

COMMITTEE ON WAYS AND MEANS

July 14, 2020

A meeting of the Committee on Ways and Means was held this date beginning at 4:30 p.m.

PRESENT (13)

The Honorable John J. Tecklenburg, Mayor

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| Councilmember Delcioppo | District 1 | Councilmember Waring | District 7 |
| Councilmember Shealy | District 2 | Councilmember Seekings | District 8 |
| Councilmember Sakran | District 3 | Councilmember Shahid | District 9 |
| Councilmember Mitchell | District 4 | Councilmember Griffin | District 10 |
| Councilmember Brady | District 5 | Councilmember Appel | District 11 |
| Councilmember Gregorie | District 6 | Councilmember Jackson - <i>arrived at 4:34 p.m.</i> | District 12 |

1. INVOCATION:

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

2. APPROVAL OF MINUTES:

On a motion of Councilmember Shahid, seconded by Councilmember Mitchell, City Council voted unanimously to approve the minutes of the June 9, 2020 Committee on Ways and Means meeting.

3. BIDS AND PURCHASES

On a motion of Councilmember Shahid, seconded by Councilmember Mitchell, the Committee on Way and Means voted unanimously to approve the Bids and Purchases as follows.

a. POLICE DEPARTMENT: ACCOUNT:200000-52023

Approval to amend the existing contract with Global Public Safety by extending the current contract by six (6) additional months from October 13, 2020 to April 12, 2021

b. POLICE DEPARTMENT: ACCOUNT:241010-58015 APPROPRIATION: \$51,675.81

Approval to purchase a Nicolet 1S50 FTIR system from Fisher Scientific Company, LLC, 4500 Turnberry Dr., Hanover Park, IL 60133; Sole Source

c. FIRE DEPARTMENT: ACCOUNT:280044&280045-58015 APPROPRIATION: \$83,229.29

Approval to increase the purchase order for shipping charges for the Radiation Backpacks that was previously approved at Council on June 9, 2020 for \$83,167. The new amount is \$83,229.29. This purchase is using 2017 and 2018 Port Security grant funds. The increase is \$62.29.

d. FIRE DEPARTMENT: ACCOUNT:28/210000-52036 APPROPRIATION: \$126,794.25

Approval to purchase Nozzles from Municipal Emergency Services (MES). 6701-C Northpark Blvd., Charlotte, NC 28216; Solicitation #20-B027R

e. FIRE DEPARTMENT: ACCOUNT:062020-58010 APPROPRIATION: \$296,000

Approval to purchase a Reserve Truck from Brindlee Mountain Fire Apparatus, 15410 US Highway 231, Union Grove, AL 35175; Solicitation #20-P022R; 2020 Lease Purchase Funds.

f. FIRE DEPARTMENT: ACCOUNT:062020-58010 APPROPRIATION: \$440,439

Approval to purchase a US&R Rescue Truck from Fesco Emergency Sales, 7010 Troy Hill Dr., Elkridge, MD 21075; Solicitation #20-P021R; 2020 Lease Purchase Funds

g. FIRE DEPARTMENT: ACCOUNT:210000-52415 APPROPRIATION: \$155,445

Request repair contract with Metalcraft Marine to refit and repair the fire boat for the fire department. The estimated cost of the contract to repair is \$155,445. Funding for this will be a part of a future budget amendment.

h. STORMWATER: ACCOUNT:193010-53036 APPROPRIATION: \$68,320

Approval for repairs of Pump 5 & 6 at Concord Street Pump Station from Salmons Dredging Corporation, 1884 Herbert St. North Charleston, SC 29405

4. AN ORDINANCE AUTHORIZING THE BORROWING BY THE CITY OF CHARLESTON, SOUTH CAROLINA OF NOT EXCEEDING \$40,000,000 IN ANTICIPATION OF THE COLLECTION OF AD VALOREM TAXES AND LICENSE FEES FOR FISCAL YEAR 2020.

Councilwoman Jackson arrived at 4:34 p.m.

