

**COMMITTEE ON WAYS AND MEANS**

April 11, 2023

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

**PRESENT (10)**

The Honorable John J. Tecklenburg, Mayor

Councilmember Gregg <i>absent</i>	District 1	Councilmember Waring <i>arrived 4:37</i>	District 7
Councilmember Shealy <i>absent</i>	District 2	Councilmember Seekings <i>arrived 4:35</i>	District 8
Councilmember Sakran <i>absent</i>	District 3	Councilmember Shahid	District 9
Councilmember Mitchell	District 4	Councilmember Bowden	District 10
Councilmember Brady <i>arrived 4:41</i>	District 5	Councilmember Appel	District 11
Councilmember Gregorie	District 6	Councilmember Parker	District 12

**1. INVOCATION:**

The meeting opened with an invocation provided by Councilmember Appel

**2. APPROVAL OF MINUTES:**

On a motion of Councilmember Mitchell, seconded by Councilmember Shahid, the Committee on Ways and Means approved the minutes of the March 28, 2023, Committee on Ways and Means meeting.

**3. BIDS AND PURCHASES:**

Councilmember Parker asked if someone could explain 3c.

Mr. Summerfield said the Peninsula Plan was approved in part of the budget cycle in 2022. As they were doing research and preparing to put out the RFP, they realized that they were not funded enough. He said in the 2023 budget cycle Council authorized additional funding to allow them to get the contract out now that they had the full funding package available. The contract was not for the full appropriation.

Councilmember Parker asked if additional funds would be needed.

Mr. Summerfield said they were already appropriated, but the contract that Council would be approving would not be for the full sum of funds. He said funds would be available for any additional services that might come up as the project moved forward.

Councilmember Seekings said that he wanted to make a comment since he sat on the Selection Committee. He said one of the things that they realized when they went through the process of selecting the team that was going to do the work, was that they needed to up their transit side of things. So, they asked Council to at least have some funds there as they go through the process.

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

a. **CAPITAL PROJECTS: ACCOUNT:52410 AMOUNT: \$18,648.86**

Approval of a Change Order to the Lowcountry Senior Center CPM Upfit in the amount of \$18,648.86 with Satchell Construction, LLC, 2020 Cosgrove Avenue, Charleston, SC 29405. It includes replacing the existing water fountain with a new fountain and replacing the flooring in the Assembly Room.

b. **TRAFFIC AND TRANSPORTATION: ACCOUNT:52700 AMOUNT: \$800,000.00**

Approval to establish a contract for a Parking Meter System in the amount of \$800,000.00 with CaleAmerica, Inc. DBA Flowbird, 13190 56<sup>th</sup> Court, Ste. 40, Clearwater, FL 33760. Solicitation #22-P022R.

c. **PLANNING DEPARTMENT: ACCOUNT:940100-52204 AMOUNT: \$450,000.00**

Approval to establish a contract for the Peninsula Plan in the amount of \$450,000.00 with Ayers Saint Gross, Inc., 1040 Hull St., Ste. 100, Baltimore, MD 21230. Solicitation #22-P021R. \$350,000.00 was previously allocated in ARPA funds during the 2022 fiscal year. By approving this item, an additional \$100,000.00 in ARPA funds will be allocated.

**4. FIRE DEPARTMENT: APPROVAL TO SUBMIT THE 2022 FIRE PREVENTION & SAFETY GRANT AFTER-THE-FACT IN THE AMOUNT OF \$92,641.00 FOR SMOKE ALARMS, A FIRE EXTINGUISHER TRAINING PROP., AND CREATING A FIRE PREVENTION VEHICLE. A MATCH OF 5% (OR \$4,411.48) IS REQUIRED AND WILL BE BUDGETED IN FY2024.**

On a motion of Councilmember Shahid, seconded by Councilmember Mitchell, the Committee on Ways and Means voted unanimously the approval to submit the 2022 Fire Prevention & Safety Grant after-the-fact in the amount of \$92,641.00 for smoke alarms, a fire extinguisher training prop., and creating a fire prevention vehicle. A match of 5% (or \$4,411.48) is required and will be budgeted in FY2024.

