

COMMITTEE ON WAYS AND MEANS

March 23, 2021

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

PRESENT (13)

The Honorable John J. Tecklenburg, Mayor

| | | | |
|-------------------------|------------|--|-------------|
| Councilmember Delcioppo | District 1 | Councilmember Waring (arrived at 4:40p.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 (arrived at 4:37 p.m.) | 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 Councilwoman Jackson.

2. APPROVAL OF MINUTES:

On a motion of Councilmember Brady, seconded by Councilmember Mitchell, the Committee on Ways and Means voted unanimously to approve the minutes of the March 9, 2020 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 unanimously to approve the following bids and purchases:

a. PUBLIC SERVICE/STORMWATER: ACCOUNT: 193010-58010 AMOUNT: \$43,971

Approval to purchase a 2021 Ford F250 Crew Cab 4x4 with 6.75' Bed from Vic Bailey Ford in the amount of \$43,971, 501 East Daniel Morgan Ave., Spartanburg, SC 29304. SC Contract #4400022492. The truck is for Stormwater Management.

b. PUBLIC SERVICE/STORMWATER: ACCOUNT: 193010-58010 AMOUNT: \$105,500

Approval to purchase a 2021 John Deere 85G Excavator from Flint Equipment Company in the amount of \$105,500, 4500 Wendell Dr., SW., Atlanta, GA 30336. Sourcewell Contract #83922. Funding for this purchase is coming from insurance proceeds and will be covered in a future Stormwater Budget Amendment.

c. INFORMATION TECHNOLOGY: ACCOUNT: 235000-52206 AMOUNT: \$125,786

Approval of annual maintenance and support for Police Mobile Data Terminal (MDT) service from Charleston County in the amount of \$122,786. Sole source vendor for Consolidated Dispatch Mobile CAD Operations.

d. POLICE DEPARTMENT: ACCOUNT: 200000-52036 AMOUNT: \$170,000

Approval to establish a contract for Body Worn Cameras with Hypertec USA, Inc. (Hypertec Direct) in the amount of \$170,000, 1753 East Broadway Road, Ste. 101-514, Tempe, AZ 85282. Solicitation #21-B003R.

4. RESILIENCY AND SUSTAINABILITY: APPROVAL TO SUBMIT THE 2022 SC DHEC SOLID WASTE REDUCTION AND RECYCLING GRANT APPLICATION IN THE AMOUNT OF \$15,000 TO SUPPORT A PILOT PROGRAM FOR FOOD WASTE COMPOSTING AND ASSOCIATED OUTREACH AND EDUCATION. THE GRANT APPLICATION IS DUE ON APRIL 2, 2021. NO CITY MATCH IS REQUIRED.

On a motion of Councilmember Mitchell, seconded by Councilmember Shahid, the Committee on Ways and Means voted unanimously to approve the 2022 SC DHEC Solid Waste Reduction and Recycling Grant application in the amount of \$15,000 to support a pilot program for food waste composting and associated outreach and education.

5. FIRE DEPARTMENT: APPROVAL TO SUBMIT THE 2021 STATE HOMELAND SECURITY GRANT IN THE AMOUNT OF \$90,000 FOR CHARLESTON FD COLLAPSE SEARCH AND RESCUE TEAM. THERE IS NO FINANCIAL IMPACT WITH THIS GRANT IN THE FY21 OR 22 BUDGET. NO CITY MATCH IS REQUIRED.

On a motion of Councilmember Shahid, seconded by Councilmember Shealy, the Committee on Ways and Means voted unanimously to approve the 2021 State Homeland Security Grant in the amount of \$90,000 for Charleston FD Collapse search and rescue team.

6. POLICE DEPARTMENT: APPROVAL OF AN APPLICATION FOR PERSONNEL, EQUIPMENT, AND DATA ANALYSIS SOFTWARE TO ESTABLISH A REGIONAL GANG TASK FORCE. THIS PROJECT REQUIRES A 10% CITY MATCH OF \$62,333. THIS APPLICATION IS DUE ON MARCH 26, 2021.

Councilmember Griffin arrived at 4:37 p.m.

Mayor Tecklenburg asked Chief Reynolds to provide additional background information on the grant application, as the City was the grant leader.

Chief Reynolds said gang activity had increased not just in the City of Charleston, but around the Country, State, and Region. Violent Crime was up significantly. In 2020 versus 2019, there were eight homicides. In 2018 there were sixteen homicides. The aggravated assault numbers which included shootings were up 30 percent. The number of overdoses that were opioid related skyrocketed. Gang organizations increased with influences from Los Angeles, New York, and other groups. The Chief said the creation of the Gang Task Force would be a collaborative effort with City partners. 70 percent of the homicides in 2020 had some gang relation. The Police Department reached out to judges, solicitors, the U.S. Attorney's office, Federal partners, and local partners to be a part of the Task Force. Many were ready and joined in supporting the grant. The Chief said working together would help the City achieve progress and make the communities safe.

Councilmember Shahid said the City was a safe area, and crimes were tracked well. The influence of gang violence was alarming to the City, and the grant would address the efforts. He thanked Chief Reynolds for presenting to Council.

Chief Reynolds reiterated that Charleston was a safe City. It was competitive to get grants previously because Charleston did not have high numbers in crime like other cities did. The participation of City partners helped increase the probability of receiving the grant, and he thanked the City for its efforts.

Councilmember Waring arrived at 4:40 p.m.

On a motion of Councilmember Shahid, seconded by Councilmember Shealy, the Committee on Ways and Means voted unanimously to approve an application for personnel, equipment, and data analysis software to establish a regional gang task force.

7. POLICE DEPARTMENT: APPROVAL OF AN APPLICATION FOR AN ELDER ADVOCATE AND RESOURCE SPECIALIST FOR THE CPD VICTIM SERVICES UNIT UNDER THE VICTIMS OF CRIME ACT GRANT PROGRAM. THIS PROJECT REQUIRES A 43% CITY MATCH OF \$51,442.45. THIS APPLICATION IS DUE ON APRIL 1, 2021.

On a motion of Councilmember Shahid, seconded by Councilwoman Jackson, the Committee on Ways and Means voted unanimously to approve an application for an Elder Advocate and Resource Specialist for the CPD Victims Services Unity under the Victims of Crime Act Grant Program.

8. HOUSING AND COMMUNITY DEVELOPMENT: APPROVAL TO SUBMIT THE APPLICATION FOR FEDERAL ASSISTANCE (SF 424 FORMS) AND THE CORRESPONDING DOCUMENTS TO THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD) FOR THE 2021-2022 PROGRAM YEARS. ATTACHED IS THE 424 FORMS, HUD CERTIFICATION FORMS AND THE BUDGET. THIS REQUEST HAS BEEN COORDINATED WITH THE COMMUNITY DEVELOPMENT ADVISORY COMMITTEE AND THE COMMUNITY DEVELOPMENT (CD) COMMITTEE OF CITY COUNCIL. THE CD COMMITTEE GAVE FINAL APPROVAL TO THE HOPWA, HOME AND CDBG BUDGETS THURSDAY, MARCH 11, 2021. APPROVAL IS ALSO REQUESTED FOR THE EXECUTION OF CONTRACTS FOR EACH ORGANIZATION BASED ON THE APPROVED BUDGETS/AWARDS. THE CONTRACTS WILL BE REVIEWED AND VETTED BY CITY OF CHARLESTON CORPORATION COUNSEL PRIOR TO THE DISSEMINATION OF THE CONTRACTS TO THE NONPROFIT AGENCIES. CONTRACT TEMPLATES ARE ALSO ATTACHED FOR YOUR INFORMATION.

On a motion of Councilmember Mitchell, seconded by Councilmember Shahid, the Committee on Ways and Means voted unanimously to submit the application for Federal Assistance and the corresponding documents to the Department of Housing and Urban Development for the 2021-2022 program years.

9. HOUSING AND COMMUNITY DEVELOPMENT: APPROVAL OF A CONTRACT BETWEEN S&ME INC., AND THE CITY OF CHARLESTON AND FOR ENVIRONMENTAL, SOIL REMOVAL AND DISPOSAL SERVICES RELATED TO THE VOLUNTARY CLEANUP CONTRACT FOR THE CITY OF CHARLESTON'S HOUSING PARCEL, NEAR THE LOWCOUNTRY LOWLINE. THE CONTRACT AMOUNT IS \$85,390 AND WILL BE BORNE BY

THE FEE-IN-LIEU OR THE 2019 COMMUNITY DEVELOPMENT BLOCK GRANT ACQUISITION ACCOUNT.

On a motion of Councilmember Shahid, seconded by Councilwoman Jackson, the Committee on Ways and Means voted unanimously to approve a contract between S&ME INC., and the City of Charleston for the environmental, soil removal and disposal services related to the voluntary cleanup contract for the City of Charleston's housing parcel, near the Lowcountry Lowline in the amount of \$85,390.

10.LEGAL DEPARTMENT: APPROVAL OF AN AGREEMENT BETWEEN THE CITY OF CHARLESTON AND GOTCHA MOBILE HOLDINGS, LLC AMENDING THE CURRENT AGREEMENT REGARDING THE OPERATION OF A BIKE SHARE PROGRAM TO ALLOW FOR A NEW CONTRACTOR WHICH PURCHASED SUBSTANTIALLY ALL OF THE ASSETS OF THE GOTCHA GROUP TO FULFILL DUTIES AND OBLIGATIONS OF THE CURRENT AGREEMENT.

On a motion of Councilmember Shahid, seconded by Councilmember Griffin, the Committee on Ways and Means voted unanimously to approve an Agreement between the City of Charleston and Gotcha Mobile Holdings, LLC to amend the current Agreement regarding the operation of a Bike Share Program to allow for a new contractor which purchased substantially all of the assets of the Gotcha Group to fulfill duties and obligations of the current agreement.

11. OFFICE OF CULTURAL AFFAIRS: APPROVAL TO APPLY FOR A GRANT IN THE AMOUNT OF \$35,000 FROM THE COASTAL COMMUNITY FOUNDATION TO SUPPORT TEMPORARY PUBLIC ART AS AN EXTENSION OF THE MOJA ARTS FESTIVAL IN 2021 AND 2022. THERE IS NO CITY MATCH.

On a motion of Councilmember Mitchell, seconded by Councilwoman Jackson, the Committee on Ways and Means voted unanimously to apply for a grant in the amount of \$35,000 from the Coastal Community Foundation to support temporary public art as an extension of the MOJA Arts Festival in 2021 and 2022.

12.STORMWATER MANAGEMENT: APPROVAL OF BARBERRY WOODS FEE AMENDMENT #2 WITH W.K. DICKSON & CO., INC., IN THE AMOUNT OF \$29,080 FOR PROJECT ADMINISTRATION, PLAT MAP PRODUCTION, PROPERTY ACQUISITION NEGOTIATION, AND TESTIMONY EFFORT SERVICES. APPROVAL OF FEE AMENDMENT #2 WILL ADD 30 DAYS TO THE CONTRACT. APPROVAL OF FEE AMENDMENT #2 WILL INCREASE THE PROFESSIONAL SERVICES CONTRACT BY \$29,080 (FROM \$690,815 TO \$719,895). FUNDING FOR THIS PROJECT IS THE DRAINAGE FUND.

On a motion of Councilmember Shahid, seconded by Councilwoman Jackson, the Committee on Ways and Means voted unanimously to approve the Barberry Woods Fee Amendment #2 with W.K. Dickson & Co., Inc., in the amount of \$29,080 for project administration, plat map production, property acquisition negotiation, and testimony effort services. Approval of Fee Amendment #2 added 30 days to the contract.

13. AN ORDINANCE TO AMEND ARTICLE VIII OF CHAPTER 30 OF THE CODE OF THE CITY OF CHARLESTON TO ESTABLISH A NEW PROCEDURE FOR CREATING NON-STANDARD SERVICE DISTRICTS WITHIN THE CITY OF CHARLESTON AND TO AMEND THE ELECTRICAL FRANCHISE AGREEMENT WITH DOMINION ENERGY SOUTH CAROLINA, INC., FORMERLY KNOWN AS SOUTH CAROLINA ELECTRIC & GAS COMPANY, TO PROVIDE FOR

AN ADDITIONAL METHOD FOR FUNDING NON-STANDARD SERVICES. (ALSO TO BE CONSIDERED BY THE COMMITTEE ON PUBLIC WORKS AND UTILITIES)

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

An ordinance to amend Article VIII of Chapter 30 of the Code of the City of Charleston to establish a new procedure for creating non-standard service districts within the City of Charleston and to amend the Electrical Franchise Agreement with Dominion Energy South Carolina, Inc., formerly known as South Carolina Electric & Gas Company, to provide for an additional method for funding non-standard services.

Councilmember Gregorie said it was important for the public to know that Councilmembers reviewed hundreds of pages of information before meetings for each agenda item and were able to go through the items on the agenda much more quickly.

Mayor Tecklenburg said hundreds of hours went into completing work for the City. It was remarkable.

14. THE COMMITTEE ON REAL ESTATE (MEETING WAS HELD ON MONDAY, MARCH 22, 2021 AT 2:30 P.M., CONFERENCE CALL: 1-929-205-6099; ACCESS CODE: 835 678 884)

- a. Request that the City Council authorize the Mayor to execute the necessary documents for the re-purchase of 52 Kennedy Street from Martay, LLC, a South Carolina Limited Liability Company, for \$100,000. The property will be utilized for its original purpose-affordable homeownership opportunities for persons whose income does not exceed 120 percent of the Area Median Income. The property is owned by Martay, LLC. TMS NO. 460-07-04-106.
- b. A Resolution authorizing the City of Charleston to accept a permanent drainage easement, temporary construction easements, and subsurface tunnel easements encumbering properties owned and controlled by the Medical University of South Carolina, designated as Charleston County TMS Nos. 4601104027, 4601501017, and 4601501027 upon approval of the final form of the easement by the City's Director of Stormwater Management and Corporation Counsel.
- c. Authorization for the Mayor to accept an easement on behalf of the City of Charleston for the purpose of a future multi-use path to be constructed by Charleston County TMS No. 318-00-00-098, more specifically described by the attached plat. (2901 Maybank Highway, Johns Island)
- d. Consider the following annexations:
 - (i) 738 Saint Andrews Blvd. (0.26 acre) (TMS No. 418-15-00-081), West Ashley, Charleston County (District 3). The property is owned by Robert A. Limehouse, IV.
 - (ii) 1908 2nd Drive (0.20 acre) (TMS No. 350-05-00-006), West Ashley, Charleston County (District 7). The property is owned by John H. and John J. Tecklenburg.

- e. Executive Session in accordance with Section 30-4-70(a)(2) of the South Carolina Code, to discuss the City's acquisition of temporary construction easements and permanent drainage easements necessary for the completion of Phase 2 of the Forest Acres drainage improvement project through Charleston County TMS Nos. 3500400002, 3500400032, 3500400035, and 4180100328, by negotiation and/or eminent domain. After returning from executive session, the committee may or may not take action recommending the City be authorized to acquire temporary construction easements and/or permanent drainage easements through TMS Nos. 3500400002, 3500400032, 3500400035, and/or 4180100328 by negotiation and/or eminent domain.
- f. Executive Session in accordance with Section 30-4-70(a)(2) of the South Carolina Code to receive legal advice about pending contractual negotiations with respect to the proposed 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 WR 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. Upon returning from executive session, the Committee may vote on whether or not to recommend that City Council give final reading to the ordinance.
- g. Executive Session in accordance with 30-4-70(a)(2) of the South Carolina Code, to receive legal advice regarding the Charleston School of Law transaction. ***(Deferred for discussion at City Council)***

Councilmember Shahid, Chair of The Committee on Real Estate, said item 'a' was an authorization for the Mayor to re-purchase 52 Kennedy Street. The City previously owned the property 10 years ago, and it was sold for \$51,000. The company was unable to utilize the property for its intended purpose. The property appraised for \$105,000. The deed was for \$100,000, and it was anticipated that one or two units would be built for affordable housing.

Item 'b' was a permanent drainage easement, temporary construction easement, and a subsurface tunnel easement for the Ehrhardt tie-in to the Spring Street/ Fishburne property. One of the issues was the easement was in place for 50 years and the goal was to extend it longer or in perpetuity as it ran with the land. This addressed flooding in the Medical District. Mr. Fountain and Stormwater were involved in the discussion. Flooding relief was possible from the construction of the tunnel within a few months.

Item 'c' was an easement on behalf of the City for a multi-use path on James Island. The property was privately owned in conjunction with the County.

The annexations of two properties at 738 Saint Andrews Boulevard and 1908 2nd Drive, both in West Ashley, were approved.

Mayor Tecklenburg recused himself from voting on item d(ii) and completed a Conflict of Interest form which is on file in the Office of the Clerk of Council.

Councilmember Gregorie asked Mrs. Shaw-Johnson to discuss the affirmative marketing efforts for Real Estate item 'a'.

Mrs. Shaw-Johnson said marketing efforts were applicable to every development where City funds were invested, or where cities were involved in the development. The non-profit partners complied with the affirmative marketing policy. The City went above and beyond to ensure persons who had difficulty accessing information were aware of housing opportunities in the community.

Councilmember Gregorie said when reading the LowLine plan, he saw there were possible homeownership and rental opportunities. In the plan, many of the communities would become gentrified. As a result of gentrification, the affirmative marketing would be slated for minorities.

Mrs. Shaw-Johnson said the City marketed across the City of Charleston regardless of the location of development in case residents who lived on the peninsula were interested in moving to West Ashley, and vice versa.

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

A Resolution authorizing the City of Charleston to accept a permanent drainage easement, temporary construction easements, and subsurface tunnel easements encumbering properties owned and controlled by the Medical University of South Carolina, designated as Charleston County TMS Nos. 4601104027, 4601501017, and 4601501027 upon approval of the final form of the easement by the City's Director of Stormwater Management and Corporation Counsel.

An ordinance to provide for the annexation of property known as 738 Saint Andrews Boulevard (0.26 acre) (TMS# 418-15-00-081), 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 Robert A. Limehouse, IV.

An ordinance to provide for the annexation of property known as 1908 2nd Drive (0.20 acre) (TMS# 350-05-00-006), 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 John H. and John J. Tecklenburg.

Mayor Tecklenburg recused himself from voting on Item d(ii) of the report and completed a Conflict of Interest Form which is on file in the office of the Clerk of Council.

Councilmember Shahid said for items 'e' and 'f', the Committee on Real Estate went into Executive Session to receive information. For item 'e', it was recommended for Legal Counsel to continue negotiations and do what was needed to obtain easements for the City to purchase a temporary construction easement with other permanent drainage easements along Playground

Road with the project that affected Forest Acres Drainage Improvement. Some of the easements were at no cost to the City, and other easements required negotiations.

In Executive Session, the Committee on Real Estate discussed item 'f', for the City to receive legal advice about pending contractual negotiations. No action was taken.

Item 'g' was an Executive Session item regarding the Charleston School of Law transaction that was deferred for discussion at the City Council meeting.

On a motion of Councilmember Shahid, seconded by Mayor Tecklenburg, the Committee on Ways and Means voted unanimously to authorize Legal Counsel to continue legal negotiations with regards to item 'e'.

There being no further business presented, the Committee on Ways and Means adjourned at 4:53 p.m.

Velvett Simmons
Deputy Clerk of Council