

COMMITTEE ON WAYS AND MEANS

March 9, 2021

A meeting of the Committee on Ways and Means was held this date beginning at 4:34 p.m.

PRESENT (13)

The Honorable John J. Tecklenburg, Mayor

Councilmember Delcioppo	District 1	Councilmember Waring (arrived at 4:42 p.m.)	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	District 12

1. INVOCATION:

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

2. APPROVAL OF MINUTES:

On a motion of Councilmember Mitchell, seconded by Councilwoman Jackson, the Committee on Ways and Means voted unanimously to approve the minutes of the February 23, 2021 Committee on Ways and Means meeting.

3. BIDS AND PURCHASES:

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

a. FIRE DEPARTMENT: ACCOUNT: 062020- 58015 AMOUNT: \$8,721

Approval to increase the purchase order for the pre-construction Change Order made of the High Water Vehicle in the amount of \$8,721, #20-P008R previously approved at City Council on March 24, 2020 for \$256,250. The new amount is \$264,971. The \$8,721 increase will be funded from the 2020 Lease Purchase Funds.

b. INFORMATION TECHNOLOGY: ACCOUNT: 161000- 52206 AMOUNT: \$60,362.92

Approval of renewal of annual maintenance and support for the Electronic Document Management System (EDMS) in the amount of \$60,362.92. State Contract: 4400016689. EDMS is used for processing, accessing and storing all digitized documentation to include City records, archives, drawings and plans.

c. INFORMATION TECHNOLOGY: ACCOUNT: 323000-52206 AMOUNT: \$128,747.89

Approval of annual maintenance agreement with Central Square, the Sole Source vendor in the amount of \$128,747.89, to provide maintenance and support services for the City's Onesolution ERP (Financial, HR, and Payroll) Software.

Mayor Tecklenburg said the rate for item 3c was 0.6%, less than 1% and was an incredibly good interest rate.

4. BUDGET FINANCE REVENUE COLLECTIONS: APPROVAL OF THE 2021 MASTER LEASE PURCHASE FINANCING AGREEMENT WITH TD EQUIPMENT FINANCE, IN THE AMOUNT OF \$6,040,470, 40 CALHOUN STREET, CHARLESTON, SC. SOLICITATION NUMBER 21-B001C (ORDINANCE).

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

An ordinance to authorize the execution and delivery of Lease Purchase Agreements with TD Equipment Finance, Inc. in order to provide for the acquisition of various vehicles and associated collateral, various maintenance equipment and associated collateral, information technology equipment to include computer, laptop and tablet replacement, and mobile data terminals for police; to provide the terms and conditions of such Lease Purchase Agreements; to provide for the granting of a security interest to secure all obligations of Lessee under the Lease Purchase Agreements; to authorize the execution and delivery of all documents, including one or more Escrow Agreements, necessary or appropriate to the consummation of such lease purchase agreements; and to provide for other matters related thereto.

5. BUDGET FINANCE REVENUE COLLECTIONS: APPROVAL WITH SAFETY NATIONAL FOR WORKER'S COMPENSATION EXCESS INSURANCE IN THE AMOUNT OF \$409,142. THIS RENEWS THE CITY'S WORKERS COMPENSATION EXCESS INSURANCE POLICY. THE TERM OF THE POLICY IS APRIL 1, 2021 TO APRIL 1, 2022.

On a motion of Councilwoman Mitchell, seconded by Councilmember Shahid, the Committee on Ways and Means voted unanimously to approve the City's Workers Compensation Excess Insurance in the amount of \$409,142 with Safety National.

6. MAYOR'S OFFICE FOR CHILDREN, YOUTH, AND FAMILIES: APPROVAL TO ACCEPT THE RENEWAL GRANT FOR VISTA, WHICH WILL ALLOW US TO PROVIDE UP TO 25 VISTA MEMBER SLOTS TO CHARLESTON NON-PROFITS, AND TO RECEIVE 2 VISTA LEADERS TO SERVE IN MOCYF. THERE IS NO MATCH REQUIRED FOR THE CITY-PER THE TERMS OF THE GRANT, WE PROVIDE THE COST SHARE FUNDING AMOUNT THROUGH SITE FEES RECEIVED FROM PARTICIPATING ORGANIZATIONS. THIS IS AN AFTER-THE-FACT APPROVAL.

