

## **RESOLUTION 05-18-07**

### **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HARTSVILLE TO AMEND THE SCHEDULE OF RATES AND CHARGES FOR NEPTUNE ISLAND WATERPARK; AND OTHER MATTERS RELATED THERETO.**

**WHEREAS**, the City of Hartsville, South Carolina (the “City”) owns, operates and maintains the Neptune Island Waterpark (the “Park”);

**WHEREAS**, the City is currently undertaking a renovation and expansion of the Park, which improvements are anticipated to be completed in the late Spring of 2018;

**WHEREAS**, the City has hired consultants to review the Park and make suggestions as to operating considerations for the Park;

**WHEREAS**, in anticipation of the new improvements to the Park, the City previously approved a schedule of rates and charges for the Park by the terms of a resolution dated February 13, 2018 (the “Prior Rates”);

**WHEREAS**, the Prior Rates have been ratified and confirmed by the City’s annual budget ordinance for fiscal year 2019;

**WHEREAS**, the consultants have suggested an amendment to the season pass rates as well as the addition of a separate rate class for specialty bookings; and

**WHEREAS**, in consideration of the advice of its consultants, the City has determined to amend its Prior Rates.

**NOW, THEREFORE BE IT RESOLVED** by the Mayor and Council of the City of Hartsville, as set forth below:

**Section 1. Findings.** The City Council finds and determines that the findings above are in all respects true and correct.

**Section 2. Adoption of Fees and Charges.** In consideration of the foregoing, the City Council has established, implemented and maintained the Prior Rates. The Prior Rates shall be amended under the terms provided hereinbelow. Future or supplemental rate amendments, modifications and increases may be necessary in order to meet certain debt service coverage requirements and other covenants associated with the issuance of bonds under the City’s Master Bond Ordinance dated October 10, 2017, the provisions of which govern the issuance of combined system revenue bonds (water, sewer and water park enterprises); as needed and subject to future ratification by the City Council, adjustments may be made on a percentage basis (not exceeding 20%) to the amended rate category set out below. All rates and charges for the Park shall be further ratified and approved in the City’s annual budget ordinance, including any and all amendments thereto. The Prior Rates shall be subject to any applicable state and municipal taxes and fees.

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### SEASON PASS ADMISSION FEES:

The following shall be the amended and restated rate schedule for season passes to be used throughout the open season at Neptune Island Waterpark. All rates are listed on a per person basis and are subject to state and municipal taxes and fees.

General Rate	\$54.99
In-City Resident/City Employees Rate*	\$44.99

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\* "In-City Resident" means someone who lives and resides within the municipal limits of the City. "City Employees" are defined as persons who are full-time employees of the City. This special rate will only be available for purchase in-person with proof of residency or proof of employment.

### SPECIALTY BOOKING RENTAL FEES:

The following shall be the rate schedule for specialty bookings\* to be used throughout the open season at Neptune Island Waterpark. All rates are subject to state and municipal taxes and fees.

Captain's Celebration General Rate	\$249.00
Captain's Celebration In-City Resident/City Employees Rate**	\$229.00

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\* "Specialty Booking" is any event, such as a birthday celebration, where a group visits Neptune Island Waterpark for the purpose of celebrating a special event. All Specialty Booking Rentals include admission for 11 participants, food and beverage, usage of group pavilion, and other amenities as designated by the City Manager. Additional participants and "add-on" amenities as designated by the City Manager will be added onto the base rate for an additional fee; these "add-ons" are also subject to state and municipal taxes. Specialty Bookings are only available during normal hours of operation and must be booked in advance on a first come, first serve basis.

\*\* "In-City Resident" means someone who lives and resides within the municipal limits of the City. "City Employees" are defined as persons who are full-time employees of the City. This special rate will only be available for purchase in-person with proof of residency or proof of employment.

**Section 3. Special Considerations.** All fees and charges may be waived or reduced as approved by the City Manager in her sole discretion depending on the review of the circumstances, with particular reference to the following considerations: for special events or programs that are designed and determined (or expected) to increase attendance at the Park.

**Section 4. Other Instruments and Actions.** In order to implement the fees and charges for the Park described above and give full effect to the intent and meaning of this Resolution, the City Manager is hereby authorized to execute and deliver such certificates, showings, instruments and agreements and to take such further action as she shall deem necessary or desirable to effect the implementation of the rates and charges.

**Section 5. Invalidity.** If any section, subsection, sentence, clause or phrase of this Resolution is, for any reason, held or determined to be invalid, such decision shall not affect the validity of the remaining portions of this Resolution.

**Section 6. General Repeal.** All resolutions or parts of resolutions inconsistent or in conflict with the provisions of this Resolution are hereby repealed to the extent of the conflict or inconsistency.

**Section 7. Effective Date.** This Resolution shall take effect immediately upon its adoption by the City Council.

**DONE AND ADOPTED ON THE 8TH DAY OF MAY, 2018.**

CITY OF HARTSVILLE, SOUTH CAROLINA

(SEAL)

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Carl M. (Mel) Pennington IV, Mayor

ATTEST:

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Sherron L. Skipper, Clerk to City Council