

Committee on Public Works & Utilities

March 21, 2022

A meeting of the Committee on Public Works & Utilities was held this date beginning at 3:46 p.m. over video conference call.

Notice of this meeting was sent to all local news media.

Present: Councilmember Keith Waring, Chair, Councilmember Peter Shahid, Vice Chair, Councilmember Ross Appel, Councilmember Michael Seekings (left at 5:11 p.m.), Councilmember Stephen Bowden, and Mayor John Tecklenburg. **Also Present:** Julia Copeland, Tracy McKee, Dale Morris, Rick Jerue, Joe Apple, Mallary Scheer, Matthew Fountain, Melissa Cruthirds, Tom O'Brien, Councilmember Kevin Shealy, Councilmember Caroline Parker, Councilmember Boyd Gregg, Jennifer Cook, Velvett Simmons, and Patrick Carlson, recording.

Chairman Waring called the meeting to order.

A. Invocation

The meeting was opened with an invocation provided by Mayor John Tecklenburg.

B. Approval of Minutes

March 7, 2022 (Deferred).

C. Request to Set a Public Hearing

None

D. Old Business

None

E. Acceptance and Dedication of Rights-of-Way and Easements

None

F. Temporary Encroachments Approved by the Department of Public Service (For information only).

- 1. 61 Iron Bottom Lane-Installing irrigation in the City r/w. This encroachment is temporary.**
- 2. 2755 Calico Bass Lane-Installing a fence in a City drainage easement. This encroachment is temporary.**
- 3.3302 Zoe Street-Installing a fence in a City drainage easement. This encroachment is temporary**
- 4. 1704 Drakeford Drive-Installing a fence in a City drainage easement. This encroachment is temporary**
- 5. 209 Brailsford Street-Installing irrigation in the City r/w. This encroachment is temporary.**
- 6. 201 King George Street--Installing irrigation in the City r/w. This encroachment is temporary.**

7. 6184 Fieldstone Circle-Installing a fence in a City Drainage easement.

Tom O'Brien said that the encroachments were all fences and irrigation projects that have been investigated, recommended for approval, and the information will be recommended to the Committee.

G. Public Service Department Update

Presentation on Third Party Reviews for TRC Projects

Tracy McKee gave a presentation outlining a recommendation for increasing Technical Review Committee (TRC) review fees based on application and schedule analysis. She said that based on TRC application submissions since 2018, there had been a 40% decrease in both processing wait times and the average number of submittals needed to get projects approved. By streamlining the process and increasing the associated application fees, the quality of the submittals had increased and the City response timeframe improved. In summary, Ms. McKee said that, when accounting for the types of plans and number of application submittals, the most important factor in establishing TRC application review times was maintaining particular levels of staff and institutional knowledge. Retaining knowledge and team capacities allowed for consistent processing service and fewer associated costs and delays that impact local development projects. For example, when the Stormwater Management team hired a Development Manager, the average review time to process TRC submittals decreased over time. Conversely, when several people left the team, the wait times increased. Using third party reviewers could expand the City's application processing capabilities and provide meaningful service to all interested applicants. By analyzing the professional services contract between the Public Service Department and third party reviewers, it was possible to determine the appropriate structure for this relationship and how to apply it to other departments and teams. This relationship was crucial to investing City time and resources appropriately given the highly sensitive and complicated background necessary to understand this information. By increasing the previous \$19,000 professional services contract budget to \$50,000, the City anticipated processing 33 additional submittal reviews, or 7% of the annual total, to completion. Ms. McKee said if the fee schedules were not adjusted accordingly, the City would subsidize \$900 per submittal. By increasing the TRC application submittal fees by \$110, it would spread the cost over all affected reviews and avoided creating a limiting "pay to play" channel. In addition, by issuing a community request for quote (RFQ), the City can establish a larger pool of qualified reviewers in order to gain the most benefit for the proposed investment. Finally, Ms. McKee suggested that the City review the benefits of using third party reviews annually in order to adjust TRC review fees accordingly during each budgeting process.

Tom O'Brien confirmed that using third party review would be a tremendous help to the timelines and budgets that directed City staff, applicants, and development projects across the community.

