

COMMITTEE ON WAYS AND MEANS

April 9, 2019

A meeting of the Committee on Ways and Means was held this date beginning at 4:33 p.m.

PRESENT (12)

The Honorable John J. Tecklenburg, Mayor

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| Councilmember White | District 1 | Councilmember Waring | District 7 |
| Councilmember Shealy | District 2 | Councilmember Seekings | District 8 |
| Councilmember Lewis – <i>absent</i> | District 3 | Councilmember Shahid | District 9 |
| Councilmember Mitchell | District 4 | Councilmember Griffin | District 10 |
| Councilmember Wagner | District 5 | Councilmember Moody | District 11 |
| Councilmember Gregorie | District 6 | Councilmember Jackson | District 12 |

1. INVOCATION:

The meeting was opened with an invocation provided by Councilmember Moody.

2. APPROVAL OF MINUTES:

On a motion of Councilmember Moody, seconded by Councilwoman Jackson, the Committee on Ways and Means voted unanimously to approve the minutes of the March 14, 2019 and March 26, 2019 Committee on Ways and Means meetings.

3. BIDS AND PURCHASES

Councilmember Shealy said he knew they had an issue that week between King Street and Calhoun Street, and he asked if the emergency storm pipe repair, which was Item 3C, was something they foresaw as continuing to happen, and if it was the same situation that happened between King and George Streets.

Mayor Tecklenburg explained that over time other utilities had punctured the archway mini-tunnel with other utility or water lines, and sometimes it was not evident right away when the puncture occurred. Over time, as cars and trucks rolled over it, it caused damage to the tunnel that became evident.

Matt Fountain said the most recent failure was another water line puncture of a side lateral in the arch. It was actually a much older puncture that was being supported by the old rail tracks that ran down the street, so it did not immediately show itself until later. He said there was a continued concern for all of the tunnels. As time progressed, the mortar could fail, the bricks were aging, and there would be failures. So, they were devising a plan for the entire Downtown Peninsula area showing the locations of all of the tunnels, arches, condition of the arches, where they had done work, and where they knew they had failures, and a plan for prioritizing repair work with costs to stabilize, as well as to determine if they could be used for surface drainage in the meantime.

Chairman White asked since it was a third party group that punctured the line if the City had a record of when work was done, so they could go back to recoup the money. Mr. Fountain said the City was looking into it. The water line that had been punctured was old, it had been abandoned, and a gas line had actually been routed inside of the water line. Likely, this puncture was probably prior to CWS, but it was something the City needed to be aware of with utility work moving forward, so companies would know where the lines were and that they were especially sensitive infrastructure locations.

Councilmember Waring said obviously when the line was punctured in the past, no one was contacted. He asked about going forward, and if the City required the third party to report when an arch was pierced. Mr. Fountain said that often breaks would occur in a directional drilling approach where they did not necessarily know what they hit, but could usually tell encountering some sort of resistance. He thought it would be a good idea as they looked at franchise agreements to ensure encroachment permits were included in areas where they had the arches. Councilmember Waring said it was a fear for them to have to pay 100 percent of the repairs when someone else contributed to the damage.

Mr. Fountain said one of the challenges the utilities expressed was the City didn't normally mark their locations, and under law, stormwater utilities weren't required to be marked. The utilities would say that without that identification, they would not know the City had a line there. He thought they could take care of that with the arches, though, because the City knew exactly where those were. Councilmember Waring asked if Mr. Fountain could come back to Council with a proposal as to what they could do to strengthen and protect the archways going forward. Mr. Fountain confirmed.

Chairman White said they talked about the need for maintenance of the older tunnels, but he thought that having an appropriate inspection cycle for all of the old tunnels would help. They could see if someone punctured a line, as opposed to going years and years before they found out. As they moved forward, part of the plan needed to be that they were inspecting the tunnels on a much more regular basis. Mr. Fountain said that many of the older lines that weren't as functional were filled with silt, but that was something that was included in the plan, which was the cost for removing that material. They had developed some new techniques that worked much better and were much cheaper for doing that. He thought they should account for their ongoing maintenance cycle, as well. Chairman White asked if some of the lines were silted in to where they could not have inspections. Mr. Fountain said the archways varied in size. Some were very large like the Coming Street archway. Some of them could be as small as 2 x 3 feet, but even in the Coming Street

archway, there could be complete blockages in some locations. They might be half-full of silt in some locations, and that was due to the age of the system. The City did have a new technique they were working on with their contractors and their vac trucks to clean them out, and that did need to be a part of the rehabilitation of the system, as well as ongoing inspection.

