: no later than May 1, 2023
- Policies and Procedures Manual: no later than June 1, 2023
- Capital Improvements installed: no later than June 1, 2023
- Technology Implementation: no later than June 1, 2023
- Adopt Beach Parking Management Ordinance: no later than August 1, 2023
- Setting New Fees (if desired): no later than August 1, 2023
- Soft Program Launch: no later than January 1, 2024
- Full Program Launch: no later than March 1, 2024

ATTACHMENTS:

1. Beach Parking Management Program Discussion

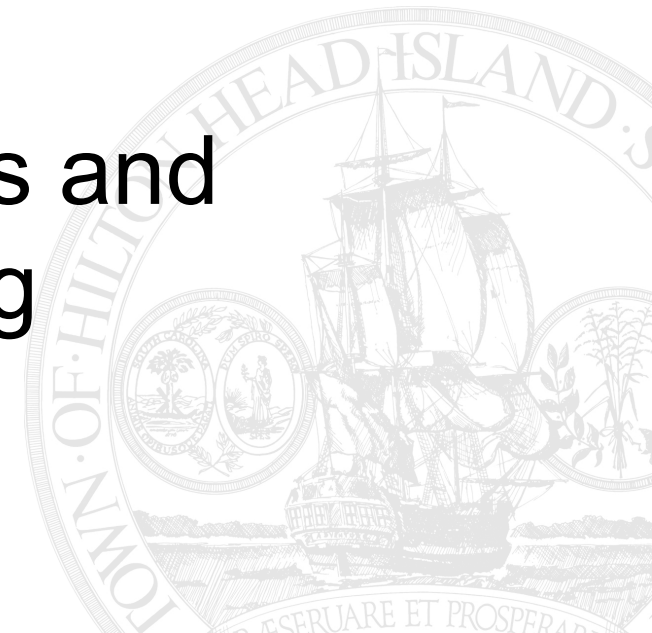
Town of Hilton Head Island

Beach Parking Management Program

Community Services & Public Safety Committee

April 17, 2023

Preliminary Discussion of Operations and
Policy considerations concerning
Beach Parking Management



Beach Parking Management Program Update - Introduction

- ***The Town hired a parking consultant, Walker Consultants, in 2020 to conduct an inventory and assessment of current beach parking and propose a master plan for an improved beach parking management program.***
- ***Several public meetings were held, and presentations made as the Walker plan was vetted and ultimately approved by Town Council.***
- ***PCI Municipal Services (PCI) was then selected via an RFQ process as the most qualified firm to implement the new beach parking management program – from selling residential permits and collecting fees, to enforcement of parking violations.***
- ***The PCI scope of work was approved by Town Council Resolution and the budget was recently amended to fully fund the PCI contract. PCI will handle all program operations, with Town oversight.***
- ***There are policy decisions needed via an ordinance amending the Town Code. This will be known as the Beach Parking Management Ordinance.***
- ***New parking rates may be established by Town Council via Resolution.***



Beach Parking Management Program Update – Background and History

- **10/27/20 – Town Council heard the Walker Consultants presentation of their proposed Beach Parking Master Plan at a public workshop.**
- **11/4/20 - Town Council voted 7-0 to accept the Walker Consultants master plan as submitted, with the understanding that specific action items would need to be further discussed and acted upon by Town Council prior to being implemented.**
- **11/19/20 & 2/25/21 - Public Planning Committee discussed the Walker Consultants Beach Parking Master Plan and the next steps needed to implement the plan.**
- **11/15/21 - The Town held morning and evening public engagement forums to discuss the Beach Parking Master Plan at Lowcountry Celebration Park and the HHI Library**
- **8/4/22 - Public Planning Committee heard a presentation from PCI of their proposed parking management services (scope of work) and endorsed to Town Council the authorization to enter into a contractual agreement with PCI for Beach Parking Management Services.**
- **9/20/22 - Town Council approved a resolution approving the Beach Parking Management Services scope of work for the PCI contract.**
- **2/21/23 - Town Council approved a budget amendment to fully fund the PCI contract for parking management services.**

Beach Parking Management Program Update - Timeline

Proposed Implementation Schedule

- **Execute PCI Contract – March 2023**
- **Residential Parking Permit Launched: no later than April 1, 2023**
- **Develop Communications Plan: no later than May 1, 2023**
- **Policies and Procedures Manual: no later than June 1, 2023**
- **Capital Improvements installed: no later than June 1, 2023**
- **Technology Implementation: no later than June 1, 2023**
- **Adopt Beach Parking Management Ordinance: no later than August 1, 2023**
- **Setting New Fees (if desired): no later than August 1, 2023**
- **Soft Program Launch: no later than January 1, 2024**
- **Full Program Launch: no later than March 1, 2024**



Beach Parking Management Program Update

- ***We will discuss the Operations and Policy issues of the program***
- ***Resident Parking Passes – being administered by PCI.***
- ***Public Engagement – PCI and Town communications are working to inform the public of the Town’s parking management program.***
- ***Drafting the Beach Parking Management Ordinance and authorization of Town Manager to administer parking policies adopted by Town Council***



Beach Parking Management

Program Update – PCI as Parking Management Firm

PCI Contract

- ***PCI has an office located at 32 Office Park Road, Suite 108***
- ***PCI has a General Manager, Matt Truhlar, in place and ready to work***
- ***PCI shall procure and install parking management related capital improvements***
- ***PCI shall administer mobile payment solution (text-to-park)***
- ***PCI shall administer a Beach Parking web site***
- ***PCI shall monitor and enforce parking violations (through LPR and staff)***
- ***PCI shall provide parking attendants and ambassadors***



Beach Parking Management *Program Update*

Residential Parking Passes

No change to policy, eligibility or fee, just the administration (sale and enforcement of the passes)

