

PUBLIC WORKS AND UTILITIES

Tuesday, February 22, 2022

A meeting of the Public Works and Utilities Committee was held this date A meeting of the Public Works and Utilities Committee was held this date held this date using Conference Call Number: 1-929-205-6099 and Access Code: 592 385 519 beginning at 2:04 pm. Notice of this meeting was sent to the news media.

PRESENT

Committee Members: Councilmember Perry K. Waring, Chair, Mayor John J. Tecklenburg, Councilmember A. Peter Shahid, Jr., Councilmember Ross A. Appel, Councilmember Mike Seekings and Councilmember Stephen M. Bowden. Also present was Councilmember Shealy, District Two.

City Staff: Mr. Tom O'Brien Director of Public Service, Mr. Matthew Fountain, Director Storm Water Management, Mrs. Julia Copeland, Corporation Counsel, Mrs. Melissa Cuthirds, Assistant Corporation Counsel, Mr. Richard Jerue, Senior Advisor to the Mayor, Mr. Stephen Maddy, Network Engineer and Ms. Velvett Simmons, Assistant Clerk of Council.

A. Invocation

Councilmember Shahid opened the meeting with an invocation.

B. Approval of Public Works and Utilities Committee Minutes:

1. February 7, 2022

On motion of Mayor Tecklenburg, seconded by Councilmember Shahid, the Committee voted unanimously to approve the February 7, 2022 minutes as distributed.

C. Request to Set a Public Hearing

None

D. Old Business

None

E. Acceptance and Dedication of Streets

None

F. Temporary Encroachments Approved by Department of Public Service – for information only

1. **484 King Street Back Bay Boxing** - Installing right angle sign over sidewalk. This encroachment is temporary.
2. **85 Queen Street, Charleston County Parking Garage** – Installing right angle sign over sidewalk. This encroachment is temporary.
3. **101 Meeting Street, Charleston, County Parking Garage** – installing right angle sign over sidewalk. This encroachment is temporary.
4. **3488 Forest Glenn** – Installing fence encroachment into City drainage easement. This encroachment is temporary.

Mayor Tecklenburg conveyed the open seat at Charleston Water System (CWS) that was left by the passing of David Rivers was filled. The board appointed Mr. William (Billy) E. Koopman, Jr. the former director of Charleston Water System. The Mayor felt he had great

institutional knowledge noting the City worked with them collaboratively and looked forward to working with him again.

In response to a question from Councilmember Seekings, Mayor Tecklenburg replied the rules of CWS states an appointment would fill the balance of the term. Unless Billy did otherwise, he would be there for a six-year term.

Councilmember Seeking felt the committee could not have made a better choice. He felt this was really good for this community.

The Chair felt the Mayor was right, given all of the institutional knowledge Mr. Koopman had there would not be a learning curve rather he would just hit the ground running. He mentioned two items on the agenda, Ehrhardt and Low Battery Wall, they were integral collaborations with CWS. Mayor Tecklenburg conveyed they agreed to reimburse the City for all the water and sewer relocation for both Phase 3 of the Low Battery project and the Erhardt Tunnel project. Councilmember Seekings added Phase 3 alone costs was \$2.7M.

Councilmember Appel asked Mayor Tecklenburg if they had an opportunity to speak about the Greenway. Mayor Tecklenburg replied yes. He respectfully asked them to wait one more meeting to pass it noting some modifications or edits from City Staff were forthcoming. Following those iterations over the next few weeks the matter would be considered for approval and brought back to the Real Estate Committee.

Councilmember Appel thanked the Mayor and Chair.

The Chair stated the Committee would consider Mr. Fountain's items beginning with item H-1, due to Mr. O'Brien experiencing technical difficulties.

G. Public Service Department Update

None

H. Stormwater Management Department Update

1. Low Battery Seawall Project Phase 2 – Recommend Approval of Change Order #7 with Gulf Stream construction Company, Inc., in the amount of \$73,258.51 for additional quantity of repairs to the veil wall and remaining vertical wall beyond the estimated quantity approved in the original contract. Approval of this change order will increase the construction contract from \$11,998,112.91 to \$12,071,371.42. Funds are available within the allocated budget for the project.

Councilmember Seekings made a motion to approve the Low Battery Seawall Project Phase 2 – Change Order #7 with Gulf Stream construction Company, Inc., in the amount of \$73,258.51 for additional quantity of repairs to the veil wall and remaining vertical wall beyond the estimated quantity approved in the original contract. Approval of this change order will increase the construction contract from \$11,998,112.91 to \$12,071,371.42. Funds are available within the allocated budget for the project. Mayor Tecklenburg seconded the motion.