Chairman White said ongoing maintenance needed to be a topic of discussion for funding when the Ad Hoc Budget Advisory Committee reconvened in May because they had a lot of large projects ahead of them that needed funding, but they had lines that were in place that could be functional if maintained appropriately. He said they needed to make sure they were prioritizing that, and he thought it would take care of a lot of the issues that they had.

On a motion of Councilmember Mitchell, seconded by Councilmember Shahid, the Committee on Ways and Means voted unanimously to approve the bids and purchases as follows:

TRAFFIC & TRANSPORTATION: ACCOUNT:230000-52022 APPROPRIATION: \$292,638.38

Approval for Traffic Signal Build on Daniel Island at Island Park Dr. and Fairchild St. with job being done by Grant Electrical Contracting, PO Box 7368, W. Columbia, SC 29171; SC Contract #4400009777. This will be paid from remaining admissions tax funds from Governors Park.

POLICE DEPARTMENT: ACCOUNT:062019-58010 APPROPRIATION: \$100,510.74

Approval to purchase three (3) each 2019 Harley Davidson Motorcycles from SIIS, LLC DBA Lowcountry Harley Davidson, 4707 Dorchester Rd., North Charleston, SC 28418; Solicitation #19-B012R; 2019 Lease Purchase Funds.

PUBLIC SERVICE: ACCOUNT:193010-52425 APPROPRIATION: \$94,810

Approval for emergency stormwater pipe repair at 39 Coming St. to be done by B&C Land Development, Inc., 3785 Old Charleston Hwy., Johns Island, SC 29455

BFRC: ACCOUNT:VARIOUS-52206

Approval to amend the existing contract with Quality Tech Janitorial Services by extending the current contract by four (4) additional months from April 14, 2019 to August 31, 2019

OFFICE OF CULTURAL AFFAIRS: ACCOUNT:580110-52920 APPROPRIATION: \$67,140

Approval to establish a contract for a Consultant for Executive Services for the Charleston 350th Commemorations with Trio Solutions, Inc. 505 Belle Hall Parkway, Ste. 202, Mt. Pleasant, SC 29464; Solicitation #18-P053R

4. POLICE DEPARTMENT: APPROVAL OF AN APPLICATION FOR A GRANT IN THE AMOUNT OF \$338,946 TO FUND THE ACQUISITION OF A NIBIN IBIS TRAX SYSTEM, A BALLISTICS TANK, SAFETY EQUIPMENT, AND THE SALARY FOR ONE (1) FIREARMS

EXAMINER FOR THE CPD FORENSICS DEPT. THIS GRANT APPLICATION IS DUE ON 04/19. THIS GRANT DOES NOT REQUIRE A CITY MATCH.

On a motion of Councilmember Mitchell, seconded by Councilwoman Jackson, the Committee on Ways and Means voted unanimously to approve an application for a grant in the amount of \$338,946 to fund the acquisition of a NIBIN IBIS Trax System, a ballistics tank, safety equipment, and the salary for one (1) Firearms Examiner for the CPD Forensics Dept.

5. POLICE DEPARTMENT: APPROVAL OF AN APPLICATION FOR TRAINING AND TECHNICAL ASSISTANCE FROM THE DOJ TO SUPPORT VIOLENCE REDUCTION STRATEGIES AND BUILD THE POLICE DEPARTMENT'S CAPACITY TO FIGHT CRIME. THIS APPLICATION IS DUE ON APRIL 11TH. THIS GRANT DOES NOT REQUIRE A CITY MATCH.

On a motion of Councilmember Shahid, seconded by Councilmember Shealy, the Committee on Ways and Means voted unanimously to approve an application for training and technical assistance from the DOJ to support violence reduction strategies and build the Police Department's capacity to fight crime.