**5. POLICE DEPARTMENT: APPROVAL TO SUBMIT AN APPLICATION FOR \$100,000.00 FOR THE US CONFERENCE OF MAYORS POLICE REFORM AND RACIAL JUSTICE GRANT TO HELP STRENGTHEN DATA ANALYSIS RELATED TO CPD'S RACIAL BIAS AUDIT AND TO DESIGN A PUBLIC DATA DASHBOARD. THERE IS NO MATCH REQUIRED FOR THIS GRANT.**

On a motion of Councilmember Shahid, seconded by Councilmember Mitchell, the Committee on Ways and Means voted unanimously the approval to submit an application for \$100,000.00 for the US Conference of Mayors Police Reform and Racial Justice Grant to help strengthen data analysis related to CPD's Racial Bias Audit and to design a public data dashboard.

**6. POLICE DEPARTMENT: APPROVAL OF A CONTINUATION APPLICATION FOR AN ELDER ADVOCATE AND RESOURCE SPECIALIST FOR CPD FAMILY VIOLENCE UNIT UNDER THE VICTIMS OF CRIME ACT GRANT PROGRAM IN THE AMOUNT OF \$140,458.18. THE AWARD RESULTS ARE EXPECTED IN AUGUST 2023. THIS PROJECT REQUIRES A 20% CITY MATCH OF \$28,091.64 WHICH WILL NEED TO BE BUDGETED FOR FY2024.**

Ms. Heyward said the CPD was requesting an amendment to the continuation grant application for an Elder Advocate and Resource Specialist, they were now requesting \$145,058.23 with a 20% City match required of \$29,011.65.

On a motion of Councilmember Shahid, seconded by Councilmember Waring, the Committee on Ways and Means voted unanimously the approval of a continuation application as amended for an Elder Advocate and Resource Specialist for CPD Family Violence Unit under the Victims of Crime Act Grant Program in the amount of \$145,058.23.

**7. STORMWATER MANAGEMENT: APPROVAL OF BARBERRY WOODS IMPROVEMENT FEE AMENDMENT #5 WITH W.K. DICKSON & CO., INC., IN THE AMOUNT OF \$7,500.00 FOR A SITE ASSESSMENT REPORT ACCORDING TO EPA STANDARDS. THIS WILL INCLUDE INTERVIEWS OF OWNERS, OPERATORS, AND OCCUPANTS, A SEARCH FOR RECORDED ENVIRONMENTAL CLEANUP LIENS, REVIEW OF FEDERAL, TRIBAL, STATE, AND LOCAL GOVERNMENT RECORDS AND CONDUCT VISUAL INSPECTIONS OF THE SUBJECT PROPERTY AND ADJOINING PROPERTIES. APPROVAL OF FEE AMENDMENT #5 WILL INCREASE THE PROFESSIONAL SERVICES CONTRACT BY \$7,500.00 (FROM \$1,434,248.00 TO \$1,441,748.00). FUNDING FOR THIS PROJECT COMES FROM THE DRAINAGE FUND (\$12,856,843.00) AND THE SC CONSERVATION BANK (\$100,000.00).**

On a motion of Mayor Tecklenburg, seconded by Councilmember Mitchell, the Committee on Ways and Means voted unanimously the approval of Barberry Woods Improvement Fee Amendment #5 with W.K. Dickson & Co., Inc., in the amount of \$7,500.00 for a site assessment report according to EPA standards. This will include interviews of owners, operators, and occupants, a search for recorded environmental cleanup liens, review of Federal, tribal, State, and local government records and conduct visual inspections of the subject property and adjoining properties. Approval of Fee Amendment #5 will increase the professional services contract by \$7,500.00 (from \$1,434,248.00 to \$1,441,748.00).

