

COMMITTEE ON WAYS AND MEANS

January 10, 2023

A meeting of the Committee on Ways and Means was held this date beginning at 4:32 p.m.

PRESENT (13)

The Honorable John J. Tecklenburg, Mayor

Councilmember Gregg	District 1	Councilmember Waring <i>Arrived 4:53</i>	District 7
Councilmember Shealy	District 2	Councilmember Seekings	District 8
Councilmember Sakran	District 3	Councilmember Shahid	District 9
Councilmember Mitchell	District 4	Councilmember Bowden	District 10
Councilmember Brady	District 5	Councilmember Appel	District 11
Councilmember Gregorie	District 6	Councilmember Parker	District 12

1. INVOCATION:

The meeting opened with an invocation provided by Chairman Gregorie.

2. APPROVAL OF MINUTES:

On a motion of Councilmember Shealy, seconded by Councilmember Mitchell, the Committee on Ways and Means approved the minutes of the December 20, 2022, Committee on Ways and Means meeting.

3. BIDS AND PURCHASES:

Councilmember Gregg asked if the \$156,000.00 that was spent every year was with the Congressional Delegation that does the lobbying or where was the lobbying effort spent mostly.

Mayor Tecklenburg said it was evenly between the Congressional Delegation but maybe more than half with Federal Agencies. Such as, going to the Department of Transportation or the Department of Justice. He said a lot of time the past year was with the Department of Transportation on several initiatives that were in the report.

Councilmember Parker said in two week she was going to bring up for further discussion on regards to grant and lobbying statuses. She said she would like to hear more from the lobbying firm since the City was paying so much.

Mayor Tecklenburg said it wasn't always about securing funds sometimes it was policy matters.

Chairman Gregorie said he recalled on the Community Development Block Grant Program it took more than the Mayor going up and testify on behalf of the City, it also took an extensive amount of lobbying to make sure the provisions that would benefit the City would be there.

Mayor Tecklenburg said he thought the Councilmembers benefited from seeing the report from Mike Tongour and what he'd been doing for the last year, but he thought it would be a good idea to receive a more regular report from him, the folks in Columbia, and the City's grant writer Sarah Hager.

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

**a. BUDGET, FINANCE, AND REVENUE COLLECTIONS: ACCOUNT:52036
AMOUNT: \$275,000.00**

Approval to add \$18,000.00 to the existing contract for Federal Lobbying Services with TCH Group, 601 13th St., NW, Washington, DC 20005. Solicitation # 17-P038C.

4. LEGAL DEPARTMENT: ORDINANCE TO AMEND CHAPTER 7, ARTICLE IV, SECTION 7-129 TO INCLUDE FEE SCHEDULE. [ORDINANCE]

Ms. Creech said included in the materials were proposed amendments to item 4 which was the adoption of a fee schedule for the Rental Registry Program in the Cannonborough/Elliottborough Pilot Program. It was to adopt a \$40.00 application fee per registration per rental unit and an additional \$10.00 for every additional unit on the same TMS number for a max of 40. The requested amendment was to strike the reference to the requirement for a business license for two or more residential rental units. She said the reason was because citywide it's five or more. It was deferred at the License Committee.

Councilmember Mitchell said the License Committee decided to defer the Ordinance to amend Appendix B because they had discussions pertaining to the business license. Committee members also felt as though people didn't understand it and didn't know about it, so they decided to defer that portion but let the other portion stay.

Councilmember Shahid asked how they came up with the rate schedule.

Ms. Creech said Livability worked on it with BFRC and the minimum application fee that the City had was \$40.00 and they went with that minimum number..

Councilmember Shealy said when it all came about the idea was that Livability was having a hard time tracking down problem tenants and couldn't figure out who the owner was because it was an LLC. He said the whole idea was to have the registry so they would have someone to get in touch with. It wasn't to raise revenue off of. The issue with the business license was because it was a tax that had to be spread throughout the City and that's where he had an issue.

Councilmember Shahid asked if there was potential of someone paying the fee twice as being part of the pilot program.

Ms. Creech said the fee schedule was the application fee to register your unit for \$40.00, and that was before the Councilmembers. And because of the deferral of the item at the License Committee to have it be two or more that required a business license citywide she

recommended that they amend it further to keep the provisions regarding business license consistent with the rest of the City, that was five or more units.

Mayor Tecklenburg said if you had five or more rental units in the City of Charleston you had to have a business license. There was a graduated business license fee based on the amount of income you generated. He said what they had before them in item 4 would allow the Pilot Registration Program to go forward.

On a motion of Councilmember Seekings, seconded by Mayor Tecklenburg, the Committee on Ways and Means voted to approve the Ordinance to amend Chapter 7, Article IV, Section 7-129 to include fee schedule.

5. THE LICENSE COMMITTEE (MEETING WAS HELD ON MONDAY, JANUARY 9, 2023, AT 5:00 P.M., CONFERENCE CALL: 1-929-205-6099; ACCESS CODE: 846 8890 8523)

- a. An ordinance to amend Appendix B “Business License Class Schedule (adopted Nov. 9, 2021)” to Chapter 7, Article II of the Code of the City of Charleston to modify the exemption to lessors of residential buildings and dwellings.

On a motion of Councilmember Mitchell, seconded by Councilmember Sakran, the Committee on Ways and Means voted to defer the ordinance to amend Appendix B “Business License Class Schedule (adopted Nov. 9, 2021)” to Chapter 7, Article II of the Code of the City of Charleston to modify the exemption to lessors of residential buildings and dwellings.

6. THE COMMITTEE ON REAL ESTATE (MEETING WAS HELD ON MONDAY, JANUARY 9, 2022, AT 3:30 P.M., CONFERENCE CALL: 1-929-205-6099; ACCESS CODE: 835 678 884)

- a. Authorization for the Mayor to execute Declaration of Covenants, Conditions and Restrictions encumbering Fort Pemberton in connection with acceptance of grant funds from National Park Service. The property is owned by the City of Charleston. (TMS# 343-05-00-107, 343-05-00-111, 343-05-00-114) [Ordinance]
- b. Authorization for the Mayor to execute a Quit Claim Deed conveying any interest the City may have in approximately 0.077 acres, representing a portion of the former Lot 136 in Maryville and being a portion of TMS# 418-00-00-006, to Bussy, LLC. (822 5th Avenue, Charleston, SC 29407) [Ordinance]
- c. Authorization for the Mayor to execute on behalf of the City a utility easement, approved as to form by the Office of Corporation Counsel, to Dominion Energy South Carolina, Inc., encumbering a portion of the City’s real property designated as Charleston County TMS# 460-14-00-001, 460-14-00-010, 460-14-00-012, 460-14-00-013, 460-14-00-015 and 460-14-00-016, shown on reference drawing D-84545, to permit installation of electric service upgrades near Charleston Marina. [Ordinance]
- d. Authorization for the Mayor to execute a Memorandum of Understanding on behalf of the City of Charleston granting authority to SMH Charleston City Marina, LLC to appeal tax year 2022 valuations in its name. The property is owned by the City of Charleston. (TMS# 460-14-00-001)

- e. Approval of an Agreement to Buy and Sell Real Estate. The property is owned by John DeSteffano and Lynn S. DeSteffano IRA. (1819 Wallace Lane, Charleston, SC 29407) (TMS# 351-02-00-021) [Ordinance]
- f. Authorization for the Mayor to execute on behalf of the City a Permanent Right-of-Way and Utility Easement, which grants to the College of Charleston the authority to connect its property located at 176 Lockwood to the City-owned sewer on the adjacent parcel. The property is owned by the City of Charleston. (99 West Edge) (TMS# 460-00-00-013)
- g. Please consider the following annexations:
 - (i). 222 Island Drive (.9 acre) (TMS# 349-14-00-021), West Ashley, (District 11). The property is owned by Peter Green.
 - (ii). 1888 Raoul Wallenberg Boulevard (.35 acre) (TMS# 353-13-00-031), West Ashley, (District 7). The property is owned by Debbie Floyd.
 - (iii). 3111 Maybank Highway (26.53 acres) (TMS# 313-00-00-063 and 313-00-00-064), Johns Island, (District 3). The property is owned by the City of Charleston.
- h. Authorization for the Mayor to execute a Deed of Modification and Release of Prior Deed Restrictions enacted by Ordinance 2001-066 in 2001 against 334 Calhoun St. The property is owned by Charleston County. (TMS# 460-14-00-019) [Ordinance] Executive Session pursuant to S.C. Code Ann. Sec. 30-4-70(a)(2) to receive legal advice regarding the item, if needed. Council may or may not take action following executive session. (***Exhibit to be distributed under separate cover by the Legal Department***)
- i. Executive session for discussion of negotiations incident to proposed sales of property pursuant to S.C. Code Ann. 30-4-70(a)(2).

Councilmember Appel, Chairman of the Real Estate Committee, said Item A was an authorization for the Mayor to execute Covenants with respect to Fort Pemberton. The City was receiving a Federal Grant from the National Park Service and in exchange for that money the Federal Government wanted the property used for a park. The Item was approved.

Item B was for a Quitclaim Deed in West Ashley to an entity Busby LLC. He wanted the record to reflect that Councilmember Waring recused himself from the item. The City's Legal Department hired someone to do an exhaustive title exam and the conclusion was that the City didn't have a legitimate claim to the property. The Item was approved.

Item C was approved for an utility easement for an electrical infrastructure improvement at the Charleston Marina which consisted of undergrounding some power infrastructure.

Item D was approved for an MOU with SMH Charleston City Marina LLC, so that they could appeal their tax assessment for 2022 which was higher from prior years.

Item E was an agreement to purchase real estate off of Ashley River Road for a new fire station. The item was approved.

Item F was approved for a right of way and utility easement with the College of Charleston at their property by Brittlebank Park at 99 West Edge. It was to allow a sewer infrastructure to be extended to alleviate on site challenges.

Item G was for three annexations that were approved.

Item H was approved for a Deed of Modification and Release over 334 Calhoun Street. In coordination with Charleston County the owner of the property the City was asked to take corrective action. The property could only be used for medical purposes.

Item I was an executive session to discuss a proposed real estate sale and no action was taken.

Councilmember Shealy recused himself from item B.

Councilmember Seekings asked what was the status of 334 Calhoun Street and did the county have a contract on the property.

Ms. Copeland said it was currently under contract and under due diligence. She said they were selling to a private developer but did not know the name.

On a motion of Councilmember Appel, seconded by Councilmember Shahid, the Committee on Ways and Means voted to approve the Real Estate report as presented and recommended giving first reading to the following bills:

An ordinance to amend Chapter 7, Article IV-Housing, Division 4 (adopted by Ordinance 2022-159) of the Code of the City of Charleston.

An ordinance to authorize the Mayor to execute on behalf of the City of Charleston Restrictive Covenants encumbering Fort Pemberton in connection with its acceptance of grant funds from the National Park Service.

An ordinance authorizing the Mayor to execute, on behalf of the City of Charleston, as Grantor, a Quit Claim Deed conveying the City's interest in the southeastern portion of former lot 136 in Maryville.

An ordinance authorizing the Mayor to execute on behalf of the City a utility easement, approved as to form by the Office of Corporation Counsel, to Dominion Energy South Carolina, Inc., encumbering a portion of the City's real property designated as Charleston County TMS Nos. 460-14-00-001, 460-14-00-010, 460-14-00-012, 460-14-00-013, 460-14-00-015 and 460-14-00-016, shown on reference drawing D-84545, to permit installation of electric service upgrades near Charleston Marina.

An ordinance authorizing the Mayor to execute on behalf of the City of Charleston an Agreement to Buy and Sell Real Estate Purchase regarding that certain parcel bearing Charleston County Tax Map Parcel Number 351-02-00-021.

An ordinance authorizing the Mayor to execute on behalf of the City a Permanent Right-of-Way and Utility Easement which grants to the College of Charleston the authority to connect its property located at 176 Lockwood to the City-owned sewer on the adjacent parcel (99 West Edge).

An ordinance to provide for the annexation of property known as 222 Island Drive (.9 acre) (TMS# 349-14-00-021), 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 11. The property is owned by Peter Green.

An ordinance to provide for the annexation of property known as 1888 Raoul Wallenberg Boulevard (.35 acre) (TMS# 353-13-00-031), 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 7. The property is owned by Debbie Floyd.

An ordinance to provide for the annexation of property known as 3111 Maybank Highway (26.53 acre) (TMS# 313-00-00-063; and 3130000064), Johns Island, Charleston County, to the City of Charleston, shown within the area annexed upon a map attached hereto and make it part of District 3. The property is owned by the City of Charleston.

There being no further business presented, the Committee on Ways and Means adjourned at 5:03 p.m.

Brittany Pinckney
Assistant Clerk of Council