- ***PCI shall administer sale of passes – pay on-line, by mail, or in-person***
- ***Pass shall be the vehicle's registration and license plate (no more decals)***
- ***Ground-mounted sensors to be installed to register vehicle***
- ***Full-time attendant at Islanders to enforce use of spaces, roaming attendant to enforce at Driessen***



Beach Parking Management

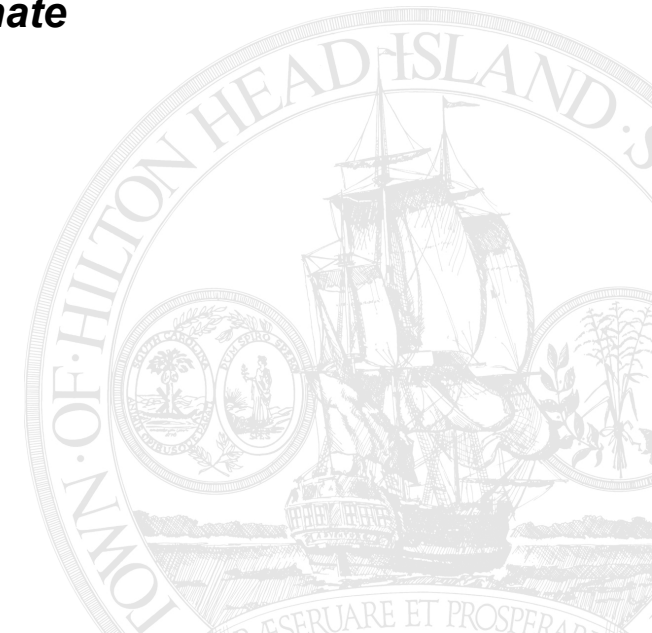
Projects Update - Communications

Implement Communications Plan for the Parking Management Program

- ***PCI will develop and host a web site devoted to Hilton Head Island Beach Parking.***
- ***PCI will contact (via mail) all current residential beach pass holders to offer renewal under the new program***
- ***PCI will work with Town Communications Department to develop and disseminate coordinated messages and information regarding beach parking.***

Other elements to include:

- ***Digital Platforms***
- ***Social Media***
- ***E-mail Updates***
- ***Press Releases***
- ***Community Engagement***
- ***Open Houses***
- ***Reporting to Town Council as directed***



Town of Hilton Head Island

Beach Parking Management Ordinance Policy Overview

Community Services & Public Safety Committee

April 17, 2023



Beach Parking Management Ordinance

Policy Overview & Discussion

Introduction

- A new Beach Parking Management Ordinance is needed to:
 - **Establish a general policy framework for beach parking management that is intended:**
 - ❖ **Ensure public safety, parking accessibility, and convenience of beachgoers**
 - ❖ **Promote the efficient use of parking resources**
 - ❖ **With minimal adverse effect to the neighboring environment**
 - **Allow use of new Parking Technology Solutions for parking management**
 - **Define paid beach parking areas**
 - **Establish beach parking policies, such as paid parking rates, times, and locations**
 - **Grant authority to the Town Manager or his/her designee to oversee enforcement and administration of the Ordinance**



Beach Parking Management Ordinance

Policy Overview & Discussion

Establishment of a Beach Parking Management Ordinance

➤ Purpose and intent:

- ***The purpose of this ordinance is to establish regulations for the management of paid parking areas for public beach access within the jurisdiction of the Town of Hilton Head Island. The intent of this ordinance is to promote the effective use of Town parking resources and ensure the public safety, accessibility, and convenience of beachgoers, all while minimizing any adverse effects on the neighboring environment.***

➤ Overview & Structure of Ordinance:

- **Definitions**
- **Authorization of parking technology solutions**
- **Parking fees and resident beach parking passes**
 - **Resolution to adopt parking fees**
- **Hours of operation**
 - **Resolution to adopt hours of operation**
- **Rules, regulations & exemptions**
- **Administrative penalties and fines**
- **Appeals procedure**



Beach Parking Management Ordinance

Definitions

Key terms

- **Public beach access area:** *The area designated as a public beach access by the Town.*
- **Paid parking area:** *Any area designated by the Town for parking that requires payment and as depicted in table 1.*
- **Parking authority:** *The Town or its designee.*
- **Summer months:** *From the second Sunday in March (daylight savings time begins) to the first Sunday in November (daylight savings time ends). [OPTIONAL]*
- **Winter months:** *From the first Monday in November (daylight savings time ends) to the second Sunday in March (daylight savings time begins). [OPTIONAL]*



Beach Parking Management Ordinance

Parking Technology Solutions

Authorization to use parking technology solutions

- **Amendments to current code provisions (Sec. 12-3-112; 113; and 114) to allow for parking technology solutions, including but not limited to:**
 - Electronic payment systems for parking fees, such as text-to-pay
 - Real-time parking space availability systems
 - Automated parking enforcement tools, such as license plate recognition systems
- **Parking technology solutions will comply with all applicable laws and regulations, including data privacy and security requirements.**



Beach Parking Management Ordinance

Parking Fees & Resident Beach Parking Passes

Parking fees

- **Town council to establish fees within reasonable, prevailing local rates**
 - Parking rates will be established by a Resolution of Town Council
 - Resident beach pass permit holders are not subject to regular fees
 - A maximum time period for parking may be implemented to manage parking space availability and encourage turnover, particularly in high-demand areas
 - ❖ Alternatively, a progressive pricing structure that increases incrementally with the duration of the parking stay (e.g., fee increases by \$4/hr after 6 hours)
 - Parking rates can be seasonally adjusted and tailored to each paid parking area, or the same rate applied to all paid parking areas
- **Payments to be made through the designated payment mechanism installed and managed by the parking authority**
- **Parking authority to enforce parking fees, issue administrative citations, and take other appropriate measures to ensure compliance (e.g., vehicle immobilization)**





Beach Parking Management Ordinance

Parking Fees & Resident Beach Parking Passes

Parking fees cont.