**8. PARKS-CAPITAL PROJECTS: APPROVAL OF THE MUNICIPAL OPERATIONS COMPLEX PROFESSIONAL SERVICES CONTRACT – CONSTRUCTION ADMINISTRATION IN THE AMOUNT OF \$2,818,756.00 WITH CUMMING MANAGEMENT GROUP, INC., FOR CONSTRUCTION AND PROJECT MANAGEMENT SERVICES FOR THE DESIGN AND CONSTRUCTION PHASES OF THE MUNICIPAL OPERATIONS COMPLEX. APPROVAL OF THE PROFESSIONAL SERVICES CONTRACT WILL OBLIGATE (\$2,818,756.00 OF THE \$8,618,756.00 PROJECT BUDGET. FUNDING SOURCES FOR THIS PROJECT ARE GENERAL FUND RESERVES (\$700,000.00), CAPITAL CONTRIBUTION (\$5,100,000.00) CHARLESTON NECK TIF (\$2,818,756.00).**

On a motion of Councilmember Mitchell, seconded by Councilmember Shahid, the Committee on Ways and Means voted unanimously the approval of the Municipal Operations Complex professional services contract – Construction Administration in the amount of \$2,818,756.00 with Cumming Management Group, Inc., for construction and project management services for the design and construction phases of the Municipal Operations Complex. Approval of the professional services contract will obligate (\$2,818,756.00 of the \$8,618,756.00 project budget.

**9. PLANNING AND SUSTAINABILITY: APPROVAL OF THE NATIONAL PARK SERVICE UNDERREPRESENTED COMMUNITIES GRANT AWARD OF \$75,000.00 WITH A \$25,000.00 CITY MATCH, AND GRANT AGREEMENT TO SUPPORT COMMUNITY EDUCATION AND OUTREACH; AND HISTORIC SURVEYS OF AFRICAN AMERICAN SETTLEMENT COMMUNITIES INTERESTED IN PURSUING NATIONAL REGISTER NOMINATION OR OTHER STATE/LOCAL HISTORIC DESIGNATIONS. THE GRANT PERIOD IS 04/01/2023 THROUGH 03/31/2025. THIS INCLUDES A \$20,000.00 CITY MATCH FROM ARPA, APPROVED FOR FY2023 BUDGET AND \$5,000.00 FROM 4300000-52920.**

On a motion of Councilmember Mitchell, seconded by Councilmember Shahid, the Committee on Ways and Means voted unanimously the approval of the National Park Service Underrepresented Communities grant award of \$75,000.00 with a \$25,000.00 City match, and grant agreement to support community education and outreach; and historic surveys of African American settlement communities interested in pursuing National Register nomination or other state/local historic designations.

**10. THE COMMITTEE ON REAL ESTATE (MEETING WAS HELD ON MONDAY, APRIL 10, 2023, AT 3:30 P.M., CONFERENCE CALL: 1-929-205-6099; ACCESS CODE: 835 678 884)**

- a. Authorization for the Mayor to execute on behalf of the City of Charleston, a quitclaim deed and any other documents necessary to quitclaim property designated as Charleston County TMS# 463-10-04-034, being the site of a sewer pump station, to the Commissioners of Public Works of the City of Charleston, South Carolina. The property is owned by the City of Charleston. (22 10<sup>th</sup> Avenue, Charleston, SC 29403) [Ordinance]
- b. Request approval of the revision to the application for the County Greenbelt funds from the City's "URBAN" Greenbelt allocation previously submitted. The revision adds four parcels and increases the funding request by \$12,360.00. Attached Resolution in support of the revised application is part of the required submittal. Funds will be used to acquire five parcels totaling approx. 58.8-acres (including wetlands/water area). Charleston County Greenbelt application is in the review/approval process. (0 Ashley Hall Road) (TMS# 351-04-00-007; 353-15-00-001; 351-03-00-096, -097, and -098) [Resolution]
- c. Authorization for the Mayor to execute on behalf of the City of Charleston a Third Addendum to a Memorandum of Agreement with Friends of the Lowline to allow the City to utilize TIF funds to continue conceptual design work. [Ordinance]
- d. Please consider the following annexations:
  - (i). 2245 South Dallerton Circle (.27 acre) (TMS# 310-07-00-055), West Ashley, (District 5). The property is owned by Janet Hancock.