Councilmember Seekings thanked Mr. Fountain and his team, especially Mr. Newham, looking at this contract, it originally cost \$11.96 M. This project, Phase-two, was scheduled to close within the next thirty-days with less than \$100K in change orders. The type of construction coupled with the times we are living in, it was nothing short of miraculous. Councilmember

Seekings thought the change orders may back off a little bit and it could be that the project would be done with only \$60 to \$70K in change orders. The project was on budget and on time. Additionally, it was his understanding that the cost per linear feet for Phase-three was going to cost less than Phases one and two. From a design, construction, and support from the political side this was a success. He hoped it continued and thanked the Chair for allowing him to have the floor and make the motion.

Councilmember Shahid asked Mr. Fountain to define a veil wall. Mr. Fountain replied it was the vertical structure that sat in front of the more structural components of the wall preventing the waves from undercutting and erosion as waves crashed into the wall. The concrete basin that faced out into the water.

Councilmember Shahid asked Mr. Fountain to remind the Committee when this wall was last upgraded. Mr. Fountain replied it was built around 1909 to 1915. The dates were fuzzy because it was built in phases. That was the last time work was done.

Councilmember Shahid stated this was really incredible as Councilmember Seeking was alluding to. He thanked staff for the update.

Councilmember Waring, when he first came onto council, voted in favor of setting aside monies for the battery wall, since 2012. Every year funds were put aside for that vision. For this to have been planned so far out and to come in less than \$100K over budget was unheard of. He thanked everyone involved on this project stating the City may have to get a bust for Mr. Frank Newham before everything was over.

The Committee voted unanimously to approve the motion.

Mr. Fountain informed the Committee Mr. O'Brien stepped into his office to use his computer. Mr. O'Brien apologized to the Committee. He mentioned all of the encroachments were reviewed by staff and the Zoning Department reviewed all the sign requests. Staff approved all of the request. This was presented as information for the Committee.

Councilmember Shahid thanked Mr. O'Brien and his staff for addressing the illegal sign on Broad Street.

2. Executive Session in accordance with S.C. Code Section 30-4-70(a)(2) to discuss proposed purchase of property.

Councilmember Seekings asked if Item H-3 could be considered before entering into executive session. Mr. Fountain replied Item H-2 related to the real estate acquisition of Item H-3.

On motion of Councilmember Seekings, seconded by Councilmember Shahid, the Committee voted unanimously to enter into Executive Session at 2:11 pm.

On motion of Councilmember Shahid seconded by Mayor Tecklenburg, the Committee voted unanimously to return to Open Session at 2 pm. No action was taken

3. Barberry Woods Drainage Improvement Project – Recommend approval of Fee Amendment #3 for \$714,353.00 with WK Dickson for design and permitting services to take the project from its current 30% plans to construction bidding as well as providing real estate

services for property acquisition. The funding for this work is available within the existing project allocation for the Drainage Fund.

On motion of Councilmember Shahid, seconded by Councilmember Seekings the Committee voted unanimously to approve Barberry Woods Drainage Improvement Project – Fee Amendment #3 for \$714,353.00 with WK Dickson for design and permitting services to take the project from its current 30% plans to construction bidding as well as providing real estate services for property acquisition. The funding for this work is available within the existing project allocation for the Drainage Fund.

J. Miscellaneous or Other New Business

1. None

The Chair asked Mr. Fountain for an update on the Ashley Harbor drainage issue. Mr. Fountain replied at this point their HOA and the City's Legal Department were working together looking at easement dedications and exploring other options that would work for both parties.

Mrs. Copeland replied she was scheduled to meet with the HOA face-to-face with the plat and survey to pinpoint the actual location. They hoped to have this the matter ready to present at the first meeting in March.

Continuing, the Chair asked Mr. Fountain for an update on Madagascar Court. Mr. Fountain replied staff cleaned the pipes and outfall. The next step was to monitor and see whether flooding was still an issue. If it was then staff would go through the permitting process with DHEC OCRM to clean the area. Also, staff spoke with the Vac truck vendor in an effort of trying to find more options. He noted the cost coming in from vendors was extremely high.

The Chair asked Mr. Fountain to present action steps around Orleans Woods and an update on Dupont Wappoo District at the next meeting.

Councilmember Shealy asked if street sweeping could be done in Ashley Harbor following the recent utility work. The Chair asked the Mayor if he would touch base with AT&T. He felt the responsibility should be the subcontractor. Mayor Tecklenburg conveyed AT&T had always been responsive. He would be happy to work with them and follow up.

On motion of Councilmember Shahid, seconded Councilmember Appel, the Committee voted unanimously to adjourn at 2:55 pm.

Vanessa Ellington
Clerk of Council's Office