Resident beach parking passes

- **Allows for the Town to issue beach parking passes to primary residents of Hilton Head Island**
- **Yearly fee (\$15.00/year) instead of hourly or daily rates**
- **Affords parking at all beach parks, with designated spaces at Islanders and Driessen**

Business beach parking passes

- **Would allow for businesses to purchase yearly or seasonal for employees**
- **Bulk discounts could be structured to incentivize participation in the program and make it more affordable for businesses to provide parking for their employees**





Beach Parking Management Ordinance

Parking Fees & Resident Beach Parking Passes

Parking fees

- **The Walker study recommended varying rates at different parks and sliding seasonal rates, with peak season from June to September, and off season from October to May. Daily rates and annual rates can be provided as well.**

Beach Parks	Hourly Rates	Hourly Rates
	June – Sept	Oct - May
South Island - Alder Lane, Coligny Beach Park, LCP	\$4.00	\$2.00
Mid-Island - Chaplin / Burkes Beach, Driessen, Folly Field, Islanders (25 public spaces)	\$3.00	\$1.50
North-Island - Fish Haul, Barker	\$2.00	\$1.00

- **A recent sampling of NC, SC, GA, and FL beach community paid parking programs yielded an average hourly rate of \$3.72.**
- **The Town may consider a daily maximum**



Beach Parking Management Ordinance

Hours of Operation

Three primary options

1. Hours of operation set in accordance with certain times of year (e.g., defining “peak season” and “off-peak season” or in accordance with daylight savings time)
2. An “across the board” hours of operation (e.g., 6am – 9pm)
3. Hours of operation set by Town Council for each specific paid parking area taking into account parking demands:
 - **Mid & North Island:**
 - ❖ Fish Haul Beach Park
 - ❖ Castnet Drive Beach Park
 - ❖ Chaplin Park Beach Parking
 - ❖ Driessen Beach Parking
 - ❖ Folly Field Beach Parking
 - ❖ Islanders Beach Parking
 - **South Island:**
 - ❖ Alder Lane Beach Parking
 - ❖ Coligny Beach Parking

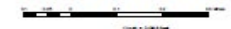


Beach Parking Management Ordinance

Middle & North Island Beach Parking Areas



Town of Hilton Head Island
Mid and North Island Beach Parking



Beach Parking Management Ordinance

South Island Beach Parking Areas



Beach Parking Management Ordinance

Rules, Regulations & Exemptions

Rules & regulations

- **No parking outside of hours of operation**
- **No parking in unauthorized zones**
- **Certain areas reserved for emergency vehicles only**

Exemptions

- **Exemptions for emergency vehicles, vehicles of disabled persons with appropriate placards or license plates, and Town officials engaged in official duties**
- **Exemption of paid parking for permitted special events as approved by the Town Manager or his/her designee**



Beach Parking Management Ordinance

Administrative Penalties & Fines

Graduated penalty approach

- **This approach offers a proportional response to infringements. It also gives individuals a chance to correct behavior before facing more severe consequences. By deterring repeat offenders and promoting adherence to parking regulations, the primary objective is to foster compliance with parking regulations rather than impose punitive outcomes**

- **Example graduated penalty schedule:**
 - **First violation: fine of \$50 and reminder of parking restrictions**
 - **Second violation: fine of \$100 and notification of potential tow / immobilization**
 - **Third violation and subsequent violations: fine of \$150 and towing or immobilization of vehicle at owner's expense**

*Note, the Town's general penalty provision will apply to the destruction of any paid parking device



Beach Parking Management Ordinance

Appeals Process

Two layers of appeals

➤ Example appeals criteria:

- **Incorrect or missing information on ticket (e.g., wrong license plate number)**
- **Valid parking permit**
- **Signage or marking issues (e.g., parking restrictions were not clearly marked)**
- **Emergency or unforeseen circumstances**
- **Defects in parking technology**

➤ Appeal to parking authority (e.g., PCI Municipal Services):

- **Any person receiving a parking violation may make a written appeal to the parking authority within 30 days of receiving the citation**
- **Parking authority must review the appeal and issue a written decision within 30 days of receiving the appeal**

➤ Appeal to Town Manager or his/her designee:

- **If the person disagrees with the parking authority's decision, he or she may appeal to the Town Manager or his/her designee, including statements of fact and conclusions of law to support the appeal**
- **The Town Manager or his/her designee shall issue a written decision within 30 days of receiving the appeal**
- **Decision of the Town Manager or his/her designee is final**





Beach Parking Management Ordinance

Question, Discussion & Answer Session

QUESTIONS?





TOWN OF HILTON HEAD ISLAND

Community Services & Public Safety Committee

TO: Community Services and Public Safety Committee
FROM: Jeff Buckalew, PE, Town Engineer
VIA: Bryan McIlwee, PE, Assistant Community Development Director
Shawn Colin, AICP, Assistant Town Manager – Community Development
CC: Marc Orlando, Town Manager
DATE: April 17, 2023
SUBJECT: Consideration of a Resolution supporting the proposed approach to complete a Strengths, Weaknesses, Opportunities, and Threats (SWOT) Assessment for Solid Waste and Recycling for Hilton Head Island

RECOMMENDATION:

Consideration of a Resolution (Attachment 1) supporting the proposed approach to complete a Strengths, Weaknesses, Opportunities, and Threats (SWOT) Assessment for Solid Waste and Recycling for Hilton Head Island.