- (ii). 2223 North Dallerton Circle (.26 acre) (TMS# 310-07-00-028), West Ashley, (District 5). The property is owned by Christopher and Conner Morgan.
  - (iii). 2138 Wappoo Drive (.24 acre) (TMS# 343-06-00-181), James Island, (District 11). The property is owned by David and Savannah Hurt.
  - (iv). 912 Savannah Highway (.16 acre) (TMS# 418-13-00-184), West Ashley, (District 9). The property is owned by Alexander Cooker.
- e. A Resolution to execute a Fourth Amendment to the Memorandum of Understanding between the City of Charleston and Landmark Enterprises Services, LLC, DBA Landmark Enterprises, dated September 14, 2021 to extend the review period deadline to May 23, 2023. [Resolution]
- f. Authorization for the Mayor to execute a Memorandum of Agreement with Charleston County regarding the resurfacing of the Riverland Boat Landing surface area.**

Councilmember Appel, Chairman of the Real Estate Committee, said Item A was for an authorization for the Mayor to execute a quitclaim deed to Charleston Water Systems in connection with a piece of property between St. Margaret and Grove Street in Wagener Terrace. The City owned property that had part of a pump station. The item was approved.

Item B was for an Amendment to the Urban Greenbelt application to increase the application funding request by \$12,360 to fund additional due diligence costs associated with four new parcels which have been given to the City by The Beach Company. The item was approved.

Item C was approved, for a Third Addendum to the MOU between the City and the Friends of the Lowline. It allocated \$150,000 previously approved funds that were not used to go towards the engineering work that would happen as the project moved forward.

Item D was approved, for four annexations. Three of those were residential and the other was commercial.

Item E was for a Fourth Amendment to the MOU between the City of Charleston and Landmark Enterprises. It was an amended Resolution to grant a 60-day extension through June 21<sup>st</sup>. The extension would give Landmark more time to come up with options that the Ad Hoc Committee requested. The item was approved by a three to one vote.

Item F was approved for an MOA with Charleston County regarding the repaving of the Riverland Terrace Boat Landing.

Councilmember Shahid said he wanted to address the Resolution to extend the Fourth Amendment with Landmark to June 21<sup>st</sup>. He said he had met with Councilmembers Bowden, Appel, and Waring, where they agreed to form an Ad Hoc Committee to address the issue with the potential extension following that meeting. In the first meeting they had with the Ad Hoc Committee they agreed to have a full meeting of Council to discuss the potential extension. In that executive session they heard some of the objections to the Memorandum as it stood. He said in front of them was for an extension of 60 days to allow Landmark an opportunity to come back and address a

majority of the questions that they had coming out of the executive session. The public received the initial designs of the project on Sumar Street, but they have not had the opportunity to see what the total package would cost. He said they were proposing to scale down the project and returning to one of the initial plans that the internal design team addressed, which did not include a parking garage but included a surface lot with a Civic building with one or two other associated buildings. He said he has worked on the project since he was elected in 2016, which looked at all the aspects of how to address the revitalization of West Ashley. Working with the county and their transportation team to improve the merge plans which would address traffic concerns along the corridor from Orange Grove Road down towards Donahue Drive and Charlestowne Drive which also included the major arteries off of Sam Rittenberg, Amberly Road, and Dickens Street. Those plans were incorporated into the initial plans that were presented with Landmark's initial presentation to the Council which went before the Design Review Board. He said the thing that started the activity was the vacant Piggly Wiggly that closed in 2013. Faison owned the property for three years with a potential purchaser who proposed a gas station, and the community was against it and voted it down at the DRB. The City acquired the property and did a multi facet review of getting input from the community and sent out bids. Landmark bid taking what the City had done internally with the project and expanded on it which would cost the City around \$45 million. A huge portion of that expense was an underground parking garage. He said the City should allow Landmark an opportunity to come back with alternatives since they have received clear direction on what they were wanting such as eliminating an above or below ground garage and eliminating offices. He said voting against the extension would kill the project.