Councilmember Appel thanked all of the City employees who contributed to the proposal and agreed that the development process in Charleston impacted equity and affordability issues that affected the community at large. He supported delegating out to the private sector in order to achieve budget and efficiency goals. By taking lessons gleaned from past government precedents and examples from private sector systems, it was possible to have conversations that allowed for wealthy developers to pay larger fees for expedited service that simultaneously subsidized resourceful service for regular applicants. He said that principle local figures in the civil engineering and architectural fields have stated that there were plenty of untapped firms that would be willing to support a City-backed proposal to

increase third party review usage and it was well within the budgets of larger developers to subsidize this initiative.

Ms. McKee agreed with Councilmember Appel and supported moving that idea into pilot program status and eventually integrating it into future annual budget considerations.

Councilmember Waring said that many projects, particularly government proposals like affordable housing developments and environmental infrastructure, should follow an expedited path because any development delays would have a cascade effect that would cost more for local taxpayers.

On a motion by Councilmember Shahid, seconded by Councilmember Appel, the Committee voted unanimously to recommend increasing the TRC review fees.

Approval of the Scope of Undergrounding for the Archer School

Tracy McKee said that this approval was a follow up on the initial project review to show the Committee the scope of the proposal, including the necessary easements and a cost estimate. She introduced Joe Apple with Dominion Energy to provide the proper breakdown of the redevelopment proposal.

Mr. Apple said that the analysis process identified the areas that could be updated in the most impactful way using the available funds. Two transformers would be installed at 220 Nassau St. on the project site to supply power as the team worked to tie in a transformer around the corner at the Martin Luther King Jr. Pool. One of the new proposed easements involved installing a new underground line from Jackson St. down the parking lot to an existing pad-mounted transformer allowing for even more overhead line elimination. The other easement would allow for customers in the area to be connected to the underground electrical path installation. The proposal asked to remove almost every overhead line along the two areas surrounding the intersection of Jackson St. and Nassau St., and the intersection of Jackson St. and Harris St. Upon approval of the scope of the proposal, the affiliated City staff members would process the necessary easements and then officially present the proposal to the Committee.

On a motion by Mayor Tecklenburg, seconded by Councilmember Shahid, the Committee voted unanimously to approve the Scope of Undergrounding for the Archer School.

H. Stormwater Management Department Update

Request to allocate funding for Lake Dotterer Outfall Project from the City Drainage Fund

Councilmember Shealy said there was an extensive study conducted five years ago concerning flooding and environmental effects in certain West Ashley neighborhoods. There was a proposed project for installing drainage infrastructure under scheduled roadwork on the Glenn McConnell Parkway and if the City of Charleston committed half of the necessary funds, Charleston County would supply the other half and make progress towards alleviating flooding impacts and revitalizing West Ashley.

Mayor Tecklenburg said he spoke with several County officials who wanted to match the funding for the proposed project and, if true, then the City should proceed with the project.

Councilmember Shahid confirmed that the City's contribution would be approximately \$1.3 million towards construction costs and asked Matt Fountain about the cost of the intended scope of updating all of the necessary regional components that affected flooding in that region.

Mr. Fountain said that there were several options for installing the necessary pipes on the Glenn McConnell Parkway but if the City wanted to accomplish that under the County's existing roadwork contract, it would have to happen within 18 months.

Councilmember Shahid said that he supported the proposal but asked about how the investment would impact other proposed projects in that region and what elements should be prioritized to benefit as many constituents as possible.

Councilmember Waring said that while there was limited financial resources, there were several funds appropriated for other large community projects that could be utilized to offset anything that Councilmember Shahid and Councilmember Shealy have proposed.

Councilmember Appel said that he supported moving forward with the project and said it was vital to accept any grants or funds from outside sources for larger developments in order to continue to free up City funding for smaller district-specific proposals. He also asked for continued public transparency about multiple sources of funding mechanisms and how to interpret the policy positions issued by the Department of Revenue.

Councilmember Bowden said that he supported the proposed County investment for Councilmember Shealy's proposal to synthesize the two projects that would temporarily disrupt Glenn McConnell Parkway traffic patterns and asked for clarity about the project permitting process.

Mr. Fountain said there was an existing encroachment permit for the widening component of the roadwork that was being done on the Glenn McConnell Parkway. However, there was an extensive and separate set of permits for additional stormwater infrastructure installation from both encroachment and ecological perspectives that would have to be finalized.

Councilmember Seekings said it was important to pursue the project as soon as possible, but asked if City Council would be expected to pass the funding structure to support the proposal before receiving a definitive answer from Charleston County Council about their expected contribution.

Councilmember Shahid asked that the motion they were considering concerned matching the County's potential commitment which was confirmed by Councilmember Waring.

Mr. Fountain said that the bid amount for the construction project budget was currently set at \$2.6 million and didn't include an amount for a contingency allocation to cover other fees. He recommended an additional \$400,000 for potential inspection and engineering contracts.

Mayor Tecklenburg said that he believed it was important to move forward with the project but ensure that the total project cost is split between the City and the County.

Councilmember Waring asked for a motion and Councilmember Seekings and Councilmember Bowden asked for clarity about the final project cost estimate.

Mr. Fountain said that a conservative estimate which included several contingencies and fees would require a \$1.5 million commitment from City-sourced funding.

Councilmember Seekings suggested that the Committee consider the original \$1.3 million proposal with a 15% contingency attachment.

On a motion by Councilmember Seekings, seconded by Councilmember Bowden, the Committee voted unanimously to recommend approval of the \$1.3 million proposal, with a 15% contingency attachment, to Ways & Means for consideration.

Update on Orleans Woods area and Dupont Wappoo Project

Mr. Fountain said that past significant work in the Orleans Woods area of the Dupont Wappoo Project included a large-scale cleaning of the open ditch system, roadside pipes, and larger canal pipes. He had a forthcoming proposal for small project funding requests to continue cleaning out small sections of drainage infrastructure in the neighborhood that he would eventually propose to the Committee. He also said that several projects that involved the construction of large drainage canals, floodable green spaces, and water retention areas around the Citadel Mall was in the negotiation and planning stages.

Discussion on current Stormwater Capital Improvement Plan Project Allocations and the Drainage Fund Allocation Process

Mr. Fountain gave a presentation discussing the status of the Stormwater Capital Improvement Plan Project Allocations. He acknowledged the uncertainty of construction inflation and supply chain issues as he compared the anticipated price estimates for future projects compared to past analyses. He showed the tentative construction cost differentials and pending funding approvals for active projects in Barberry Woods, Church Creek, the Concord pump station, Cooper-Jackson neighborhood, Medical District, Forest Acres, King St. and Huger St. intersection, Market St., Low Battery Seawall, Spring/Fishburne Basin, and the Windermere project. In total, the total additional drainage funding needed on existing projects (assuming no grant awards) amounted to a projected \$2,698,962 in 2023, \$10,836,707 in 2024, \$3,879,316 in 2025, and \$5,375,000 in 2026. He also discussed proposed stormwater and drainage projects in Central Park Basin, Dupont-Wappoo Watershed, Lake Dotterer/Long Branch region, and retrofitting a series of brick arches.

Councilmember Waring asked for clarification on the proposed construction schedules and Mr. Fountain said that funding allocations, supply chain delays, regional administration realities, and the process of property acquisition were the contributing factors to the proposed delays.

Councilmember Appel said that the conversation touched upon the reality of funding shortfalls and encouraged the Committee to consider multiple funding sources from every level of government.

Councilmember Shahid said that because so much of the City population resides in West Ashley, there needed to be community-wide application of attention and funding in order to fix multiple infrastructural problems at once and not react to issues as they present themselves.

Mr. Fountain finished his presentation by outlining the stages of all the mentioned projects starting with design phases in 2019 and moving into the anticipated construction schedules extrapolated out to 2024.

Discussions concerning the updates on the Calhoun West and Cooper/Jackson Projects were deferred until the next meeting.

Having no further business, the Committee adjourned at 5:53 p.m.

Patrick Carlson

Clerk of Council