BACKGROUND:

There is an initiative in the Town of Hilton Head Island FY2021-22 Strategic Action Plan to identify Strengths, Weaknesses, Opportunities & Threats (SWOT) of Hilton Head Island Solid Waste and Recycling (Attachment 2).

Staff has procured the ability to contract with A. Goldsmith Resources, LLC (AGR), an expert consultant in the field and the preparer of the recently updated Beaufort County Solid Waste Management Plan (2022-2041), via a single source procurement.

Staff has prepared an approach and general scope of services (Attachment 3), to be included in the pending SWOT analysis. If this approach is approved by Town Council, staff will negotiate a contract with AGR to complete the analysis.

The Greater Island Council (Sustainability Advisory Committee) has offered to work with Town and County staff to advance the initiatives laid out in two resolutions to improve solid waste and recycling. On April 19, 2022, Town Council endorsed the first resolution of the Greater Island Council on solid waste, landfill, and recycling needs. On January 17, 2023, Town Council endorsed the second resolution of the Greater Island Council recommending Hilton Head Island Town Council and Beaufort County Council work together in the development of sustainable and viable long-term residential solid waste management and recycling agreement(s) to improve the efficiency of solid waste

disposal, recycling, and composting on Hilton Head Island and in Beaufort County. Both GIC resolutions are provided for reference as Attachment 4.

SUMMARY:

Committee recommendation and Council approval of a Resolution supporting the proposed approach and scope of services would allow execution of contract with AGR to perform the SWOT for Solid Waste and Recycling and complete this Strategic Action Plan priority.

ATTACHMENTS:

1. Resolution
2. Strategic Action Plan – Excerpt on Solid Waste and Recycling
3. Scope of Service Outline for SWOT Analysis
4. Greater Island Council Resolutions on Solid Waste and Recycling

ATTACHMENT 1

RESOLUTION 2023-_____

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF HILTON HEAD ISLAND, SOUTH CAROLINA, TO ENDORSE THE PROPOSED APPROACH TO COMPLETE A STRENGTHS, WEAKNESSES, OPPORTUNITIES, AND THREATS (OR SWOT) ANALYSIS FOR SOLID WASTE AND RECYCLING ON HILTON HEAD ISLAND.

WHEREAS, the Hilton Head Island Town Council and Beaufort County Councils have endorsed two recent resolutions from the Greater Island Council to work together in the development of a new long-term agreement that will secure the landfill and recycling needs of Hilton Head Island and Beaufort County, as described in Exhibit A; and

WHEREAS, the Town's Strategic Action Plan includes an environmental initiative to Identify the Strengths, Weaknesses, Opportunities, and Threats (SWOT) of Hilton Head Island Solid Waste and Recycling, as described in Exhibit B; and

WHEREAS, the proposed outline for the general scope of services to conduct the SWOT Analysis is described in Exhibit C.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Councilmembers of the Town of Hilton Head Island, in Council assembled, that the Town endorses the proposed approach to complete a Strengths, Weaknesses, Opportunities, and Threats Analysis for Solid Waste and Recycling on Hilton Head Island.

THIS RESOLUTION SHALL BE EFFECTIVE IMMEDIATELY UPON ITS ADOPTION.

MOVED, APPROVED, AND ADOPTED ON THIS _____ DAY OF _____, 2023.

ATTACHMENT 1

**TOWN OF HILTON HEAD ISLAND,
SOUTH CAROLINA**

Alan R. Perry, Mayor

ATTEST:

Cindaia L. Ervin, Assistant Town Clerk

APPROVED AS TO FORM

Curtis L. Coltrane, Town Attorney

Introduced by Council Member: _____

Identify Strengths, Weaknesses, Opportunities & Threats (SWOT) of Hilton Head Island Solid Waste & Recycling

Start Date: FY 2023

Project Manager: Jeff Buckalew, *Interim Infrastructure Services Director*

Department: Infrastructure Services

Description

Purpose:

The Town's **Our Plan** document lays out several goals related to increasing capacity with regards to processing recyclable materials and ensuring the long-term viability of solid waste disposal for the Island. To achieve these objective, the Town will need to work in coordination with Beaufort County as the agency responsible for household waste streams disposal for the entire county and jointly pursue opportunities that improve recycling and composting rates.

Phase 1: 3rd Quarter 2022 - 3rd Quarter 2023

- Pursue promotional and educational efforts to foster recycling, composting, and litter control.
- Engage in dialogue with Beaufort County regarding their long-range solid waste disposal and recycle programs. If they undertake revisions or update to their long-range plans, actively participate in such discussions in order to represent the goals of the Island in these plans.
- Propose discussions with Beaufort County regarding the potential creation of an off-Island materials processing center that would facilitate increases recycling rates from within the Town and the greater region.
- Examine the creation of composting models at highly visible sites around the Town.



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**Hilton Head Island Solid Waste and Recycling Strengths,
Weaknesses, Opportunities and Threats (SWOT) Analysis
Scope of Service**

Proposed Table of Contents

1. Introduction
2. Goals and Objectives of the Analysis
3. Executive Summary
4. Applicable Town, County and State Regulations
 - a. Recommended modifications to Town Code
5. Stakeholder Involvement (assistance by Town and County staff)
 - a. Steering Committee (Town of HHI, Beaufort County, GIC)
 - b. Stakeholder Identification
 - c. Public Outreach (Town web site, surveys, POA)
 - d. Documentation of stakeholders needs and desires
 - e. Develop Web Page on Town's efforts and other links
6. Gather and Review Relevant Data and Information
7. Assess Current Practices
 - a. Residential
 - b. Commercial
8. SWOT Analysis
 - a. Strengths
 - b. Weaknesses
 - c. Opportunities
 - d. Threats
 - e. Summary

Analysis shall consider, but not be limited to the following items:

Strengths

- Committed team of professionals, at County and Town and GIC, strong public interest and desire for improvements

Weaknesses

- Lack of a southern County Materials Recovery Facility (MRF)
- Restraints of Weekend landfill operations
- Consistent Ordinances

- Long-Term agreement for Convenience Center operations
- Public education on recycling

Opportunities

- Southern Beaufort County Materials Recovery Facility (MRF)
- Improved commercial recycling and public facilities recycling
- Curbside Public contracted recycling and solid waste collection
- Public education and information campaigns
- Diversion credits to haulers for recycling loads

Threats

- Landfill Constraints
- Delays in MRF Implementation
- Misinformation and Lack of Education regarding Recycling
- Short term guests – ease of recycling
- Commercial recycling

9. Prioritized Recommendations for implementation of Key Strategies and Projects

- a. Roles and Responsibilities
- b. Prioritization Scheme
- c. Funding Options
- d. Schedule

10. Recommendations for Future Studies and Analysis

11. References

12. List of Figures and Tables

13. Appendices

Greater Island Council Of Hilton Head Island and Bluffton

RESOLUTION RECOMMENDING HILTON HEAD ISLAND TOWN COUNCIL AND BEAUFORT COUNTY COUNCIL WORK TOGETHER IN THE DEVELOPMENT OF A NEW LONG-TERM AGREEMENT THAT WILL SECURE THE LANDFILL AND RECYCLING NEEDS OF HILTON HEAD ISLAND AND BEAUFORT COUNTY.

WHEREAS, Beaufort County Landfill is nearing the end of its lifespan and the current landfill operating agreement with Waste Management disincentivizes recycling; and

WHEREAS, the landfill operating contract is terming in 2025. A renegotiation, with an emphasis on recycling, is an opportunity that could promote landfill diversion (recycling) and extend the life of the landfill; and

WHEREAS, the 25-year landfill contract between Waste Management and Beaufort County comes up for renewal in 3 years (2025), and these contracts take years to renegotiate, and the closer to the end of the contract the more leverage the landfill operator has due to imminent expiration of the landfill services agreement. By taking a leadership position and acting now, the Town and the County will benefit both economically and environmentally; and

WHEREAS, any new contract should meet the following requirements:

- Be open during peak times to meet the needs of the local community.
- Include additional investment into recycling processing, which would increase the ability for recycling operations that may lead to financial advantages.
- Include development of a solid waste transfer station (this would enable Hilton Head to make reasonable, sustainable decisions about the waste and recycling hauling for HHI)
- Beaufort County should take greater control of the landfill and recycling operations to limit exposure to the whims of a corporation, and specifically, seek to develop a more long-term sustainable solution for recycling.

WHEREAS, Beaufort County is paying for Landfill disposal fees, but not paying for recycling processing fees, meaning that any robust recycling initiatives needed to reduce the waste, and extending the landfill life cycle, are not being explored. Commercial solid waste producers are required to pay disposal and recycling costs themselves. Exploring new recycling alternatives could be financially advantageous for the Town and Beaufort County.

NOW, THEREFORE, The Greater Island Council of Hilton Head Island and Bluffton strongly encourages the Hilton Head Town Council and Beaufort County Council to take a leadership position and work together to begin negotiations with the current landfill operator and any other potential landfill or recycling facility operators, and be proactive in the development of a new long-term agreement that will secure the landfill and recycling needs of Hilton Head Island and Beaufort County.

Ratified by the membership of the Greater Island Council of Hilton Head Island and Bluffton May 6, 2021.

A handwritten signature in blue ink that reads "Jennie Johnson". The signature is written in a cursive style and is positioned above a solid horizontal line.

Jennie Johnson, Chair

Greater Island Council Of Hilton Head Island and Bluffton

RESOLUTION RECOMMENDING HILTON HEAD ISLAND TOWN COUNCIL AND BEAUFORT COUNTY COUNCIL WORK TOGETHER, WITH THE SUPPORT OF THE GREATER ISLAND COUNCIL, TO DEVELOP SUSTAINABLE AND VIABLE LONG-TERM RESIDENTIAL SOLID WASTE MANAGEMENT AND RECYCLING AGREEMENT(S) TO IMPROVE THE EFFICIENCY OF SOLID WASTE DISPOSAL, RECYCLING, AND COMPOSTING ON HILTON HEAD ISLAND AND IN BEAUFORT COUNTY.

WHEREAS, The Beaufort County contracted Landfill is owned by Waste Management (WM) and is nearing capacity and endangers Beaufort County's ability to have a viable long-term solid waste, recycling, and organic waste disposal strategy; and

WHEREAS, Beaufort County's current contract with WM expires in 2025; and

WHEREAS, The current residential Solid Waste landfill and recycling processing agreement between Beaufort County and Waste Management presents a disincentive to recycling by adding additional costs to recycle material haulers thereby resulting in reduced recycling material being properly processed; and

WHEREAS, Beaufort County is taking steps to have greater control of solid waste and recycling by constructing a Materials Recovery Facilities (MRF) in Southern Beaufort County to replace the contract for use of the WM MRF Facility; and

WHEREAS, Beaufort County's new MRF Facility is intended to optimize efficient solid waste disposal, increase recycling tonnage, and collect organic composting materials, all of which have financial advantages to the County; and

WHEREAS, The Town of Hilton Head Island Our Plan policy and planning guiding document has identified several goals to ensure the long-term viability of solid waste disposal, increase recycling, and improve organic waste collection; and

WHEREAS, The Town of Hilton Head is undergoing a Strengths, Weaknesses, Opportunities, and Threats (SWOT) analysis to identify steps to take to ensure that the Island has a viable long-term plan for the management, effective, and efficient transferring of solid waste, recycling, and organic waste; and