Mayor Tecklenburg said the management of the VISTA program had the potential to bring great benefit to several non-profit agencies in Charleston in addition to many City departments. He said it was a bonus to get young, energetic citizens ready to work, and the VISTA program covered most of the costs.

On a motion of Councilwoman Jackson, seconded by Councilmember Shahid, the Committee on Ways and Means voted unanimously to accept a renewal grant with the VISTA program to provide 27 leaders to serve in MOCYF.

7. PARKS-CAPITAL PROJECTS: APPROVAL TO INCREASE CPD FORENSIC SERVICES BUILDING P161654 WITH PMC COMMERCIAL INTERIORS IN THE AMOUNT OF \$4,269 TO FURNISH CERTAIN MATERIALS AND NECESSARY LABOR TO COMPLETE THE USER REQUESTED RECONFIGURATION OF THE CRIME SCENE WORKSTATIONS. APPROVAL TO INCREASE P161654 WILL INCREASE THE PO AMOUNT BY \$4,269 (FROM \$182,630.60 TO \$186,899.60) OF THE \$12,392,186 PROJECT BUDGET. FUNDING SOURCES FOR THIS PROJECT ARE: 2015 IPRB (\$7,392,186) AND 2017 IPRB (\$5,000,000).

On a motion of Councilmember Shahid, seconded by Councilmember Mitchell, the Committee on Ways and Means voted unanimously to approve an increase of \$4,269 for the CPD Forensic Services Building with PMC Commercial Interiors.

8. STORMWATER MANAGEMENT: APPROVAL OF SPRING/FISHBURNE DRAINAGE IMPROVEMENT PROJECT PHASE 4 WETWELL AND OUTFALL- CHANGE ORDER #6 TO THE CONSTRUCTION CONTRACT WITH CONTI ENTERPRISES, INC., FOR A RESOLUTION TO A CLAIM THAT CONTI SUBMITTED FOR SOIL DISPOSALS RESULTING IN A NET COST OF \$427,168.75, WHICH WILL RESULT IN A \$0.00 CHANGE ORDER USING THE OWNER'S CASH CONTINGENCY ALLOWANCE. THIS CHANGE ORDER ALSO INCLUDES A \$100,000 CREDIT FOR A REDUCTION IN OUTFALL H-PILE LENGTH. APPROVAL OF CHANGE ORDER #6 WILL OBLIGATE \$0.00 OF THE PROJECT BUDGET. COSTS FOR THE CHANGE ORDER (\$427,168.75) WILL COME FROM THE APPROVED OCCA OF \$2,000,000 (BALANCE OF OCCA FOR THE PROJECT IS \$1,395,590.21).

On a motion of Councilmember Shahid, seconded by Councilmember Appel, the Committee on Ways and Means voted unanimously to approve Spring/Fishburne Drainage Improvement Project Phase IV Wetwell and Outfall-Change Order #6 to the Construction Contract with Conti Enterprise resulting in a \$0.00 change order using the owner's Cash Contingency Allowance.

9. POLICE DEPARTMENT: APPROVAL OF LAW ENFORCEMENT ASSISTANCE AND SUPPORT AGREEMENT WITH THE YORK COUNTY SHERIFF'S OFFICE.

On a motion of Councilmember Shahid, seconded by Councilmember Appel, the Committee on Ways and Means voted unanimously to approve a Law Enforcement Assistance and Support Agreement with York County's Sheriff Office.

10. FIRE DEPARTMENT: APPROVAL TO SUBMIT THE 2020 FIRE PREVENTION AND SAFETY GRANT AFTER THE FACT IN THE AMOUNT OF \$76,303 FOR SMOKE ALARMS, A FIRE EXTINGUISHER, TRAINING PROPERTY, AND CREATING A FIRE PREVENTION VEHICLE. THERE IS A 5% MATCH (\$3,633.48) IN THE FY2021-22 BUDGET THAT FIRE WILL ABSORB IN THE BUDGET. THIS IS AN AFTER-THE-FACT APPROVAL.

On a motion of Councilmember Mitchell, seconded by Councilmember Shahid, the Committee on Ways and Means voted unanimously to approve a submittal of the 2020 Fire Prevention and Safety grant after the fact in the amount of \$76,303.

11. PUBLIC SERVICE: APPROVAL TO SUBMIT AN EPA 2021 DIESEL EMISSION REDUCTION GRANT APPLICATION IN THE AMOUNT OF \$617,195.41 FOR TWO ELECTRIC REAR LOAD GARBAGE TRUCKS WITH 12-YEAR EXTENDED WARRANTY AND ONE

120KW CHARGING STATION. CITY MATCH IN THE AMOUNT OF \$754,350.27 WILL BE BUDGETED IN 2022.

Councilmember Griffin said he spoke with the Public Services Division. They discussed the grant's benefits, which provided more trucks for Fleet, but would save the City a considerable amount of money over the coming years. Diesel emission reduction saved a lot of money in diesel and protected the environment. In garbage collection, a large portion of the City's trash didn't get picked up by the City, and it was a plus to add more trucks to improve the Fleet. He said the Garbage Collection service was second to none under Matt Alltop's leadership, and the employees had done a fantastic job at meeting the needs of the City. He said he was proud the City received the grant, and it was a valuable way to spend City dollars.

On a motion of Councilmember Shahid, seconded by Councilwoman Jackson, the Committee on Ways and Means voted unanimously to approve an EPA 2021 Diesel Emission Reduction Grant application of \$617,195.41 for two rear lad garbage trucks.

12. RESILIENCY AND SUSTAINABILITY: APPROVAL OF USACE LETTER OF INTEREST REGARDING FEASIBILITY STUDY FOR FLOODING IN THE CITY OF CHARLESTON. (ALSO TO BE CONSIDERED BY THE COMMITTEE ON PUBLIC WORKS AND UTILITIES.)

Councilmember Griffin said he hoped all Councilmembers had a chance to review the USACE Letter of Interest and asked Mark Wilbert to explain the letter and the language that the City could potentially spend up to \$3,000,000 for a study, \$1,500,000 from the Federal government, and a \$1,500,000 match from the City. The study would be costly down the road. City Council needed to discuss how the City would afford the study, exactly how the money would be spent, and whether other areas would be looked at. He worried it was too costly. Other companies had already studied the same area that resulted in conflicting approaches and became ineffective for the City.

Mr. Wilbert said the purpose of a Feasibility Study was for the Federal government to determine Federal interest and spend money to do construction projects. For the City it would mean construction projects to alleviate flooding throughout the City. The existing studies would help with the Feasibility Study, and those areas would not have to be restudied but could potentially become areas for construction projects. He said there would be some studies in areas not studied, but the lessons that already existed would be used. For example, the Storm Surge risk study that was current, none of those studies were discarded but used to help the project go further. He said for clarity, the scope and scale of the study were still to be determined. The letter of intent was left very broad, and the Federal authorization bill was comprehensive. The Army Corps of Engineers understood and asked for the variable to be general to work it through their chain of command, report back to the City, and hoped it would provide more scope. The intent was to look for ways for the Federal government to determine Federal interest and come to the City to cost-share future construction projects to decrease flooding at a cost-share amount of 65 to 35 percent.

Councilmember Gregorie said the Army Corps of Engineers had a Division that specifically looked at natural solutions that addressed flooding issues. As part of the first 3x3, the City had already looked at natural solutions for certain parts of the Peninsula like Wagener Terrace. He asked if the Army Corps of Engineers would look at other areas where natural solutions would be appropriate instead of the construction of a wall or barrier for the Feasibility Study and the ongoing Storm Surge Study.

Mr. Wilbert said from the ongoing Storm Surge study, it was difficult for natural solutions to stop storm surges of any considerable size by themselves, but they can be used as an adjunct to some other measure. For the Feasibility Study, there were more opportunities for natural solutions to be the solution. The team looked at storm surges and looked at all types of flooding throughout the City where there was more opportunity for natural solutions to be effective.

Councilmember Gregorie asked if the City considered such solutions instead of a wall along Lockwood Boulevard to be raised and make Brittlebank Park a catch basin during storm surges or flooding. In the Netherlands, once the water was gone, it returned to a park.

Mr. Wilbert said the parks being a retaining area was discussed, and it was not ruled out.

Councilwoman Jackson said she appreciated the discussion and Mr. Wilbert's response. She understood that when looking at the seawall's current storm surge study, the City was not committed to spending money. There would be lots of off-ramps. The Feasibility Study, as opposed to the study that was being paid 100 percent by the Army Corps of Engineers, once the scope was identified, the City would have to commit to saying 'yes, it's worth going forward on the study side of things.' She said after listening to the Army Corps of Engineers and Waggoner and Ball, the takeaway was no decision could be made about the wall until there were more holistic plans for managing water all over the City. The project had her support if part of the study would be financially supported by a group of engineers who held a great working relationship with the City. Council should authorize the next step of allowing the scope to be determined, then deciding to pay for it.

Councilmember Seekings said the project was a great precursor to getting Federal money to do some projects. Still, as a practical matter in studying the areas within the City, it was already done. A map showed studies on Johns Island, James Island, Church Creek, and the entire Peninsula. Absent were the groundwater studies. He said he did see the project being \$3,000,000 because the City had already done much of the survey and knows what was going on.

Mr. Wilbert said the Army Corps' process before they commit Federal money was to go through the process, propose solutions to the challenges the areas had, and recommend construction projects to fix those areas. It would be determined if the construction projects had a significant cost-benefit ratio to determine Federal interest to spend Federal dollars.

Councilmember Seekings suggested bundling up all studies done, so Army Corps can provide assets with other challenges and not duplicate reports' efforts. In the end, the City needed action, not study. He said slowing things down and not speeding them up was not the greatest result in the world.

Councilmember Shahid said this was a precursor to get the ball rolling. The City was not committed to spend any money, and the plug could be pulled any time they desired.

Mr. Wilbert said this was a very broad letter of interest, and he would be shocked if the Army Corps said they wanted to study the entire City of Charleston and propose construction projects for the entire City. He said that the letter of interest was a follow-up to determine the areas that could use improvement using a cost-benefit ratio that would be significant enough to invest Federal dollars because of the way the authorization was written. The opportunity would present itself again when the City decided to commit or not. The City not committing any money was clear in the letter.

Councilmember Shahid said if the letter was not sent, the City could not get off of first base to see if there was Federal interest.

Councilmember Gregorie said he assumed anyone conducting a study would consider existing studies before they began a project.

Mr. Wilbert said from working with the Army Corps of Engineers on the previous study, the first thing they did was look into the existing studies in the area, blueprints, GIS layers that pertained to the site in the informational stages of the project. The previous study the group conducted lasted almost a full year.

Mayor Tecklenburg said he viewed the letter as an opportunity for the City to fulfill the vision of a holistic approach to flooding for the City and didn't mean they were waiting for it to occur. There were currently the five strategies, other projects that the City was proud of from the Stormwater Department. The Committee on Public Works and Utilities reviewed several small projects at their last meeting. He said none of that was going to stop, but the Feasibility Study was an excellent opportunity. There were future projects needed to address flooding in various parts of the City. If the Federal government helped fund a number of the projects, the City was saving money. He said it made sense to continue to partner with the group and bring them into the ongoing efforts that could lead to more Federal assistance. It was a stepping stone to get going in the right direction, and he hoped Council supported it.

Councilmember Gregorie said this was the way to get to a water plan Citywide.

The Mayor said it was all a part of the equation.

Councilmember Griffin said no one was hesitant on the opportunity to get Federal money. The bigger question was how much the project would cost the City just as the current study was a \$500 million buy-in. He said there was no in-depth discussion on how the money would be raised and was concerned that time would be wasted going through the process and half-heartedly raising the money. For \$500 million, the 3x3 project was bigger than I-526 and had not been placed on a referendum yet. Councilmember Griffin said Council was appeasing the Army Corps of Engineers, expressing interest, but the City hadn't taken the necessary steps needed. The first project's price was exorbitant, and to consider a second project with a hefty price tag with no direction on funding the first project was a concern. He asked Mr. Wilbert if there was more information about the areas the Army Corps were interested in.

Mr. Wilbert said those discussions were not had.

Councilmember Griffin said another billion-dollar project was a waste of time.

Mr. Wilbert said no particular areas were discussed, and the projects were directed to cost-benefit. The first paragraph of the letter read, "The City is comprised of distinct geographic areas and identified special concern that could be treated individually and can be severed from one another as the project develops." Mr. Wilbert said the goal was to identify the areas, break them up into the first seven years, and the others would follow nine to ten years after. It was not intentionally written to be a broad, grandiose solution. The City was severable and did not have to do a project that encompassed James Island, Johns Island, and the Peninsula simultaneously. The work could be broken down into separate areas. Work in West Ashley could be done with no impact on the Peninsula.

Councilmember Griffin said he voted 'no' at the Public Work and Utilities Committee because he needed more information and voted yes to find out where the Army Corps was headed with the project, the project's scale, and the price tag.

Mr. Wilbert said the study was no more than \$1.5million. If the study were to go over like the current storm surge study funded 100 percent by the Federal government, negotiations would take place between the Army Corps and the City at the three-year mark.

Councilmember Waring said as the studies progressed, the City needed to come up with the match as they knew about the Army Corps of Engineers project for a year. Points to consider were where the money would come from. The City would need a collective to develop the project funding, which cost three times more than the annual budget. He said the group had to think broadly and collaboratively. He said he hoped on the other side of the vote, there would be a simple financial plan to include how to come up with the funding and where funding would need to be put in place first. The plan needed to be concise and understandable for the people to comprehend the message of methodology. The project had his support, and the action steps required to be taken first.

On a motion of Councilmember Shahid, seconded by Councilmember Mitchell, the Committee on Ways and Means voted unanimously to approve the U.S. Army Corps of Engineers Letter of Interest regarding Feasibility Study for Flooding in the City of Charleston.

13. THE COMMITTEE ON REAL ESTATE (MEETING WAS HELD ON MONDAY, MARCH 28, 2021 AT 3:00 P.M., CONFERENCE CALL: 1-929-205-6099; ACCESS CODE: 835 678 884)

- a. Approval of a three-year lease with MUSC with two one-year options to renew. The property will be used as a parking lot. The property is owned by the City of Charleston. [Southeast corner of Fishburne Street and Hagood Avenue and known as the 1,143 parking spaces Fishburne Ballpark Parking Lot; TMS: 4600000008 and 4600000022]. This proposed lease is being re-submitted after its February 9, 2021 initial approval by the City Council. After ongoing review at several levels, the SC Department of Administration subsequently amended the proposed Lease by deleting original Paragraph 8.1.(g), submitting that the omitted language is inconsistent with other articles. The SCDOA also amended the proposed lease by adding Paragraphs 11.2 through 11.5 to provide an actual process for handling, continuing, or termination of the lease in the cases of damage/destruction or condemnation of the property. (Ordinance)
- b. Approval of an ordinance authorizing the Mayor to execute, on behalf of the City of Charleston, a Memorandum of Agreement with Palmetto Railways; the South Carolina Department of Commerce; and the South Carolina State Ports Authority regarding the Navy Base Intermodal Facility (NBIF) project in Charleston County, South Carolina, under which the City will accept \$11.5 million for (1) the City's conveyance of certain real property, being a portion of Charleston County TMS No. 464-02-00-051, commonly known as the W.R. Grace Site, through separate Purchase Agreement; and (2) mitigation of existing and future impacts related to the construction and operation of the NBIF, including but not limited to freight rail movement in the vicinity of the southern access component of the NBIF.

- c. An ordinance authorizing the Mayor to execute a Third Amendment to the Memorandum of Understanding between the City of Charleston and the Episcopal Diocese of South Carolina Community Housing Development Organization (“EDCHDO”), a copy of which is attached hereto as Exhibit 1, under which (a) EDCHDO will convey back to the City certain real property located at 83 Hanover Street (TMS No. 459-05-04-124); (b) the City will execute a Quitclaim Deed and release of possibility of reverter as to all properties previously conveyed to EDCHDO and sold as affordable housing; and (c) the City will authorize EDCHDO to utilize any remaining funds provided by the City to EDCHDO to develop and sell affordable housing units on EDCHDO’s properties designated as Charleston County TMS No. 4600801215 (24 Humphrey Court) and 4600801216 (28 Humphrey Court).
- d. (i) Update on Crown Castle applications and recent Order
- (ii) Request authorization for Mayor to execute Limited Pole Agreement, in a form approved by legal staff, between City of Charleston and Crown Castle (216 Ashley Avenue, 80 Ashley Avenue, and 147 Broad Street).
- e. Request for Mayor to approve a Memorandum of Understanding between Fetter Health Care Network, Inc., and the City of Charleston to establish a temporary COVID-19 Vaccination Site for the community vaccination administration (265 Fishburne Street). ***(To be sent under separate cover by the Legal Department)***
- f. Consider the following annexations:
 - (i) 2138 Golfview Drive (0.22 acre) (TMS No. 343-06-00-013), James Island, Charleston County (District 11). The property is owned by Greg White.
 - (ii) 114 Magnolia Road (0.20 acre) (TMS No. 418-13-00-166), West Ashley, Charleston County (District 3). The property is owned by Matt Prendergast.

Councilmember Shahid said item 'a' was a familiar topic that addressed the surface lot on the corner of Fishburne Street and Hagood Avenue. The State sent the lease back with three minor changes, and the changes were made.

Item 'b' was an agreement with Palmetto Railways in which the City would get \$11.5 million for the sale of the railroad. The item was also discussed at the Committee on Traffic and Transportation. If accepted, of the \$11.5 million, \$5 million would go towards mediation of the area, and the remaining funds would help relocate property at Milford Street. Councilmember Shahid asked Mr. McQueeney to provide Council with more detail.

Mr. McQueeney shared a map of the property and pointed to a red outlined area that was the new southern access route to the Navy Base Intermodal Facility. The City-owned the W.R. Grace Site and knew Palmetto Railways needed to acquire up to 2.53 acres of the City's property. Mitigation negotiations were made for the City to establish improvements with Palmetto Railways dollars or ways to associate with the Department of Transportation and the Department of Commerce. The City was stuck at \$5 million on the list of mitigation improvements and used the

idea to work out the sale of the W.R. Grace site. The Ports Authority was involved. The General Assembly considered an Economic Development Bond for \$550 million for the pending Intermodal project. Subject to the project's passage, a joint resolution was referred to at the Ports Authority Committee on Ways and Means. He said the City was offered \$11.5 million for up to 2.53 acres of the W.R. Grace site. \$4.9 million would have to go to transportation mitigation impacts. The map outlined proposed mitigation projects in mind. The list included a VID crossing over Meeting Street Road. The Palmetto Railways returned with their mitigation study that included \$4.2 million worth of projects listed. Of the \$11.5 million the City would receive, \$5 million had to be used for transportation or related mitigation from the southern access route. The other \$6.5 million would have to be used for one of two purposes, mitigation improvements or replacement facilities for what was to be built on the W.R. Grace site, a Public Service facility. The Traffic and Transportation Department's new facilities, Fleet, storage for the Police, and Fire training facilities. The offer was subject to the bond. The City was not locked into any projects, but \$5 million had to be spent on mitigation projects related to the area and the balance of projects related to the area or purchase of land, construction, and the design of replacement facilities.

Councilmember Shahid asked Mr. McQueeney to clarify comments about negotiations to get more funding and the offer on the table.

Mr. McQueeney said there was no negotiation. The City would be straightforward with its decisions and deal with the consequences Council policy stated. There were older appraisals of the property. A more recent review would be ordered with a six-to-eight-week turnaround. He said his goal was to get a signed copy of the lease agreement signed by both parties before the bond was passed by the General Assembly, so both parties knew the expected outcome once the bond was presented.

Councilmember Shahid thanked Mr. McQueeney for sharing additional information.

Councilmember Shahid said item 'c' was an ordinance to authorize the Mayor to execute a Third Amendment to the Memorandum of Understanding regarding the Hanover Street property for affordable housing.

Councilmember Shahid asked Mrs. Geona Shaw-Johnson to provide Council with additional information.

Mrs. Shaw-Johnson said it was a request to authorize the Mayor to execute a Third Amendment between the City and Episcopal Diocese (EDCHDO) or Community Housing Development Organization that finalized the efforts to return 83 Hanover Street to the City. Development and design were already underway on the property. The MOU would allow the EDCHDO to utilize \$161,170 towards constructing two additional homes on Humphreys Court. The organization's continued efforts were undertaken in the Cannonborough - Elliotborough Community. Once completed, efforts for the City of Charleston would be finalized to date. Mrs. Shaw-Johnson asked Council for their continued approval of the EDCHDO MOU.

Councilmember Shahid said item 'd' was an update on litigations regarding Crown Castle applications and a recent Order. It was a proposed erection of cell phone black power poles. United State District Judge Norton granted relief on prohibiting or coercing the installation of five different

poles in locations throughout the City. Steve Brown provided a thorough explanation of the litigation that identified three other utility poles the City could use to accommodate Crown Castle's lead for the erection of the towers instead. The Committee on Real Estate discussed approving authorization to proceed. One of the poles was proposed to be positioned at the Four Corners of Law across the street from City Hall. The other was going to be positioned further down Broad Street, near Logan Street. The goal was to avoid having the poles installed in various locations throughout the Peninsula that would stick out like a sore thumb because of its appearances. Through many efforts, the City provided for an alternative to the poles using what already existed in the City's stockpile. Councilmember Shahid asked Ms. Herdina to add anything further.

Ms. Herdina said the Committee would like authorization for the Mayor to execute the non-exclusive pole agreement that authorized Crown Castle to place their equipment on City-owned poles. The benefits would be Crown Castle not installing their poles that were unattractive near the City's poles. She encouraged City Council to authorize moving forward with the pole agreement.

Councilmember Shahid said item 'e' was a Memorandum of Understanding between Fetter Health Care Network and Charleston's City to have a temporary location at 265 Fishburne Street.

The final item was two annexations of 2138 Golfview Drive on James Island and 114 Magnolia Road in West Ashley.

On motion of Councilmember Shahid, seconded by Councilwoman Jackson, the Committee on Ways and Means voted to approve items 'a' through 'f' of the Committee on Real Estate report and recommended giving first reading to the following bills:

An ordinance amending Ordinance No. 2021-020, adopted by City Council on February 23, 2021, and authorizing the Mayor to execute, on behalf of the City of Charleston ("City") that certain Governmental Real Estate Lease to Medical University of South Carolina ("Tenant"), for 1,143 parking spaces and a covered bus shelter located at the southwest corner of Fishburne Street and Hagood Avenue, known as the Fishburne Ballpark Parking Lot.

An ordinance authorizing the Mayor to execute, on behalf of the City of Charleston, a Memorandum of Agreement with Palmetto Railways; the South Carolina Department of Commerce; and the South Carolina State Ports Authority regarding the Navy Base Intermodal Facility (NBIF) project in Charleston County, South Carolina, under which the City will accept \$11.5 million for (1) the City's conveyance of certain real property, being a portion of Charleston County TMS No. 464-02-00-051, commonly known as the W.R. Grace Site, through separate Purchase Agreement; and (2) mitigation of existing and future impacts related to the construction and operation of the NBIF, including but not limited to freight rail movement in the vicinity of the southern access component of the NBIF.

An ordinance authorizing the Mayor to execute a Third Amendment to the Memorandum of Understanding between the City of Charleston and the Episcopal Diocese of South Carolina Community Housing Development Organization ("EDCHDO"), a copy of which is attached hereto as Exhibit 1, under which (a) EDCHDO will convey back to the City certain real property located at 83 Hanover

Street (TMS No. 459-05-04-124); (b) the City will execute a Quitclaim Deed and release of possibility of reverter as to all properties previously conveyed to EDCHDO and sold as affordable housing; and (c) the City will authorize EDCHDO to utilize any remaining funds provided by the City to EDCHDO to develop and sell affordable housing units on EDCHDO's properties designated as Charleston County TMS No. 4600801215 (24 Humphrey Court) and 4600801216 (28 Humphrey Court).

An ordinance to provide for the annexation of property known as 2138 Golfview Drive (0.22 acre) (TMS# 343-06-00-013), 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 Greg White.

An ordinance to provide for the annexation of property known as 114 Magnolia Road (0.20 acre) (TMS# 418-13-00-166), 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 3. The property is owned by Matt Prendergast.

Mr. McQueeney said an appraisal from March 2019 was done on the Palmetto Railways Agreement, and he would provide it to the Committee on Real Estate at an April meeting.

There being no further business presented, the Committee on Ways and Means adjourned at 5:20 p.m.

Velvett Simmons
Assistant Clerk of Council