

**TO APPROVE A SETTLEMENT AGREEMENT IN THE HOSPITALITY FEE LITIGATION AND TO AUTHORIZE EXECUTION OF SAID AGREEMENT**

WHEREAS, the Town of Atlantic Beach (the "Town") is a member of a proposed class of plaintiffs in that certain civil action styled "City of Myrtle Beach, For Itself and a Class of Similarly Situated Plaintiffs, vs. Horry County," brought in the Court of Common Pleas for Horry County in Civil Action Number 2019-CP-26-01732 ("Class Action"); and

WHEREAS, the City of Myrtle Beach ("COMB") and Horry County (the "County") have, by public vote taken by their governing bodies on February 5, 2021, reached a settlement of COMB's claims pertaining to the County's imposition of a 1.5% uniform service charge on prepared food and beverage, accommodations, and admissions ("Hospitality Fee") within the corporate limits of COMB and the other six affected municipalities, including the Town ("Settlement Agreement"); and

WHEREAS, the Settlement Agreement is also contingent upon the written consent of the Town, the Town of Aynor, the City of Conway, the City of Loris, the Town of Surfside Beach, and the City of North Myrtle Beach, in addition to the County and COMB; and

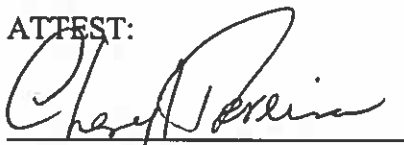
WHEREAS, the Town is willing to give its written consent to the Settlement Agreement.

NOW, THEREFORE, BE IT RESOLVED THAT:

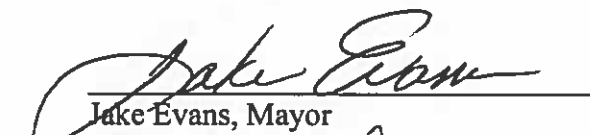
1. The Town Council hereby approves the Settlement Agreement.
2. The Town Council hereby authorizes written consent to the Settlement Agreement, the delivery and effectiveness of same being conditioned upon its execution by the County, COMB and the other municipalities as specified herein.
3. This resolution is made pursuant to S.C. Code Ann. §5-7-260.

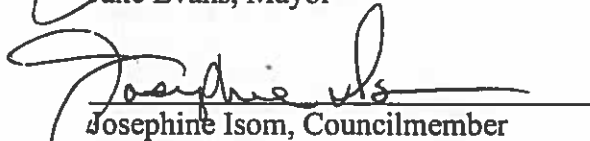
**DONE IN COUNCIL ASSEMBLED THIS 9<sup>TH</sup> DAY OF FEBRUARY, 2021.**

ATTEST:

  
Town Clerk

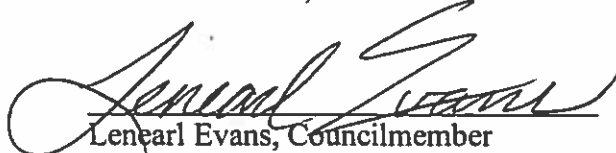
  
Town Manager

  
Jake Evans, Mayor

  
Josephine Isom, Councilmember

  
Jacqueline Gore, Councilmember

Glenda Williams, Councilmember

  
Lenearl Evans, Councilmember