

NORTH AUGUSTA

SOUTH CAROLINA'S RIVERFRONT

FOIA 2019-70

Date: September 20, 2019

T0: 

RE: FREEDOM OF INFORMATION REQUEST

Copy to:
Kelly Zier - City Attorney
Robert Pettit – Mayor
Todd Glover – City Administrator
Rachelle Moody – Assistant City Administrator
Cammie Hayes – Director of Finance and
General Services

PLEASE BE ADVISED that the City of North Augusta has received your Freedom of Information Act (FOIA) request the 20th day of September 2019. Such request has been forwarded to the appropriate department for response. In addition, a copy of said request has been forwarded to the office of the City Attorney for his review.

The City Attorney will make a determination as to whether the request is a proper request under the FOIA act. The appropriate department will advise as to what materials, documents, etc. may be available. That department will also provide information indicating the approximate time involved related to the retrieval of the documentation, and also the amount of material that would need to be copied in order to comply with the request. At such time as a response is received from the City Attorney and the appropriate department, we will then notify you of the response of the City to your FOIA request. In the event that the request is deemed appropriate and permissible under the FOIA act, we will advise you of same and also provide an estimate of the costs that would be related to responding to said request. In the event that it is determined that the FOIA request is not proper and not permitted by the act, you'll also be advised of that decision.

A response to your request will be made within the time limits as established by section 20-4-30(c) of the FOIA act. Specifically, this requires that said response be provided within 10 business days for any record requested that is less than 24 months old. A request for a record that is more than 24 months old, is to be responded to within 20 business days from the date of the receipt of your request. The City would not normally require the full period in order to respond, but reserves its right under the act to do so.

In the event that the response to your request is positive and the costs associated with retrieving and providing the data is minimal, in most cases, the City would forward the documentation to you with a statement for the costs. An example of charges would be 15¢ per page for black and white copies, 20¢ per page for color copies. The City does not charge for search and retrieval for fifteen minutes or less. For any time required to research and retrieve the requested information more than 15 minutes, the City charges, a minimum of \$8.00 per 30 minutes. Pursuant to the act, the charge for searching, retrieving, and redacting records is not to exceed the hourly wage of the lowest paid employee on the public body staff, who has the skill and training to fulfill the request. Therefore, the charge could be in excess of the \$8.00 per 30 minutes, if a

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regular clerical person is unable to perform the services. The specific FOIA Fee schedule, as adopted by the City is available for review online. In the event that the costs are considered to be of more than a nominal amount, the City would reserve the right to require a deposit of 25% of anticipated costs to be made before assembling, copying and delivering the materials. This would also provide to you the opportunity to determine if you desired to proceed with the request in light of the costs.

NOTICE: SOUTH CAROLINA LAW PROVIDES THAT "IT IS A CRIME TO KNOWINGLY OBTAIN OR USE PERSONAL INFORMATION FROM A PUBLIC BODY FOR COMMERCIAL SOLICITATION."



Sharon Lamar, City Clerk
City of North Augusta, South Carolina

Lamar, Sharon

From: [REDACTED]
Sent: Friday, September 20, 2019 1:47 PM
To: Lamar, Sharon
Subject: FOIA Request

Mrs. Sharon Lamar
City of North Augusta
100 Georgia Avenue
North Augusta, SC 29841

Dear Mrs. Lamar:

On a FOIA Request 2019-61, I requested financial data on income received for the Riverside Village Project. I have some additional questions on the information that was supplied to me. First, based on Mr. Zier's comments, I would like to thank Mayor Pettit for providing his report to me. I was encouraged that he is concerned, as I am, and that he is checking to see if the funds will be available to pay the note that we the citizens, are committed to pay. My request for all the information, including A-tax info which was previously redacted by Ms. Hayes, is being handled in a separate email to Mr. Zeir.

I was not sure that this request should be a FOIA request so I have submitted it as such. As Mayor Pettit requires at Council Meetings, the questions I have listed might be asked at council meetings and answers would be submitted by him or his designee to the person asking the questions after the meeting. I have chosen to provide the questions to him or anyone he designates as a FOIA request before the council meeting, but if he suggests that it best be handled at a council meeting, I will read the questions there at that time. Please let me know how he wants me to proceed.

Under the South Carolina Freedom of Information Act (FOIA), 30-4-10, I am requesting to have sent to me electronic records and or statements containing the following information:

1. On the top of the table in an email submitted to me there is a note that says "**The Data In This Table Is Unaudited**". Can you check with Mayor Pettit to verify that his report contains information for 2018 that came from the audited city financials? Does this note refer to only 2019 data?

2. Under the column "**Parking**", there is a amount of \$130,140 for the year 2018. I would think there is backup reports for this amount.

A. Can you share with me the documents that show how this dollar figure was calculated? Is this a net amount? Are there reconciliation statements provided by the collector of these fees that can be provided? Were there any labor costs that the City was responsible for? Were there any other City expenses associated with this number?

B. As an information source, in 2018 this revenue was reported as a total amount at the end of the year. Is it now being submitted on a monthly basis. Will that continue?

C. Are there financial controls in place that insure all revenue collected is reported? Are customers provided with receipts when purchasing this service?

D. From how many garages is income reported?

- E. Who is paying for the golf carts, buses, and trolleys? Who pays for the drivers?
- F. The GreenJackets collect parking revenue from their season ticket purchasers. Is this correct? Do they supply a statement showing the money collected for this service and can you send it to me under this FOIA request?
- G. The hotel collects parking revenue. Are they remitting revenue to the City and is there a report they submit to the City on their collection. Can you provide me a copy of this statement under this FOIA request?
- H. There are meters in place. Are they working? Who collects the revenue? How much was collected to-date and was this amount reported in the 2019 figures?
- I. The City is using Church parking lots and or additional lots for parking. Can you identify these lots? Does the City pay for this service? Are City employees being used to assist in the parking of cars? Is insurance required and who is paying for it?

3. Under the column "**Parking**" there are two figures for **2019** in the latest report that I have seen.; May 2019, \$23,172 and June 2019, \$39,418. There are no amounts submitted from January to April. Were statements prepared from collectors of parking fees and were they sent to the City during that January to April period? Can you provide statements that support the money collected?

4. During 2018 the GreenJackets reported attendance of 255,155 for 63 home games with an average attendance of 4050 per game. I obtained this information from the Minor League Website. There are two entries for 2018 under **Admission Tax**, a collection of \$5,802 in July and \$12,534 in November. If you divide the 2.5% tax for admissions by the tax collected , \$18,336, you get \$733,440, revenue from tickets sold. if you divide the \$733,440 by the reported attendance of 255,155 you get \$2.87 per ticket. That charge per ticket doesn't seem logical. Is my calculation wrong? If my calculation is correct, I know the GreenJackets were charging more than \$2.87 per ticket. Why didn't they remit more taxes because I believe that they were charging a lot more than the \$2.87 ? In fact, when I attended a game, if my memory is correct, the cost for a ticket was about \$9.00.

5. The City anticipated collecting \$70,000 in **Admissions Taxes** as displayed in the financial model. Is there a reason that this revenue column is missing its mark? The attendance figure for the GreenJackets for 2019 is slightly higher than 2018, but not by much. Should we be concerned that the model anticipated more income than is being generated?

Any data sent to me should balance to the figures supplied in the City page report labeled "**2017B Graph Worksheet- [REDACTED] FOIA.pdf** " or any differences should be noted.

Please let me know if my request is possible and when I may be able to receive this information.

If there are any fees for searching or copying this information, please inform me if this cost will exceed \$25.00. However, I request a waiver of all fees in that the disclosure of the requested information is in the public interest and will contribute significantly to the public's understanding of finances for the City. This information is not being sought for commercial purposes.

Please submit to me the information requested in the time frame established by the FOIA. If you cannot supply any of the requested information, please cite the exemption from my request and notify me of the appeal procedure available to me under the law.

Sincerely,

[REDACTED]