Councilmember Griffin said when he reviewed this item, he noticed that it was “up to” \$40,000,000, and it did not list any agreements that they were entering into at this time. He asked if they would have to vote on the item twice. Mayor Tecklenburg said it was not exceeding \$40,000,000, and Amy Wharton, CFO, would be watching the City’s cash flow. The City would only borrow what it needed, but it gave the City some leeway. He said it was not a specific borrowing yet, and Ms. Wharton was working with the City’s advisors and bond attorney. The anticipation was that it would be a straight bank note since it was short term rather than a bond. Ms. Wharton said it was an ordinance, so it would need approval at two meetings. Ms. Wharton said they were working on a final number with their financial advisors and would probably have that at the next meeting. The advisors had already approached some banks to see if they would be interested. They would have more information on that once they were sure and would bring that back to Council. Councilmember Griffin said he wanted to make sure they put out as much information as they could to their constituents before they took the final vote on it because it was a substantial amount of money, and normally they did not have to make a decision like this in the second half of the year. However, with COVID and the amount of lost revenue, there were difficult circumstances, and they were just trying to make sure they could balance the City’s budget in accordance with State law. He hoped that since it required two readings, it would give them time to explain to their constituents. Ms. Wharton said it would take a couple of months to put the item through, and that is why they were bringing it to the Committee early. They were projecting that they would start running short on cash in September. Councilmember Griffin asked for confirmation that it would need to be paid back by April, and Ms. Wharton clarified that it had to be paid back within a year, but the City would be paying interest. Once the City received its property tax revenue, it should pay that off, so the City was not paying excessive

interest expenses. Councilmember Griffin asked if they should vote on the second reading at the next meeting, and Ms. Wharton confirmed. She said they would have more information by that time, as well.

Councilmember Waring asked Ms. Wharton to explain why the City needed to do this. Ms. Wharton stated that because the City was not receiving its normal revenues, the City would start running low on cash in September when looking at their cash flow projections. The City would not receive its property tax revenues until late December or January 2021. They were doing this in order to cover the expenses the City had for September through December just to get the City through the end of the year. Councilmember Waring thanked Ms. Wharton and said he thought that discussion needed to be a part of the item.

Councilmember Seekings asked what the rates looked like on these types of notes. Ms. Wharton said they were fairly low. They would be a little higher since they were going through banks. She did not have the exact interest rate amount yet, but would probably have it for the next meeting. She said it would probably be like the bond anticipation note the City just passed. Councilmember Seekings asked if they could lock the rate in at some point before they got it in place, and Ms. Wharton confirmed.

Councilmember Waring asked if the Committee could receive information about some of the banks they would be seeking competitive bids from, and Ms. Wharton confirmed.

On a motion of Councilmember Mitchell, seconded by Councilmember Shahid, the Committee on Ways and Means voted unanimously to recommend giving first reading to the following bill:

An ordinance authorizing the borrowing by the City of Charleston, South Carolina of not exceeding \$40,000,000 in anticipation of the collection of ad valorem taxes and license fees for fiscal year 2020.

5. PARKS-CAPITAL PROJECTS: APPROVAL OF A CONTRACT WITH TURNER CONSTRUCTION COMPANY IN THE AMOUNT OF \$136,637 FOR THE REMOVAL OF THE JOHN C. CALHOUN STATUE LOCATED IN MARION SQUARE PARK. THE CONTRACT INCLUDES TASK 1, THE REMOVAL OF ALL BRONZE WORK, AND TASK 2, THE REMOVAL OF THE STONE COLUMN PEDESTAL DOWN TO THE 2ND TIER BASE. THE TOTAL COST TO THE CITY IS \$36,637, AS \$100,000 WAS DONATED FOR THE REMOVAL OF THE STATUE. THE REMAINING FUNDING WILL COME FROM CONTINGENCIES, AS THIS IS NOT A BUDGETED ITEM. THIS IS AN AFTER THE FACT APPROVAL AS AUTHORIZED BY THE RESOLUTION PASSED BY CITY COUNCIL ON JUNE 23, 2020.

Councilmember Griffin asked what the procurement procedure was on this item. He understood there was a substantial amount of private donations and asked how they ensured that money was received by the City. If the money was not received all at one time, he thought the threshold for Council approval was \$40,000. He understood that once all of the donations were received, it would be under that number. When they voted on the Resolution, and the statue began to be removed that night, he was leery about the way it happened. He was not aware the statue was coming down within a couple of hours of the City's vote. He thought the expedited process of taking the statue down probably had a bearing on the final price of the statue removal. He also heard that taking down the remaining pillar was going to be expensive, and he asked how that procedure would work. Mayor