WHEREAS, The Town of Hilton Head's solid waste, recycling, and organic composting will require close coordination with Beaufort County, as the Island's recycling materials will be sent to Beaufort County's MRF once constructed and operational; and

WHEREAS, Following the County's construction of the MRF, the Town of Hilton Head Island should work with Beaufort County to procure contracts with single haulers in geographical

Greater Island Council of Hilton Head Island and Bluffton Solid Waste and Recycling Program Resolution

areas of the Town, instead of multiple haulers, which would support the County's goals to "optimize efficient solid waste disposal, increase recycling tonnage, and collect organic composting"; and

WHEREAS, The Hilton Head Convenience Center should be expanded to allow for the greater collection of residential single-stream recycled materials and to include organic materials, and allowing residential haulers serving Hilton Head Island a place to off-load their trucks, further saving money by eliminating daily trips from Hilton Head to the Beaufort MRF; and

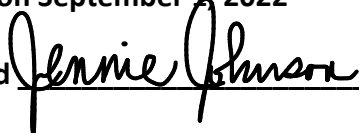
WHEREAS, A southern Beaufort County MRF and/or an improved and expanded Hilton Head Island Convenience Center would allow for more favorable terms in negotiating with single-stream recycling and organic waste haulers who would no longer have to make long, expensive and fuel consuming trips to the WM landfill and to the Beaufort MRF; and

WHEREAS, The Town of Hilton Head has asked the Greater Island Council to work with the leadership of the Town of Hilton Head Island and Beaufort County to develop a viable long-term solid waste, recycling, and organic waste management strategy; and

NOW, THEREFORE, The Greater Island Council of Hilton Head and Bluffton will engage with the leadership of Beaufort County and the Town of Hilton Head Island to achieve a viable, long-term solid waste, recycling, and organic waste solutions including the following:

1. **Support initiatives by Beaufort County to construct a Materials Recycling Facility (MRF) South of the Broad to process and dispose of recycling materials and organic waste thereby reducing waste deposited in Waste Management's landfill, extending the life of landfill, and reducing costs to County residents.**
2. **Following the County's construction of a MRF, support initiatives by the County in securing single-stream recycling and organic waste haulers for single family residential properties to reduce the number of providers (and trucks) on Hilton Head Island, resulting in reduced cost, reduced congestion, and improved recycling tonnage and accountability.**
3. **Improve and expand the Hilton Head Island Convenience Center to include recycling or composting of organic materials to further elevate the level of Island recycling, reduce cost, and meet the long term needs of Hilton Head Island and Beaufort County.**
4. **Consider expanding the Hilton Head Island Convenience Center into a solid waste and recycling transfer station to lower costs for haulers, save fuel and reduce traffic on and off the island.**

Ratified by the Membership of the Greater Island Council of Hilton Head Island and Bluffton September 1, 2022

Signed  _____

Jennie Johnson, Chair 09/02/2022



TOWN OF HILTON HEAD ISLAND

Community Services & Public Safety Committee

TO: CSPSC Committee Members
FROM: Mac Deford, *General Counsel*
VIA: Joshua Gruber, *Deputy Town Manager*
CC: Marc Orlando, *Town Manager*
DATE: April 10, 2023
SUBJECT: Review of Proposed Amendments to the Franchise Agreement
Between the Town of Hilton Head Island and Shore Beach Services,
Inc. Concerning the Allocation of Lifeguard Personnel

RECOMMENDATION:

The Legal Department has not identified any legal concerns in connection with the request from Shore Beach Services, Inc. ("SBS") to amend the Franchise Agreement. Approval is recommended.

BACKGROUND:

SBS provides lifeguard and beach rental equipment services to the Town under a Franchise Agreement dated May 24, 2019. On March 28, 2023, SBS submitted a letter to the Town's Legal Department requesting a modification to the Franchise Agreement (refer to the attachment). In summary, SBS seeks to amend the Franchise Agreement by (1) replacing the term "Rental Lifeguard" with "Rental Attendant," and (2) defining the responsibilities of Rental Attendants in offering supplementary support for beach patrol and emergency services.

SUMMARY:

With the proposed amendment to the Franchise Agreement, Rental Attendants would not have a primary obligation of beach monitoring as lifeguards. However, all Rental Attendants currently possess and will maintain lifeguard certification, enabling them to provide assistance to on-duty lifeguards when necessary.

ATTACHMENTS:

1. SBS Request Letter
2. Franchise Agreement dated May 24, 2019
3. SBS's requested modification to the Franchise Agreement



SHORE BEACH SERVICE, INC

HILTON HEAD ISLAND BEACH PATROL

116 Arrow Road-Hilton Head, SC 29928 - Phone (843) 785-3494 - Fax (843) 785-2023 - office@shorebeach.com

Mac Deford
General Counsel
Town of Hilton Head Island

Dear Mac:

Shore Beach Service has a Services Agreement with the Town of Hilton Head Island to operate the Beach Patrol. We are asking that Section III A of that agreement, which addresses the assignment of our lifeguard personnel, be amended as per the attached.

In summary, we are requesting 1) to change the term "Rental Lifeguard" to "Rental Attendant", and 2) to clarify their role in providing assistance to other Beach Patrol personnel, including Highchair Lifeguards.

Our Rental Attendants will still be lifeguards trained under United States Lifesaving Association (USLA) guidelines and will continue to assist with Beach Patrol duties as they have in the past.

Our Services Agreement requires us to have the USLA certification extended to open water lifeguard agencies. Currently, one of the USLA's standards states that a lifeguard assigned to water observation cannot conduct other activities not related to public safety. We have complied with this standard because our Highchair Lifeguards have the primary duty of water surveillance, while our Rental Lifeguards have the primary duty of conducting commercial activities and assisting in water surveillance when not conducting commercial activities.