Councilmember Waring said whether the item failed or not, it would not bring an end to what could happen at the site. He said he thought they needed new ideas instead of just having one idea. Landmark had done an excellent job getting the City to the point where they were able to deliberate. He said if Landmark was able to stay on and continue to assist the City, he thought they should be paid.

Mayor Tecklenburg said he supported the extension. He said they have submitted invoices to the City for work performed by their subs Liollo and others that have been paid.

Ms. Copeland said part of the MOU required that they submit invoices for review and approval.

Mayor Tecklenburg said that they have spent more time and money getting to the point that they were at than what was agreed upon in the beginning but that was of their own will.

Councilmember Waring asked if there was a \$684,000 fee that needed to be paid.

Ms. Copeland said no, the amount would be not to exceed \$683,500. She said that would be the amount they would request at the time if the agreement was terminated.

Councilmember Waring asked if the City had paid any of that to date.

Ms. Copeland said no sir.

Chairman Gregorie said he thought it was time for the City to make a substantial investment into West Ashley, but he was looking for something that was world renowned as a gateway. He

said he did not see that yet with the design. The design currently looked familiar with other designs within the City and other places. He said he would support it but if it were not world renowned then he would not.

Councilmember Seekings asked when the Resolution was voted on was there any discussion about giving Landmark direction to what they should be doing in the next 60 days and what the City would expect to get back from them.

Councilmember Appel said Landmark received clear direction upon what was discussed at the Ad Hoc Committee meeting that they sat in on.

Councilmember Seekings said he did not have an understanding of what they were looking for. He said they made a statement about looking for a \$43 million underground Parks project, and that they would like to see more synergy between the land the City owned and what Faison was doing on their properties. It was not clear to him that there was a vision internally from the City from either the Planning Department or from Council with the direction to Landmark. He said he was skeptical about the project since day one but was wondering what it was going to look like in 60 days.

Councilmember Brady said there had been ample time for input on the project as it has gone forward. He said it was odd to him that all of a sudden, they were going to put a break on development in West Ashley. It was a significant investment in West Ashley, especially with a Civic Center that would give citizens access to City offices or a place where Council could meet. He said if they were discussing spending \$45 million on parking in Downtown Charleston, he did not think there would be a debate, but they were talking about parking in West Ashley, the gateway to the City. The project would activate development down one of the most commercial corridors in West Ashley. He said they needed to make citizens feel connected by having meetings in an area where the majority of the population lives, and he thought that the project activated that. He said he would be supporting it.

Mayor Tecklenburg said Landmark was listening when they had the meeting 10 days ago. The intent for the extension was to allow them to bring options. He said a key component of the option was around the parking lot. It was proposed that there would be an above ground parking deck but there was a general agreement amongst some members of Council, the public, and the Uli study that was done that an above ground parking deck was not appropriate for the location. Which led to the request of Landmark to figure out what it would look like and the cost to do the parking underground. He said it was an excellent proposal that the City had currently, but they wanted options of an alternative because of the cost of an underground parking lot. He said if they got rid of the underground parking and were not building a deck, they would have to reduce the square footage of the overall development.

Councilmember Bowden said he wanted the citizens of West Ashley, citizens of the City and people who came to visit to have exactly what they wanted. He was interested in what the property owners and business owners along Sam Rittenberg would like to see happen. He said West Ashley deserved more than Stormwater projects and potholes getting filled those were core functions of the government.

Councilmember Parker said she thought there could be another option here and that needed to be presented. She said for the Councilmembers in West Ashley she took their guidance as to what their constituents wanted. Her concern with extending the item was it just going to be another 60-day discussion or were they saying yes, they were going forward.

Councilmember Waring said it cost \$25,000 to \$29,000 per space in a parking garage. For the underground parking lot, it was going to cost \$85,000 per space. He said those were millions of dollars that could be used building above the ground for the citizens of West Ashley.

Councilmember Mitchell said when he heard about the money being spent on parking that was his biggest dilemma with the project. He said he wanted the center so they could have a place to go for Council meetings, but Council was supposed to be good stewards over the money coming in, but they have never put that amount of money into parking spaces.

Councilmember Shahid said he had a few points to make. The first point was that it needed to be grand, they needed to put a time limit on Landmark coming back within 30 days to give a preliminary report on what they were doing, and the underground garage was not happening. He said Landmark had the opportunity to walk away after the executive session, but they stepped up.

Councilmember Bowden said what he meant was taking away what would draw people to West Ashley and waste City money on what was not. He said the restaurant space and retail space would draw people to the City not the government space. Businesses require parking and the parcel does not have space for parking, so they needed to be creative. He said they have not built a City garage in 2023 and 2023 dollars were different.

Councilmember Appel said he did not think that the original plan was dead and that they needed to keep it on the table to compare and contrast with what Landmark comes forward with. So, they can make a choice that was best for West Ashley.

On a motion of Councilmember Appel, seconded by Councilmember Shahid, the Committee on Ways and Means voted unanimously to approve Items A, B, C, D, and F.

On a motion of Councilmember Shahid, seconded by Councilmember Brady, the Committee on Ways and Means voted to approve Item E with the amendment and Councilmember Mitchell, Councilmember Seekings, and Councilmember Parker voted nay. Councilmember Gregg, Councilmember Shealy and Councilmember Sakran were absent.

The Committee on Ways and Means recommended giving first reading to the following bills:

*An ordinance authorizing the Mayor to execute, on behalf of the City of Charleston, a Quitclaim Deed and any other documents necessary to quitclaim property designated as Charleston County TMS No. 463-10-04-034, being the site of a sewer pump station, to the Commissioners of Public Works of the City of Charleston, South Carolina.*

*An ordinance authorizing the Mayor to execute the Third Addendum to the Memorandum of Agreement between the City of Charleston and Friends of the Lowcountry Lowline.*



*A Resolution to approve the submittal of Exhibit A to Charleston County to request funding to pay for the acquisition of the Woodmere Tract Site*

*An ordinance to provide for the annexation of property known as 2245 South Dallerton Circle (.27 acre) (TMS# 310-07-00-055), West Ashley, Charleston County, to the City of Charleston, shown within the area annexed upon a map attached hereto and make it part of District 5. The property is owned by Janet Hancock.*

*An ordinance to provide for the annexation of property known as 2223 North Dallerton Circle (.26 acre) (TMS# 310-07-00-028), West Ashley, Charleston County, to the City of Charleston, shown within the area annexed upon a map attached hereto and make it part of District 5. The property is owned by Christopher and Conner Morgan.*

*An ordinance to provide for the annexation of property known as 2138 Wappoo Drive (.24 acre) (TMS# 343-06-00-181), 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 David and Savannah Hurt.*

*An ordinance to provide for the annexation of property known as 912 Savannah Highway (.16 acre) (TMS# 418-13-00-184), West Ashley, Charleston County, to the City of Charleston, shown within the area annexed upon a map attached hereto and make it part of District 9. The property is owned by Alexander Cooker.*

*A Resolution to execute a Fourth Amendment to the Memorandum of Understanding between the City of Charleston and Landmark Enterprises Services, LLC, DBA Landmark Enterprises, dated September 14, 2021 to extend the review period deadline to May 23, 2023.*

There being no further business presented, the Committee on Ways and Means adjourned at 5:34 p.m.

Brittany Pinckney  
Assistant Clerk of Council