Tecklenburg stated this was an emergency procurement, and in the Resolution to remove the statue, City Council gave him the authority to make arrangements as he thought it was good to move it along as quickly as possible. He said Edmund Most of Parks-Capital Projects did a great job working with Turner Construction, who was one of the lead contractors working on the African American Museum, to propose a contract which was executed shortly after Council approved the removal at their last meeting. That included two tasks. One was removal of the statue, and the other task was the column itself down to the pedestal. The larger section was the base. The contract was for the statue and the column itself. Given the difficulty with the statue, the City gave them permission to come back at another time and remove the column. Mayor Tecklenburg said he received a very kind offer from one individual to make a donation to go towards the City's expenses, and the City already received a wire transfer of the \$100,000 donation. The donor asked to remain anonymous. The City had not made a payment yet to Turner Construction, but it already had \$100,000 in payment. The next step would be to get a quote to remove the pedestal and the base, and Mr. Most was still working on that. This project had more material and would be a bigger job. That would be coming back to the Committee for approval as another matter. The WLI had requested the City move the entire column and pedestal. The City did not have a quote on that, but it would come back to the Committee.

On a motion of Councilmember Shahid, seconded by Councilmember Appel, the Committee on Ways and Means voted unanimously to approve a contract with Turner Construction Company in the amount of \$136,637 for the removal of the John C. Calhoun Statue located in Marion Square Park.

6. PLANNING, PRESERVATION AND SUSTAINABILITY: APPROVAL OF A CONTRACT WITH DUTCH DIALOGUES CONSULTANTS TO ANALYZE THE ARMY CORPS OF ENGINEERS 3X3X3 STUDY AND ADVISE THE CITY.

Councilmember Waring asked for information on what would take place. Mr. Lindsey said the item was a proposal to engage with the Dutch Dialogues consultants, which included Waggoner and Ball from New Orleans, groups from the Netherlands, and Moffatt and Nichol who were based out of New York City. It allowed a third party to help the City evaluate the Corps of Engineers' work as they looked at the perimeter of the Peninsula. They were the best in the world, and they worked with the City on the Dutch Dialogues. They knew the City and had also worked with the Corps of Engineers in other places to look at perimeter barriers. It was a unique qualification, and no one else was really qualified to do this. The total proposal was \$100,000 to do the work, and \$50,000 had been raised by the private sector and nonprofit sector. The City was saving money, and the work had a very tight deadline on it due to the timeline of the Corps. If approved, the work would be performed in the next month and a half.

Councilwoman Jackson said she was in support of the contract. She could not think of a group that was more trusted and better prepared to do a third party analysis. It would be more than that as it would be thoughtful, innovative, and creative on the City's behalf. She thought it was smart of the City to make sure they were meeting all of the parameters that the citizens deserved for such a major decision. They had done this in Norfolk, VA where they conducted a complete Dutch Dialogues consulting study like the one completed for Charleston last year.

Chairman Gregorie asked if the result would be input into the Comprehensive Plan on which the City was currently working. Mr. Lindsey said that was a separate project. This item was specifically about the 3x3x3 perimeter study around the Peninsula. This group would evaluate the City's work

with the Corps of Engineers by working with the Corps and providing the City with the best advice in the world, so the City could work with the Corps and optimize the design. Mr. Lindsey said he thought their advice would save the City money, make sure they were doing everything they could to prevent flooding in all forms, stormwater and tidal flooding, and they would help the City directly with the Federal agency in a way that the City could not. This group had worked with the Corps in other places in the country, and they brought an expertise to the Federal process that the City did not have. It was separate from the Comprehensive Plan. It was just about improving the Corps of Engineers' perimeter.

Chairman Gregorie said one of the recommendations from the Dutch Dialogues was for the City to develop a water plan. He asked if there were any discussions regarding developing that plan. Mr. Lindsey said that would need to be done in conjunction with Matt Fountain and the Stormwater Management Department. They looked forward to doing that in the future. Currently, they were working on the Comprehensive Plan, which would incorporate water in a way that it never had before. The perimeter study was important, but the water plan was separate entirely, and he looked forward to working on that in the future.

Councilmember Waring thanked Mr. Lindsey for his expanded answer. Mayor Tecklenburg said he had been in communication with the Corps of Engineers, and he wanted everyone to know this was completely transparent, and the Corps welcomed the effort and extra layer of input. That was another aspect that was positive in his view. It would engage the public again, even though the official comment period was over. This would become a part of the City's recommendations for the optimization of the plan. The consultants would conduct a lot of civic engagement just as they did with the Dutch Dialogues. It would give the citizens another opportunity to digest the information, make recommendations, and to be a part of the final project. The whole goal was to have the very best project possible, and that required the engagement of not just the consultant, but of citizens, as well.

Councilmember Seekings said he definitely commended the item to other Councilmembers as they were staring down the barrel of a very large project which would be around \$2 billion. He stated when they traveled to the Netherlands, the same people who would be a part of the contract with the Army Corps of Engineers had been on the trip and had participated in the Dutch Dialogues in Charleston. They expanded their look beyond just the area they were asked to, which was the Hospital District, a quarter of a length of what they would be looking at with this project. For \$50,000, they were getting someone who was already familiar, heading in the right direction, and had a cooperative relationship with the Army Corps of Engineers. For the City, this was by far the best practice, and they were getting something for a very, very good rate. They were also partnering with the private sector, too.

Councilwoman Jackson said the public comments period had closed for the time being, but it would also reopen in January. She thought the learning from the study that would be the companion to this from the Dutch Dialogues team would further enhance the comment period that the public would have in January. She did not want people to think this was the end of public comment to the Corps.

On a motion of Councilmember Seekings, seconded by Councilmember Mitchell, the Committee on Ways and Means voted unanimously to approve a contract with Dutch Dialogues consultants to analyze the Army Corps of Engineers 3x3x3 study and advise the City.

7. PARKS AND CAPITAL PROJECTS: APPROVAL OF CONSTRUCTION CONTRACT CHANGE DIRECTIVE IN THE AMOUNT OF \$32,056.00 WITH TURNER CONSTRUCTION. THIS WORK IS TIME SENSITIVE AND REQUIRED FOR UTILITY ROUGH-INS THAT WILL ALLOW THE CONTRACTOR TO KEEP WORKING THERE BY SAVING POTENTIAL DELAY COSTS. THIS WORK IS PART OF LARGER CHANGE ORDER THAT WILL BE BROUGHT TO COUNCIL FOR APPROVAL ONCE THE FINAL COSTS HAVE BEEN DETERMINED.

Mayor Tecklenburg said the City would be reimbursed for this item from the International African American Museum. The Change Order was outside the City's scope of work of its original project, so the IAAM would pay for the item with additional funds they had raised. They also had given the City the check for \$32,056 to cover the expense.

On a motion of Councilmember Waring, seconded by Councilmember Shahid, the Committee on Ways and Means voted unanimously to approve a Construction Contract Change Directive in the amount of \$32,056.00 with Turner Construction.

8. THE COMMITTEE ON REAL ESTATE (MEETING WAS HELD ON MONDAY, JULY 13, 2020 AT 3:00 P.M., CONFERENCE CALL: 1-929-205-6099; ACCESS CODE: 835 678 884)

- a. Request approval of a Parking Agreement with Anson House Condominium Association for continued lease of ten (10) parking spaces in the Maritime Center Parking Lot per year-to-year lease with the condition of relocation upon termination at current lot. (10 Wharfside Street; TMS: 459-00-00-170)
- b. At the request of the Washington Light Infantry and Sumter Guards Board of Officers (the "WLI"), request authorization for the Mayor to execute a quitclaim deed and other necessary documents to quitclaim the portion of Marion Square on which the Calhoun monument formerly stood to WLI. The City does not own this portion of Marion Square. The quitclaim deed is being executed to help clarify WLI's title to the subject property. (Ordinance)

Councilmember Shahid, Chairman of the Real Estate Committee, reported that the Committee considered two items. One was the approval of a parking lease agreement for ten parking spaces at the Maritime Center for the Anson House Condominium Association. This would help assist them in meeting their minimal requirements for the number of spaces they needed for the housing complex. The Committee approved the item unanimously. The second item was the approval to execute a quit claim deed for the piece of land on which the Calhoun Monument sat. It gave the WLI any and all claim the City may have had to that piece of property. That was also approved unanimously.

On a motion of Councilmember Shahid, seconded by Councilmember Waring, 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 authorizing the Mayor to execute a Deed and any other necessary documents, approved as to form by the Office of Corporation Counsel, Quit-Claiming to the Washington Light Infantry and Sumter Guards Board of Officers the City of Charleston's right, title and interest, if any, to that certain portion of Marion Square being thirty-six (36) feet square, lying with in the center of the former drive from Calhoun Street to the great gate of the "Old" Citadel and 110 feet from the inside curbing of the pavement of Calhoun street (as such inside curbing existed on September 16, 1885), and subject to certain exceptions and other matters to be approved by the Office of Corporation Counsel.

There being no further business presented, the Committee on Ways and Means adjourned at 4:57 p.m.

Jennifer Cook
Assistant Clerk of Council