At a November 2022 USLA meeting, there was a proposal to change the standard above to prevent any personnel identified as a lifeguard from conducting any activities, including commercial activities, not in the public interest. After much debate, the proposal was tabled until a USLA meeting to be held at the end of April 2023. In discussing the issue, it was strongly suggested that regardless of the outcome of the proposal any lifeguard personnel not assigned to water surveillance or specified public safety duties should not be in a uniform that identifies that person as a lifeguard. Therefore, our lifeguard personnel assigned to beach rentals will be identified as *Response Team* on the uniform, rather than as *Lifeguard* to more clearly illustrate that those staff members will respond to emergencies but are not directly responsible for water observation.

Please let me know if you have any questions.

Sincerely,

Mike Wagner
President

F07-R2019 Add#1

STATE OF SOUTH CAROLINA)
)
 BEAUFORT COUNTY)

**ADDENDUM #1 TO TOWN/
 SHORE BEACH SERVICES,
 INC. AGREEMENT**

WHEREAS, an Agreement (F7-R2019) was made and entered into on May 24, 2019 between the Town of Hilton Head Island (hereinafter the "Town") and Shore Beach Services, Inc. (hereinafter "Franchisee"); and

WHEREAS, Franchisee entered into a non-exclusive Franchise Agreement with the Town for the purpose of conducting, within defined beach areas, certain commercial activities, specifically, the leasing only of specific items and providing beach services; and

WHEREAS, the Town has installed new trash corral structures at Town beach park access points in order to enclose existing trash and recycling containers; and

WHEREAS, due to additional labor costs associated with maintenance of the trash corrals by Franchisee, the Town and Franchisee desire to modify the Agreement to provide additional compensation in the amount of two thousand four hundred dollars (\$2,400) to Franchisee in Year 1 of the Agreement.

NOW THEREFORE, the Town and Franchisee hereby amend the Agreement as follows:

Section VII.A of Exhibit 1 of Exhibit B (the Services Agreement) is hereby modified replaced in its entirety as follows:

- A. Beach Patrol Fees – The Contractor shall bill the Town for the Beach Patrol Services listed below in monthly installments. Amounts billed shall be inclusive of all labor, equipment and materials necessary to provide the full scope of services described in this Services Agreement. The amounts billable for Contract Year 1 are shown below.

Shore Beach Services, Inc. Town of Hilton Head Island Detail Of Proposed Annual Fees Payable To Contractor For Service Year 1 With 1% Franchise Fee											
Calendar Month	Lettered Columns References Are To Exhibit 1, Section II.										Totals
	A Beach Patrol Director	B Beach Patrol	C Night Patrol	D Expanded Trash Pickup	E & F Trash Pickup*	G PWC's	H Animal Control	I Recycling*	J Beach Matting	K Dog Litter Stations	
2019 July	\$ -	\$ 21,137	\$ 1,965	\$ 6,364	\$ 13,417	\$ 2,351	\$ -	\$ 1,475	\$ 660	\$ 60	\$ 47,429
2019 August	-	21,137	1,965	6,364	10,901	2,351	-	1,070.00	460	100	44,348
2019 September	-	14,091	1,902	4,620	4,463	228	-	585.00	520	60	26,469
2019 October	-	-	-	-	3,083	-	-	330.00	720	120	4,253
2019 November	-	-	-	-	3,246	-	-	40.00	360	140	3,786
2019 December	-	-	-	-	4,193	-	-	40.00	335	120	4,688
2020 January	-	-	-	-	4,968	-	-	44.00	465	132	5,609
2020 February	-	-	-	-	4,487	-	-	944.00	465	154	6,050
2020 March	-	-	-	-	9,391	-	-	412.00	465	88	10,356
2020 April	-	15,312	2,069	4,984	3,653	-	-	623.00	519	88	27,248
2020 May	-	23,734	2,138	6,008	4,711	2,413	-	895.00	492	66	40,457
2020 June	-	22,968	2,069	6,645	13,460	2,335	-	1,238.00	573	88	49,376
Total For Year	\$ -	\$ 118,379	\$ 12,108	\$ 34,985	\$ 79,973	\$ 9,678	\$ -	\$ 7,696	\$ 6,034	\$ 1,216	\$ 270,069

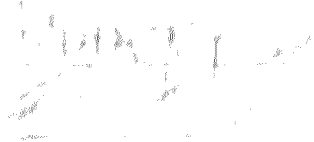
* Cost exclude trash and recycling fees for dumpsters

Contractor shall be allowed to increase its fees for the Beach Patrol Services listed above on each anniversary of the contract commencement date, and such increase shall be limited to the lesser of: (i) three percent (3%) or (ii) the most recently published Consumer Price Index for All Urban Consumers (CPI-U), before seasonal adjustment, as of thirty (30) days prior to the anniversary date. Notwithstanding the foregoing, the Contractor may request and the Town may, at its sole discretion, grant an annual increase greater than that allowed above if the Contractor can demonstrate to the sole satisfaction of the Town, evidence of specific material costs that it has incurred, which are not under the Contractor's control (e.g., a 25% increase in insurance costs in one year).

All other terms and conditions as set forth in the original Agreement and all prior Addendums remain binding upon all parties.

IN WITNESS WHEREOF, the parties hereto have caused this Addendum to be executed this 1st day of August, 2014

WITNESSES

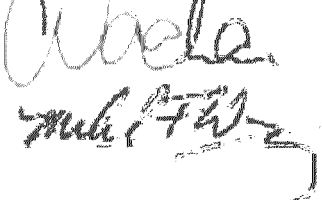


TOWN OF HILTON HEAD ISLAND

By


Stephen G. Wiley
Town Manager

WITNESSES



SHORE BEACH SERVICES, INC.