6. POLICE DEPARTMENT: APPROVAL OF THE AWARD OF \$47,500 FOR THE REMOVAL OF FIVE ABANDONED VESSELS FROM THE ASHLEY RIVER/CHARLESTON HARBOR AREA. THIS GRANT HAS ALREADY BEEN ACCEPTED DUE TO TIME CONSTRAINTS. THIS GRANT DOES NOT REQUIRE A CITY MATCH. NOAA/DHEC ARE PROVIDING \$42,500 TOWARDS THE PROJECT, AND CHARLESTON CITY MARINA HAS AGREED TO PROVIDE A \$5,000 MATCH.

On a motion of Councilmember Shahid, seconded by Councilmember Shealy, the Committee on Ways and Means voted unanimously to approve of the award of \$47,500 for the removal of five abandoned vessels from the Ashley River/Charleston Harbor area.

7. STORMWATER: APPROVAL TO APPLY FOR THE SOUTH CAROLINA RURAL INFRASTRUCTURE AUTHORITY ("SCRIA") GRANT APPLICATION THAT REQUIRES A CITY MATCH OF \$166,667. IF APPROVED, THIS GRANT WOULD COVER \$500,000 OF THE CONSTRUCTION COSTS OF THE HUGER/KING DRAINAGE PROJECT. DUE TO TIME CONSTRAINTS, THE APPLICATION WAS SUBMITTED ON MARCH 8, 2019 TO MEET THE DEADLINE ON MARCH 11, 2019. THE CITY MATCH OF \$166,667 IS AVAILABLE THROUGH AN EXISTING PROJECT ALLOCATION OF \$1,000,000 FROM THE COOPER RIVER BRIDGE TIF.

Councilmember Shealy said he was glad they had applied for the grant. He saw it was for South Carolina Rural Infrastructure Authority and asked how applying for the grant would work since it was a rural grant.

Mayor Tecklenburg said he attended the Municipal Association meeting last year, and the Director made it clear that even though the name of the grant was 'rural,' their grants were available

anywhere in the State of South Carolina. The City was eligible to apply for the grant.

Councilmember Gregorie asked if there was an exception, if it would be in their regulations that the grants could go beyond rural areas and given to urban areas. Mayor Tecklenburg stated that in some years past, they limited their applications, but a few years ago, the City was informed they were available to any municipality or county in South Carolina. He said he did not read the rules himself, but they passed it along to the City's grant writer, who confirmed the City was eligible to apply.

Matt Fountain stated the rules had been changed over time, so they no longer had rules that restricted the grant to a rural area. They had a follow-up meeting with the organization, and they said the City had a strong application for which they were considering funding. He said different county wide areas might have different funding requirements in terms of match funding, but that was the only component they really looked at.

Councilwoman Jackson said she attended the same session the Mayor referenced, and the presenter who represented the organization was very clear that the City was not asking for an exception, and they were a part of the eligible jurisdictions.

On a motion of Councilmember Mitchell, seconded by Councilmember Griffin, the Committee on Ways and Means voted unanimously to apply for the South Carolina Rural Infrastructure Authority ("SCRIA") grant application that requires a City match of \$166,667.

8. PARKS-CAPITAL PROJECTS: APPROVAL OF A CONSTRUCTION CONTRACT WITH MCGRATH INDUSTRIES DBA TALBOT TENNIS IN THE AMOUNT OF \$107,010 TO RESURFACE AND REPAIR CRACKED SURFACES AT THE FOLLOWING COURTS: MOULTRIE TENNIS (6EA.), MITCHELL BASKETBALL, MARY UTSEY BASKETBALL (2EA.), FERGUSON VILLAGE BASKETBALL, LENEVAR BASKETBALL, WILLIE GAINES BASKETBALL, AND JOHNS ISLAND TENNIS (4EA.). WITH THE APPROVAL OF THE PROJECT BUDGET, STAFF IS AUTHORIZED TO AWARD AND/OR AMEND CONTRACTS LESS THAN \$40,000 TO THE EXTENT CONTINGENCY FUNDS EXIST IN THE COUNCIL APPROVED BUDGET. THE CONSTRUCTION CONTRACT WILL OBLIGATE \$107,010 OF THE \$150,000 PROJECT BUDGET. THE FUNDING SOURCE FOR THIS WORK IS CAPITAL PROJECTS-STRUCTURAL REPAIRS.

On a motion of Councilwoman Jackson, seconded by Councilmember Shealy, the Committee on Ways and Means voted unanimously to approve a Construction Contract with McGrath Industries dba Talbot Tennis in the amount of \$107,010 to resurface and repair cracked surfaces at the following courts: Moultrie Tennis (6ea.), Mitchell Basketball, Mary Utsey Basketball (2ea.), Ferguson Village Basketball, Lenevar Basketball, Willie Gaines Basketball, and Johns Island Tennis (4ea.).

9. PARKS-CAPITAL PROJECTS: APPROVAL TO ACCEPT A 2018 PARK AND RECREATION DEVELOPMENT (PARD) GRANT AWARD FOR THE FUNDING OF THE

CONSTRUCTION OF A NEW PLAYGROUND AT JOHNS ISLAND PARK, WITH THE EXISTING EQUIPMENT REMOVED UPON COMPLETION. SCOPE OF WORK INCLUDES SITE PREPARATION, PURCHASE AND INSTALLATION OF NEW PLAYGROUND EQUIPMENT, PURCHASE AND INSTALLATION OF SAFETY SURFACING, AND RELATED SITE IMPROVEMENTS. THIS GRANT PROVIDES 80% OF THE COST OF A PROJECT, WITH THE REMAINING 20% TO BE PROVIDED AS MATCHING FUNDS. THE GRANT FUNDING PROVIDES \$26,487.25, REQUIRING A \$6,621.81 MATCH FOR TOTAL PROJECT FUNDING OF \$33,109.06. FUNDING WILL BE AVAILABLE UPON ACCEPTANCE OF AWARD, AND WORK MUST BE COMPLETED BY MAY 31, 2021. THE APPROVAL OF THE GRANT AWARD WILL INSTITUTE A \$33,109.06 PROJECT BUDGET. THE FUNDING SOURCE FOR THE PROJECT IS: 2018 PARD GRANT FUNDING (\$26,487.25) AND 2019 CONSTRUCTION-PLAYGROUND EQUIPMENT MAINTENANCE (\$6,621.81).

On a motion of Councilmember Waring, seconded by Councilwoman Jackson, the Committee on Ways and Means voted unanimously to approve to accept a 2018 Park and Recreation Development (PARD) grant award for the funding of the construction of a new playground at Johns Island Park, with the existing equipment removed upon completion. Scope of work includes site preparation, purchase and installation of new playground equipment, purchase and installation of safety surfacing, and related site improvements.

10. HOUSING AND COMMUNITY DEVELOPMENT: REQUEST THE MAYOR AND CITY COUNCIL APPROVE THE SUBORDINATION AGREEMENT FOR OAKSIDE APARTMENTS SC LLC. THE LLC HAS FINALIZED CONSTRUCTION OF THE APARTMENTS AND ARE CONVERTING FROM A CONSTRUCTION LOAN TO A PERMANENT LOAN FOR THE 38-UNIT DEVELOPMENT. THE CITY OF CHARLESTON INVESTED \$250,000 IN HOME INVESTMENT PARTNERSHIPS PROGRAM FUNDS AND THE CITY OF CHARLESTON'S LOAN AND RESTRICTIVE COVENANTS ARE SUBORDINATE TO THE BANK OF AMERICA LOAN. SHOULD THE LLC DEFAULT ON THE BANK OF AMERICA LOAN, THE CITY OF CHARLESTON'S COVENANTS ARE EXTINGUISHED. HOWEVER, BECAUSE LOW INCOME HOUSING TAX CREDITS (LIHTC) ARE A PART OF THE FUNDING STRUCTURE; A FIFTEEN-YEAR COMPLIANCE PERIOD HAS TO BE MET. CITY COUNCIL APPROVED THE AWARD OF \$250,000 APRIL 24, 2018.

On a motion of Councilmember Waring, seconded by Councilwoman Jackson, the Committee on Ways and Means voted unanimously to approve the Subordination Agreement for Oakside Apartments SC LLC.

11. LEGAL DEPARTMENT: APPROVAL OF HOST VENUE PARTNERSHIP AGREEMENT BETWEEN THE CITY AND OC SPORT PEN DUICK, FRENCH SUBSIDIARY OF OC SPORT, FOR THE CITY'S FINANCIAL SUPPORT IN THE AMOUNT OF \$150,000 AND OPERATIONAL AND LOGISTICAL SUPPORT TO OCS FOR THE CITY TO HOST THE FINISH OF "THE TRANSAT" SINGLE-HANDED TRANS-ATLANTIC SAILING RACE IN 2020. (TO BE SENT UNDER SEPARATE COVER BY THE LEGAL DEPARTMENT)

On a motion of Councilmember Shahid, seconded by Councilmember Waring, the Committee on Ways and Means voted unanimously to defer Item #11 on the agenda.

12. BUDGET FINANCE AND REVENUE COLLECTIONS: APPROVAL OF A BUDGET TRANSFER IN THE AMOUNT OF \$130,086 FROM THE POLICE DEPARTMENT TO CORPORATION COUNSEL FOR THE ADDITION OF A LAWYER THAT WILL WORK PREDOMINANTLY WITH THE POLICE DEPARTMENT. THIS POSITION WILL BE RESPONSIBLE FOR HELPING THE POLICE DEPARTMENT UPDATE CURRENT POLICIES AND PROCEDURES AS WELL AS WRITE AND IMPLEMENT NEW POLICIES AND PROCEDURES SPECIFIC TO POLICING ACTIVITIES. IT WILL ALSO BE RESPONSIBLE FOR TRAINING SWORN POSITIONS BY COMPLEMENTING CURRENT TRAINING PROGRAMS AS WELL AS DEVELOPING NEW TRAINING PROGRAMS AND INITIATIVES. FUNDS WILL COME FROM THREE CIVILIAN POSITIONS THAT WILL BE CONVERTED TO THIS POSITION. REMAINING FUNDS WILL COME FROM SALARY SAVINGS WITHIN THE POLICE DEPARTMENT.

On a motion of Councilmember Waring, seconded by Councilwoman Jackson, the Committee on Ways and Means voted unanimously to approve of a budget transfer in the amount of \$130,086 from the Police Department to Corporation Counsel for the addition of a lawyer that will work predominantly with the Police Department.

13. BUDGET FINANCE AND REVENUE COLLECTIONS: APPROVAL OF A BUDGET TRANSFER IN THE AMOUNT OF \$41,000 FROM NON-DEPARTMENTAL CONTINGENCY FOR AN ADDITIONAL 6 MONTHS OF OPERATING COSTS AT 529 MEETING ST. (\$21,000) ADDITIONAL CONTRIBUTION TO MILITARY CONNECTIONS (\$10,000) AND A CONTRIBUTION TO SISTER CITIES INTERNATIONAL (\$10,000).

On a motion of Councilmember Shahid, seconded by Councilmember Mitchell, the Committee on Ways and Means voted unanimously to approve of a budget transfer in the amount of \$41,000 from Non-Departmental Contingency for an additional 6 months of operating costs at 529 Meeting St. (\$21,000) additional contribution to Military Connections (\$10,000) and a contribution to Sister Cities International (\$10,000).

14. THE COMMITTEE ON REAL ESTATE: (MEETING WAS HELD ON APRIL 9, 2019 AT 4:00 P.M., CITY HALL, 80 BROAD STREET, FIRST FLOOR CONFERENCE ROOM)

- a. Approval of Termination of Lease between 160 St. Phillips St., LLC and the City pertaining to the parcel of land at the northeast corner of Morris and St. Philip Street (TMS No. 460-12-02-054), currently leased by the City for parking use. (Northeast corner of Morris and St. Philip Street)

- b. Consider the following annexation:

2037 Lake Shore Drive (TMS# 343-03-00-156) 0.21 acre, James Island (District 11). The property is owned by East Bay Air, LLC.

Councilmember Moody, Chair of the Real Estate Committee, reported that item 'a' was deferred, and no action was taken. Item 'b,' which was an annexation on Lake Shore Drive was approved.

On a motion of Councilmember Griffin, seconded by Councilwoman Jackson, the Committee on Ways and Means voted unanimously to approve the Committee on Real Estate Report as presented

and recommended giving first reading to the following bill:

An ordinance to provide for the annexation of property known as 2037 Lake Shore Drive (0.21 acre) (TMS# 343-03-00-156), James Island, Charleston County, to the City of Charleston, shown within the area annexed upon a map attached hereto and make it part of District 11. The property is owned by East Bay Air LLC.

There being no further business presented, the Committee on Ways and Means adjourned at 4:47 p.m.

Jennifer Cook
Assistant Clerk of Council