By

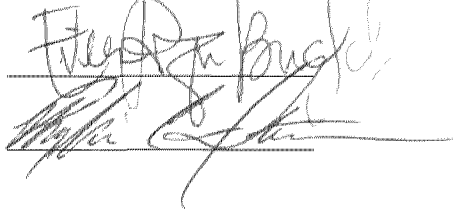

Ralph A. Wagner
President

Contractor shall be allowed to increase its fees for the Beach Patrol Services listed above on each anniversary of the contract commencement date, and such increase shall be limited to the lesser of: (i) three percent (3%) or (ii) the most recently published Consumer Price Index for All Urban Consumers (CPI-U), before seasonal adjustment, as of thirty (30) days prior to the anniversary date. Notwithstanding the foregoing, the Contractor may request and the Town may, at its sole discretion, grant an annual increase greater than that allowed above if the Contractor can demonstrate to the sole satisfaction of the Town, evidence of specific material costs that it has incurred, which are not under the Contractor's control (e.g., a 25% increase in insurance costs in one year).

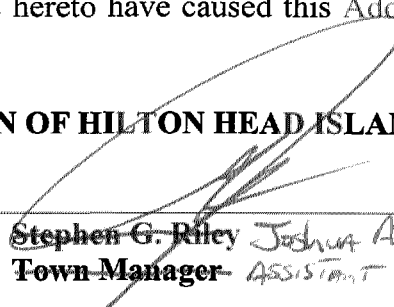
All other terms and conditions as set forth in the original Agreement and all prior Addendums remain binding upon all parties.

IN WITNESS WHEREOF, the parties hereto have caused this Addendum to be executed this 1st day of August, 2019.

WITNESSES



TOWN OF HILTON HEAD ISLAND

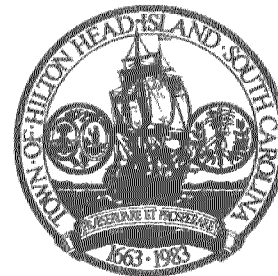
By 
Stephen G. Riley *Joshua A. Gruber*
Town Manager *ASSISTANT Town Manager*

WITNESSES

SHORE BEACH SERVICES, INC.

By _____
Ralph A. Wagner
President

Memo



To: Stephen G. Riley, Town Manager

Via: Scott Liggett, Dir. of PP&F / Chief Engineer
John Troyer, Director of Finance

From: Rich Groth, Procurement Officer *RMG*

RE: Addendum #1 – Shore Beach Services (Contract F7-R2019)
Change to Fees for Trash Related to Council Approved Trash Corrals on Beach

Date: July 30, 2019

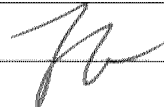
Background: Shore Beach Services has requested a fee increase in Year 1 of the contract in the amount of \$2,400. This increase is for additional labor related to trash pick-up associated with the new trash corrals installed by the Town at beach access points.

Recommendation: I am recommending approval and execution of this Addendum #1. If you agree with this recommendation, please sign and return to me. Thank you.

CONTRACT APPROVAL ROUTING FORM

Contractor: SHORE BEACH SERVICES

When routing Town Contracts for final approval, please adhere to the following order/individuals:

CONTRACT APPROVAL ROUTING/APPROVED BY:		
Person/Position	Initials Needed	Date
1. Requesting Department Director	SRL	7-30-19
2. Dir. of Public Projects & Facilities (for CIP contracts)		
2. Procurement Officer	RMG	7-30-19
3. Finance Director		7-31-19
4. Administration Manager/Public Information Coordinator (Prior to Staff Attorney's Review)		
5. Staff Attorney		7/31/19
6. Town Manager**		

**** CIP Contracts less than \$750,000.00/Director of Public Projects and Facilities has authority to sign as Town Manager. All other contracts less than \$750,000.00/Assistant Town Manager has authority to sign as Town Manager.**

***Please include this form as a cover sheet on all Town Contracts and Amendment/Modifications being routed for approval.**

III. NON-BILLABLE BEACH PATROL SERVICES

Contractor will provide the following Beach Patrol Services, which may vary due to weather conditions, at no cost to the Town:

A. **Lifeguard Personnel Duties & Assignment** - Contractor is responsible for deploying lifeguard personnel throughout the areas of operations. Lifeguard personnel shall consist of highchair lifeguards and rental ~~lifeguards~~ **attendants**.

1. **Highchair Lifeguards.** The primary duty of highchair lifeguards is water surveillance, therefore, they shall not conduct commercial activities. It is mandatory that the highchair lifeguard's attention be focused on this duty; therefore, highchair lifeguards shall not:
 - (a) Sit or lean on anything other than their stands;
 - (b) Conduct lengthy conversations with persons in a manner or in such a fashion as to impair the performance of safety duties;
 - (c) Permit persons at the stand other than agents of the Town, Beach Patrol personnel employed by the Contractor, persons seeking first aid, and persons transacting equipment rental business;
 - (d) Read while on duty;
 - (e) Turn his/her back on the ocean or permit others to stand so that his/her view of the ocean is obstructed;
 - (f) Allow the immediate stand area to be littered at any time while on duty.

2. **Rental ~~Lifeguards~~ Attendants.** The primary duty of rental ~~lifeguards~~ **attendants** is conducting commercial activities, however, when not so doing they shall be ~~responsible for assisting in water surveillance~~ **aware of the needs of beachgoers and available to assist other beach patrol personnel with their duties**. Furthermore, in the event of an emergency in their area rental ~~lifeguards~~ **attendants** shall cease conducting commercial activities and respond to said emergency. It is mandatory that the rental ~~lifeguard's~~ **attendant's** attention be focused on these duties; therefore, rental ~~lifeguards~~ **attendants** shall not: