

COMMITTEE ON WAYS AND MEANS

June 15, 2021

A meeting of the Committee on Ways and Means was held this date beginning at 4:04p.m.

PRESENT (13)

The Honorable John J. Tecklenburg, Mayor

Councilmember Delcioppo	District 1	Councilmember Waring absent	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 Brady.

2. APPROVAL OF MINUTES:

On a motion of Councilmember Brady, seconded by Councilmember Shahid, the Committee on Ways and Means voted unanimously to approve the minutes of the May 25, 2021, Committee on Ways and Means meeting.

3. BIDS AND PURCHASES:

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

a. TRAFFIC AND TRANSPORTATION: ACCOUNT:23000-52066 AMOUNT: \$125,000

Approval to establish a contract for Portable Traffic Signal Cables with American Wire Group in a not to exceed amount of \$125,000, 2980 NE 207 Street, Suite PH, Miami FL 33180. Solicitation #21-B007R. Funded by the State Signalization Funds.

b. TRAFFIC AND TRANSPORTATION: ACCOUNT: 23000-58010 AMOUNT: \$150,000

Approval to establish a contract for Portable Traffic Signal System with Bullzeye Equipment & Supply in the amount of \$150,000, PO Box 484, Moncks Corner, SC 29461. Solicitation #21-B011R. Funding from the State Traffic Signalization Funding. One portable traffic signal system per year over the next five years maximum

c. PARKS DEPARTMENT: ACCOUNT:022097-52206 AMOUNT: \$3,000

Approval to process a change order to increase the contract from \$105,000 to \$108,000 by adding the Trolley Barn GM to the current contract with Kevin Verrett DBA Creative Concepts Landscaping in the amount of \$3,000, 104 Flicker Lane, Summerville, SC 29485. #18-B027R.

d. INFORMATION TECHNOLOGY: ACCOUNT: 06021-52740 AMOUNT: \$118,476.45

Approval of the purchase of Dell laptop computers as part of the City's annual PC rotation cycle in the amount of \$118,476.45. State contract #: 4400011358. Provides 50 Dell Laptop PCs with docking stations and monitors at \$2,161.58 each plus additional docking stations and monitors for other laptop installations as part of the City's annual rotation on a 4-5 rotation cycle. Funding will come from the 2021 Lease Purchase funds.

e. INFORMATION TECHNOLOGY: ACCOUNT: 161000-52206 AMOUNT: \$91,970.37

Approval of annual maintenance agreement renewal with CISCO Systems from Internetwork Engineering to provide maintenance for all City network hardware in the amount of \$91,970.37. State Contract # 4400016103. Provides hardware and software maintenance, replacement, and advanced problem resolution for all City network infrastructure components required to operate and maintain the City's network (switches, routers, firewalls, access control, wireless networking, email protection and content management).

F. STORMWATER DEPARTMENT: ACCOUNT: 062021-58015 AMOUNT: \$274,707.25

Approval to purchase Menzi Muck M220 walking Excavator from Menzi USA in the amount of \$274,707.25, 1850 Fairbanks St. Lakeland, FL using the Florida Sheriff's Purchasing Contract. Funding from the 2021 Lease Purchase funds.

4. HUMAN RESOURCES DEPARTMENT: APPROVAL TO SUBMIT THE CDC CLOSING THE GAP WITH SOCIAL DETERMINANTS OF HEALTH ACCELERATOR PLAN GRANT IN THE AMOUNT OF \$125,000 TO ADDRESS HEALTH DISPARITIES AND CHRONIC DISEASES. NO CITY MATCH IS REQUIRED.

Mayor Tecklenburg said the application fell in line with the goals of the Health and Wellness Committee and the recommendations from the Commission on Equity, Inclusion, and Racial Conciliation report.

On a motion of Councilmember Shahid, seconded by Councilmember Mitchell, the Committee on Ways and Means voted unanimously to approve the submittal of the CDC Closing the Gap with Social Determinants of Health Accelerator Plan Grant in the amount of \$125,000 to address health disparities and chronic diseases.

5. RECREATION DEPARTMENT: APPROVAL TO SUBMIT A GRANT APPLICATION TO OFFER THE USDA SUMMER FOODS SERVICE PROGRAM. THE EFFECTIVE DATE WILL BE JUNE 21, 2021. FUNDING IS PROVIDED THROUGH THE SC DEPARTMENT OF EDUCATION TO THE CITY OF CHARLESTON AS THE LOCAL SPONSORING AGENCY. DUE TO TIME CONSTRAINTS, THIS GRANT WAS SUBMITTED ON JUNE 1ST. NO CITY MATCH IS REQUIRED. THIS IS AN AFTER-THE-FACT APPROVAL.

On a motion of Councilmember Griffin, seconded by Councilmember Mitchell, the Committee on Ways and Means voted unanimously to approve the submission of a grant application to the USDA Summer Foods Service Program.

6. BUDGET FINANCE AND REVENUE COLLECTIONS: AN ORDINANCE TO AMEND THE PUBLIC INFRASTRUCTURE IMPROVEMENTS AGREEMENT DATED AS OF SEPTEMBER 15,

2015, AS AMENDED, BETWEEN THE CITY OF CHARLESTON, SOUTH CAROLINA AND HIGHLAND RESOURCES, INC., AS SUCCESSOR TO ASHLEY RIVER INVESTORS, LLC; AND OTHER MATTERS RELATING THERETO.

Councilmember Gregorie asked Mr. Jeremy Cook to provide background information on this item.

Mr. Cook said he and his team worked on items six and seven for the better part of a year. Number six had to do with the Magnolia TIF. It went back to 2015 when the City entered into a Public Infrastructure Improvements Agreement that would be undertaken with the TIF revenues at Magnolia. Since that time, the agreement was amended twice. The first amendment was to streamline the process for which a notice would be given when the City relocated from the current Public Works Facility in Magnolia. The second amendment was to remove Laurel Island from the Magnolia TIF when the Laurel Island TIF was created. The current amendment did a few things. The original agreement set forth different tranches of improvements that would be undertaken. All public infrastructure improvements were publicly owned by the developer and by the City. Over time the list was refined. The amendment would expand tranche two, which was improvements undertaken by the City. Originally, tranche two only included the replacement Public Works facility and still included it, but it was expanded to include affordable housing with tax increment revenue. It also increased the project revenue for tranche two, which was public works and affordable housing and increased funding for tranche three, which was additional public infrastructure improvements undertaken by the developer, publicly owned within the TIF. Nothing further about the TIF would be changed by the amendment, such as the length of the TIF and the participating entities. It was about how the future of the TIF revenues would be used. Under the TIF statute, all TIF revenues can only be used on public infrastructure improvements located within the TIF or supporting the TIF.

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

An ordinance to amend the Public Infrastructure Improvements Agreement dated as of September 15, 2015, as amended, between the City of Charleston, South Carolina and Highland Resources, Inc., as successor to Ashley River Investors, LLC; and other matters relating thereto.

7. BUDGET FINANCE AND REVENUE COLLECTIONS: AN ORDINANCE PROVIDING FOR AND APPROVING A PUBLIC INFRASTRUCTURE IMPROVEMENTS AGREEMENT BETWEEN THE CITY OF CHARLESTON AND MORRISON YARD OWNER, LLC, A DELAWARE LIMITED LIABILITY COMPANY AND TKC-ODP MORRISON LLC, A SOUTH CAROLINA LIMITED LIABILITY COMPANY; AND OTHER MATTERS RELATING THERETO.

Mr. Cook said item seven was an ordinance on the Morrison Yard from the Morrison Drive TIF, established two years ago by City Council. The ordinance was similar to the agreement with the Magnolia developers. The agreement set forth how certain public infrastructure improvements would be undertaken specifically at the Morrison Yard portion of the Morrison Drive TIF. The agreement only related to those two parcels. The housing part was on the property with the office building to come. A subsequent agreement would be brought before Council for the Laurel Island development and how the increment from those portions and the remainder of the TIF would be spent on public infrastructure improvements.

Mayor Tecklenburg said one of the infrastructure improvements that was anticipated was a linear park that would allow residents to walk out to the Cooper River, have access to the harbor, and have a view of the harbor down below the bridge. The developers purchased an old rail spur to donate to the City to be approved by Council. The City's long-standing goal was to make every access available to the public to the water's edge, which may seem small, but it was an important piece for that part of the City.

Councilmember Gregorie said it was also a part of the discussion when the developers brought forth their proposals. Councilmember Mitchell insisted the City assured that the park had a place for public access.

Councilmember Mitchell said the developers would do renovations in the area and include sidewalks where the public housing is located so the residents could have access to parks. He said the nearby community was satisfied with the proposal.

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

An ordinance providing for and approving a Public Infrastructure Improvements Agreement between the City of Charleston and Morrison Yard Owner, LLC, a Delaware Limited Liability Company and TKC-ODP Morrison LLC, a South Carolina Limited Liability Company; and other matters relating thereto.

8. POLICE DEPARTMENT: APPROVAL OF AN APPLICATION TO THE FY21 PAUL COVERDELL FORENSIC SCIENCE IMPROVEMENT GRANTS PROGRAM TO FUND \$55,512 FOR TWO (2) INDIRECT CONTACT NARCOTIC AND PHARMACEUTICAL DRUG IDENTIFICATION INSTRUMENTS TO BE USED IN THE FIELD AND IN THE FORENSICS LAB. THIS APPLICATION IS DUE ON JULY 8, 2021. THIS PROJECT DOES NOT REQUIRE A MATCH.

On a motion of Councilmember Shahid, seconded by Councilwoman Jackson, the Committee on Ways and Means voted unanimously to approve an application to the FY21 Paul Coverdell Forensic Science Improvement Grants Program to fund \$55,512 for two indirect contact narcotic and pharmaceutical drug identification instruments to be used in the field and the forensics lab.

9. POLICE DEPARTMENT: APPROVAL OF AN APPLICATION TO THE FY21 COMPREHENSIVE OPIOID STIMULANT AND SUBSTANCE ABUSE SITE-BASED PROGRAM TO EMBED A PEER RECOVERY SPECIALIST IN LAW ENFORCEMENT. THE GRANT IS FOR THREE YEARS. POSITIONS WILL BE ELIMINATED AT THE END OF THE GRANT PERIOD. THIS APPLICATION IS DUE ON JUNE 21, 2021. THIS PROJECT DOES NOT REQUIRE A MATCH.

On a motion of Councilmember Griffin, seconded by Councilmember Mitchell, the Committee on Ways and Means voted unanimously to approve an application to the FY21 Comprehensive Opioid Stimulant and Substance Abuse Site-Based Program to embed a peer recovery specialist in law enforcement.

10. STORMWATER MANAGEMENT: APPROVAL OF A PROFESSIONAL SERVICES CONTRACT WITH SALMONS DREDGING CORP. IN THE AMOUNT OF \$181,875 FOR THE 1-

YEAR WARRANTY INSPECTION OF THE SPRING-FISHBURNE STORMWATER DEEP TUNNEL SYSTEM. APPROVAL OF THE PROFESSIONAL SERVICES CONTRACT WILL OBLIGATE \$181,875 OF THE \$49,103,759.50 PROJECT BUDGET. THE FUNDING SOURCES FOR THIS PROJECT ARE: STATE INFRASTRUCTURE BANK (\$49,000,000), CAPITAL CONTRIBUTION (\$61,759.50), AND DRAINAGE FUND (\$42,000).

On a motion of Councilmember Mitchell, seconded by Councilwoman Jackson, the Committee on Ways and Means voted unanimously to approve a professional services contract with Salmons Dredging Corp in the amount of \$181,875 for the 1-year warranty inspection of the Spring/Fishburne Stormwater Deep Tunnel System.

11. PARKS-CAPITAL PROJECTS: APPROVAL OF A CONSTRUCTION CONTRACT WITH ICC COMMONWEALTH IN THE AMOUNT OF \$575,884 FOR THE DISASSEMBLY OF THE INTERIOR LINERS OF THE ST. JULIAN DEVINE SMOKESTACKS. WITH THE APPROVAL OF THE PROJECT BUDGET, STAFF IS AUTHORIZED TO AWARD AND/OR AMEND CONTRACTS LESS THAN \$40,000, TO THE EXTENT CONTINGENCY FUNDS EXIST IN THE COUNCIL APPROVED BUDGET. APPROVAL OF THIS CONSTRUCTION CONTRACT WILL OBLIGATE \$575,884 OF THE PROJECT BUDGET \$3,098,069.36. FUNDING SOURCES FOR THIS PROJECT ARE: 2015 GENERAL FUND RESERVES (\$250,000), 2018 GENERAL FUND RESERVES (\$400,000), COOPER RIVER BRIDGE TIF (\$2,340,000), AND CHARLESTON PARKS CONSERVANCY CONTRIBUTION (\$108,069.36).

On a motion of Councilwoman Delcioppo, seconded by Councilmember Mitchell, the Committee on Ways and Means voted unanimously to approve a construction contract with ICC Commonwealth in the amount of \$575,884 for the disassembly of the interior liners of the St. Julian Devine Smokestacks.

12. PARKS-CAPITAL PROJECTS: APPROVAL OF WEST ASHLEY GREENWAY IMPROVEMENTS (STINSON TO PARKDALE) FEE AMENDMENT #2 WITH JON GUERRY TAYLOR & ASSOCIATES, INC., IN THE AMOUNT OF \$20,500 FOR PERMITTING AND ENGINEERING SERVICES, DESIGN, COORDINATION AND CONSTRUCTION ADMINISTRATION SERVICES FOR THE PHASE 2 FOOT-BRIDGE REPLACEMENT PORTION OF THE PROJECT. APPROVAL OF FEE AMENDMENT #2 WILL INCREASE THE PROFESSIONAL SERVICES CONTRACT BY \$20,500 (FROM \$34,800 TO \$55,300). FUNDING SOURCES FOR THIS PROJECT ARE: 2013 GENERAL FUND RESERVES (\$214,016.57), 2016 GENERAL FUND RESERVES (\$100,000) AND 2018 GENERAL FUND RESERVES (\$235,000).

On a motion of Councilmember Shahid, seconded by Councilmember Brady, the Committee on Ways and Means voted unanimously to approve the West Ashley Greenway Improvements (Stinson to Parkdale) Fee Amendment #2 with Jon Guerry Taylor & Associates, Inc., in the amount of \$20,500 for permitting and engineering services, design, coordination and construction administration services for the Phase 2 foot-bridge replacement portion of the project.

13. PARKS-CAPITAL PROJECTS: APPROVAL OF INTERNATIONAL AFRICAN AMERICAN MUSEUM GMP CHANGE ORDER #12 WITH TURNER CONSTRUCTION COMPANY IN THE AMOUNT OF \$345,414 FOR THE INSTALLATION OF THE NEW SONY DISPLAY WALLS, ADDING ADDITIONAL DATA INFRASTRUCTURE, ADDING ADDITIONAL EXHAUST FANS, CHANGES TO THE MILLWORK AND COUNTERTOPS TO QUARTZ, ADDITION OF 24 LOCKERS, CHANGING THE HEIGHT OF TOILET PARTITIONS AND ADDING POCKET

DOORS. FUNDING IS COMING FROM THE IAAM. APPROVAL OF CHANGE ORDER #12 WILL INCREASE THE GUARANTEE MAXIMUM PRICE (GMP) CONTRACT BY \$345,414 (CONTRACT TOTAL \$59,829,652). FUNDING SOURCES FOR THIS PROJECT ARE: ACCOMMODATIONS TAX (\$13,200,000), CHARLESTON COUNTY ACCOMMODATIONS TAX (\$12,500,00), STATE FUNDING (\$14,000,000), IAAM CONTRIBUTIONS (\$53,000,000).

On a motion of Councilmember Griffin, seconded by Councilwoman Delcioppo, the Committee on Ways and Means voted unanimously to approve the International African American Museum GMP Change Order #12 with Turner Construction Company in the amount of \$345,414 for the installation of the new Sony display Walls, adding additional data infrastructure, adding additional exhaust fans, changes to the millwork and countertops to quartz, addition of 24 lockers, changing the height of toilet partitions and adding pocket doors.

14. PARKS-CAPITAL PROJECTS: APPROVAL OF CPD FORENSIC SERVICES BUILDING CHANGE ORDER #9 WITH HILL CONSTRUCTION SERVICES OF CHARLESTON, INC., IN THE AMOUNT OF \$166,052.296 FOR THE ADDITION OF A DOOR RELEASE/LOCK BUTTON AND AIPHONE MASTER STATION/PC STATION, ADDITIONAL RUBBER BASE FOR THE VEHICLE BAYS, DATA DROPS IN THE MECHANICAL ROOMS AND TO UPFIT THE PRT ROOM. CHANGE ORDER #9 WILL ADD 259 DAYS TO THE SUBSTANTIAL COMPLETION DATE. APPROVAL OF CHANGE ORDER #9 WILL INCREASE THE CONSTRUCTION CONTRACT BY \$166,052.29 (FROM \$9,537,486.76 TO \$9,703,539.07). FUNDING SOURCES FOR THIS PROJECT ARE: 2015 IPRB (\$7,392,186) AND 2017 IPRB (\$5,000,000).

On a motion of Councilmember Griffin, seconded by Councilwoman Delcioppo, the Committee on Ways and Means voted unanimously to approve CPD Forensic Services Building Change Order #9 with Hill Construction Services of Charleston, Inc. in the amount of \$166,052.296 for the addition of a door release/lock button and aiphone master station/pc station, additional rubber base for the vehicle bays, data drops in the mechanical rooms and to upfit the PRT room.

15. THE COMMITTEE ON REAL ESTATE (MEETING WAS HELD ON MONDAY, JUNE 14, 2021 AT 3:30 P.M., CONFERENCE CALL: 1-929-205-6099; ACCESS CODE: 835 678 884)

- a. An ordinance to authorize the Mayor to execute a General Agreement between the U.S. Department of Interior; National Park Service; Fort Sumter and Fort Moultrie National Historic Parks; The South Carolina Aquarium and City of Charleston Department of Parks for Joint Operations at Liberty Square. (Liberty Square/Aquarium Site). The property is owned by the City of Charleston. [Ordinance]
- b. Request for approval authorizing the Mayor to execute on behalf of the City an easement to Dominion Energy in order to construct, extend, replace, relocate, perpetually maintain and operate an overhead or underground electric line or lines consisting of any or all of the following: poles, conductors, lightning protective wires, municipal, public or private communication lines, cables, conduits, pad mounted transformers, guys, push braces and other accessory apparatus and equipment deemed by Grantee to be necessary or desirable, upon, over, across, through and under land described as follows: a lot of land containing 4.42 acres, more or less, and being the same lands conveyed to Grantor by deed of 1776, LLC, dated and recorded 6/11/2020, and filed in the Register of Deeds office for

Charleston County in Deed Book 0889 at Page 478. The property is owned by City of Charleston. (River Road and Maybank Highway) (TMS No. 346-00-00-813)

- c. Request for approval authorizing the Mayor to execute on the behalf of City an easement to Dominion Energy in order to construct, extend, replace, relocate, perpetually maintain and operate an overhead or underground electric line or lines consisting of any or all of the following: poles, conductors, lightning protective wires, municipal, public or private communication lines, cables, conduits, pad mounted transformers, guys, push braces and other accessory apparatus and equipment deemed by Grantee to be necessary or desirable, upon, over, across, through and under land described as follows: a tract of land containing 11.73 acres, more or less, and being the same lands conveyed to Grantor by deed of 1776, LLC, dated or recorded 6/11/2020, and filed in the Register of Deeds office for Charleston County in Deed Book 0889 at Page 475. The property is owned by the City of Charleston. (River Road and Maybank Highway) (TMS No. 346-00-00-04)
- d. Request approval for the Mayor to execute a Memorandum of Understanding with Transdev Services, Inc. regarding non-exclusive use of a parking lot for CARTA driver training purposes. The property is owned by the City of Charleston. (14 Sumar Street Parking Lot)
- e. Request authorization for the Mayor to execute a Temporary Access Agreement between the City of Charleston and GMS Cannon, LLC, granting the City access to 144 and 146 Cannon St. as a temporary construction easement and laydown area to facilitate portion(s) of the Spring/Fishburne stormwater project. The property is owned by GMS Cannon, LLC. (144 Cannon St. and 146 Cannon St.) (TMS Nos. 460-11-04-150 and 460-11-04-151)
- f. Request authorization for the Mayor to execute the attached Easement Agreement between the City of Charleston and the Charleston Area Regional Transportation Authority (CARTA) for the installation and maintenance of a bus bench. The property is owned by the City of Charleston. (44 America St.) (TMS No. 459-09-04-025)
- g. Request that the City of Charleston City Council authorize the Mayor to execute the necessary documents for the City's acceptance of 1.1 acres of donated land on Heriot Street from HR Charleston VI, LLC, in exchange for 48 housing credits. The property will be used for the development of rental workforce or for sale (homeownership) housing. (2112-2114 Heriot Street, Charleston, SC 29401) (TMS Nos. 464-13-00-008, 464-13-00-011, 464-13-00-012, 464-13-00-013, and 464-13-00-023) [Ordinance]
- h. Consider the following annexations:
 - (i) 1351 Ashley River Road (0.25 acre) (TMS# 418-05-00-001), West Ashley, (District 7). The property is owned by Shubh Labh of Charleston, LLC.
 - (ii) 1349 Ashley River Road (0.28 acre) (TMS# 418-05-00-002), West Ashley, (District 7). The property is owned by Graphic Glamour Holdings LLC.

(iii) 420 Arlington Drive (0.25 acre) (TMS# 310-12-00-083), West Ashley, (District 5). The property is owned by Olivia L. Vedad.

(iv) 2147 and 2151 River Road (4.78 acres) (TMS# 315-00-00-110; 315-00-00-048), Johns Island, (District 5). The property is owned by Abbi Lake Beckford.

- i. Request approval for the Mayor to execute a Memorandum of Understanding with Middle Street Partners regarding the continued use of an area under the I-26 overpass for construction storage
- j. Executive Session pursuant to Section 30-4-70(a)(2) of the South Carolina Code, to discuss contractual negotiations for the purchase of a Greenbelt grant property.

Councilmember Shahid, Chair of The Committee on Real Estate, said item 'a' was an ordinance to authorize the Mayor to execute a General Agreement between the U.S Department of Interior; National Park Service over Liberty Square. Ms. Copeland was available to answer questions.

Item 'b' was a request allowing the Mayor to execute an easement with Dominion Energy on the pitchfork by Fenwick Drive. Item 'c' was a request for the Mayor to execute an easement with the Dominion Energy for the overhead, underground electric utility lines. Item 'd' was a request for the Mayor to execute a Memorandum of Understanding to allow CARTA to conduct training at the Sumar Street property known as the old Piggly Wiggly site. The contract was an agreement for CARTA to use the property for training purposes. Provisions in the contract on the agreement would allow CARTA to cancel within 30 days with written notice at the City's convenience. If the City agreed to rid of the agreement, it could be done in 30 days with written notice.

Item 'e' was a request for the Mayor to execute a temporary access agreement between the City of Charleston and GMS Cannon. It was for access to 144 and 146 Cannon Street as a construction easement. The seventh item was a request for the Mayor to execute an easement agreement between the City and CARTA for a bus bench at 44 America Street.

Item 'g' was a request for the Mayor to execute the necessary documents to receive 1.1 acres of donated land at Heriot Street from HR Charleston VI, LLC to construct workforce housing. Mrs. Geona Shaw-Johnson was available for questions. The project was for negotiations and would have the opportunity to construct 26 housing units.

There were four annexations, all approved unanimously by the Committee on Real Estate. The final item was a request for Middle Street Partners to use an area under I-26 for construction, a storage facility area, which was approved unanimously by the Committee. Councilmember Shahid said the Committee went into Executive Session to discuss contract negotiations with the Greenbelt Grant property. No action was taken, and Legal Counsel was directed to continue negotiations.

Councilmember Griffin said he had some concerns as he listened in on the meeting. He asked if the City was being compensated for allowing developers to use the City's facilities, parking lots, and storage facilities. In his line of work, the construction industry, and the way the

housing market appeared, space was at a premium, and not everything could be given away for free. The City owned the Sumar Street, the old Piggly Wiggly site, for four-plus years. The design work and report had not come back yet, but the City could take the route of having a civic building on the site. The City paid \$3 million, and someone could pay a premium for the site today. It would be more beneficial for the City to stop giving away everything for free. Utilizing lay-down space for an extended period of time, the City should be getting the investment out of it. He asked what the plan was for Sumar Street and whether or not the City would get compensation for allowing people to use the spaces.

Councilmember Shahid said as to the Sumar Street property; the Fire Department used the location for training purposes. With CARTA, the City would receive compensation of \$250 a month, and the agreement allowed the City to terminate with 30 days' notice. Specifics with Sumar Street, conceptual designs for the development of the property were presented to City Council in 2019, and it was bid out. Landmark was the only bidder, and the City has worked with them since 2020 with the plans. Landmark submitted the plans for the City's review when they went to the West Ashley Revitalization Commission on May 13, 2020. The designs were laid out through the design office, and the City now expected a Memorandum of Understanding of the contract with Landmark at the July 20 City Council meeting for Council to review, approve, and move forward with Landmark to proceed with the development of Sumar Street. Councilmember Shahid said he wanted to make sure in the agreement with CARTA that the City could terminate at a moment's notice to let them off of the property if need be.

Councilmember Shealy said he, too, had concerns for Sumar Street property. He said he was not on Council four years ago when the topic was voted on, but to his understanding, the reason why the City purchased the property was that it was a gateway to West Ashley, and there was going to be potentially something at the property that the City would not want and would not look good to the people coming into West Ashley and the City of Charleston. Purchasing the property was supposed to be a part of the revitalization plan of West Ashley. He said he understood it was a temporary situation and it could end any time the City wanted it to, but for CARTA to use the property as a practice lot was not the purpose the City bought the property for. Councilmember Shealy felt it did not help to advance West Ashley, and it certainly did not beautify West Ashley to have buses parked for training. It was not what people should see as the gateway to West Ashley, and for those reasons, he did not support it.

Councilmember Seekings said there would be no buses sitting at Sumar Street. They won't be parked, and CARTA would only train the drivers there because it was difficult to find open land in the area to do the training elsewhere. On behalf of CARTA, without training the drivers, customers can't be picked up to move around the region. It was a temporary agreement, brought to the Mayor, then the Committee on Real Estate. The Fire Department will be there a few days a week. It will be the first time since the City invested \$3 million and generated money from the property. Although it was not a lot, it was a step in the right direction. Councilmember Seekings humbly asked the Councilmembers to approve the item knowing it was a temporary agreement. It actually did help West Ashley because the bus drivers without training could not work. It was one of the few lots available and controlled by someone that the City had the ability to have a negotiation with and not charge a ton of money as public transit was heavily subsidized. In the end, it will work to benefit the community. The public would not even notice CARTA was there, just like many did not know the Fire Department conducted training out there

also. Buses would not be parked overnight. The lot will be cleaned and fully insured. If there was a better use for Sumar Street, including by way of selling it, the City would get out of the way.

Councilwoman Jackson agreed with Councilmember Griffin's comments regarding when the City had the opportunity to be a good player, like the approval of the Middle Street Partners redevelopment, an underutilized property. She said the value was monetary, and a good price on it should be placed. The hour before the Committee on Real Estate met, it took quite a while to listen to very proactive and long researched reports and recommendations from staff members across the City departments like Public Service, Traffic, and Transportation, in particular, to restructure fees for when builders, delivery and others use either of the City's metered spaces where streets had to be closed off in order to accommodate, the City would charge more money. She felt the City was on the right path and should continue to keep going. The real estate section was about how much money was being made on redevelopment, building, and growth in Charleston. When the City reviews the budget in a few months, supporting infrastructure and the residents with taxes that could be collected from property value would be at the bottom of the food chain. She suggested the City should charge more.

Mayor Tecklenburg thanked City staff for their work on coming to an agreement with the National Park Service and appreciated their work to resolve the Liberty Square/ Aquarium site. As for item 'e,' the Mayor thanked Chris and the owners of the property for agreeing to the easement, which allowed the City to continue with the Erhardt Street Project, a very important drainage project for the Medical University in the Hospital District. Item 'g,' the Mayor thanked the Highland and Magnolia development representatives who offered the property for the City to get a head start on affordable housing as a part of the development. Mayor Tecklenburg said item 'd' with CARTA was a non-exclusive agreement and did not give them exclusive use of the property. The concept design was presented to Council some time ago, and the development agreement with Trademark will come back to Council in July to be moved forward. It took longer than it needed to come to an agreement, but there were some plausible reasons. One was the pandemic. The real estate market was uncertain as to how much office space would be needed, and the matter of the budget was a concern. When the concept plan was fully developed and priced out, it would come back to Council to put money in the game. The Mayor said time was on the City's side to allow the TIF district to mature to recognize income of the revenue to be put into the investment. The TIF district needed the year to mature since it was formed, and the Mayor believed it would work out in the end.

Councilmember Griffin said he understood the City would not do things the way the private sector would do, but the City was also not a charity. He said to remember the funds weren't coming from City dollars and instead was the taxpayer's money that was invested. The demolition of the building brought the amount closer to \$4million. Four years later, there would finally be the first revenue source ever on the property. It would take one thousand years to pay off that debt if the City continued to be generous. If good revenue sources are found, the City had to make decisions to benefit the constituents. Councilmember Griffin said as much as he loved CARTA, people seeing buses in the area was not going to do it, and for that, the item did not have his support. He did support the initiative and wanted Council to make a decision because it could be much more valuable in the private sector. The City could rezone it. Since it

was not the private sector, the funds necessary to build the Civic Center, which was an unknown amount, was just not had by the City.

Councilmember Shahid said he's worked on Sumar Street since 2016. He and the Mayor met with County officials to address what was called the "suicide merge" at their officers in March 2016 when developers wanted to install 20 pump gas stations. The community rallied around and fought off the idea from happening. Sumar Street was the gateway to Charleston, the gateway to South Carolina, the birthplace of the state, and the City had one opportunity to get it right because what is put in the community had to be the flagship of the City. When the City tried to commemorate the 350th Anniversary, it was sidetracked by Kosokova and had been putting efforts into it. A misunderstanding was that the property was purchased for \$3,029,000. It was not a \$4million investment. The amount of work it took and the bid that was used to demolish the building was between \$200,000. The City's investment of \$3.2 million was a big drop from the \$4million amount that was passed around. It was not accurate. Since the property was purchased, the community was engaged at various levels as to what they wanted at the property. Charrettes, public input sessions, online opinion polls were held for the community to provide input, and they were clear about what they wanted at the property. The design to be presented to Council and to the West Ashley Revitalization Commission was consistent with what the public wanted out there. Sumar Street was in the heart of Councilmember Shahid's district, and he knew the people would want it to be handled right and in a first-class manner because the perception was that West Ashley had been ignored and neglected too long. Councilmember Shahid said he made efforts for the past several years to look at the particular piece of property to make sure it was done right. Other issues that came into place and caused delays were not just the COVID-19 issue; the County proposed several plans to redesign what was called the "suicide merge," the intersection of Highway 7 and Highway 171. The initial plans were rejected.

The second set of plans came forward, and the City worked with the community again to have as much public input as possible. Connectivity was a central part of the redesign of not just Sumar Street, Sam Rittenberg, Old Town Road, or Orange Grove Road, but the whole area. Part of the delay in looking at the designs was to not have a design that would be inconsistent with what road improvements were going to be, and it did not make sense, would be a waste of time, and a waste of money. He said the efforts were there, and it was not an overnight process. There was one shot get it done right because it was a huge City investment. Councilmember Shahid asked the Councilmembers to support the item whether CARTA utilized the lot or not. His concern was to make sure Sumar Street's redevelopment was done in a manner that was efficient. The proposed development would be presented to Council and expected to move forward to the next stages on July 20.

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

An ordinance to authorize the Mayor to execute a General Agreement between the U.S. Department of Interior; National Park Service; Fort Sumter and Fort Moultrie National Historic Parks; The South Carolina Aquarium and City of Charleston Department of

Parks for Joint Operations at Liberty Square. (Liberty Square/Aquarium Site). The property is owned by the City of Charleston.

An ordinance authorizing the Mayor to execute, on behalf of the City of Charleston ("City"), a Donation Agreement under which HR Charleston VI, LLC will convey to the City approximately 1.1 acres of real property on Heriot Street, designated as Charleston County TMS Nos. 464-13-00-008, 464-13-00-011, 464-13-00-012, 464-13-00-013, and 464-13-00-023, for the development of Workforce Housing Units to satisfy a land donation requirement in the Magnolia Development Agreement, adopted by Ordinance No. 2015-162, as amended by Ordinance No. 2018-005, and to receive forty-eight (48) credits toward the workforce housing requirement in the Magnolia Development Agreement.

An ordinance to provide for the annexation of property known as 2147 and 2151 River Road (approximately 4.78 acres) (TMS# 315-00-00-110; 315-00-00-048), 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 5. The property is owned by Abbi Lake Beckford.

An ordinance to provide for the annexation of a portion of the property known as 420 Arlington Drive (approximately 0.25 acre) (TMS# 310-12-00-083), 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 Olivia L. Vedad.

An ordinance to provide for the annexation of property known as 1349 Ashley River Road (approximately 0.28 acre) (TMS# 418-05-00-002), 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 Graphic Glamour Holdings LLC.

An ordinance to provide for the annexation of property known as 1351 Ashley River Road (0.25 acre) (TMS# 418-05-00-001), 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 Shubh Labh of Charleston LLC.

The vote was not unanimous. Councilmember Shealy and Councilmember Griffin voted nay on item 'd' and Councilmember Griffin voted nay on item 'g'.

Councilmember Gregorie said if anyone had any further concerns about the Sumar Street redevelopment plans, it should be discussed in depth at the Committee on Real Estate meeting.

Councilmember Gregorie asked Corporation Counsel to discuss background information on item 11 regarding the Construction Contract with ICC Commonwealth in the amount of \$575,884 for the disassembly of the interior liners of the St. Julian Devine Smokestacks. Ms. Copeland said there was an informal challenge to the bid selection of ICC for the Smokestacks. The contractors raised the issue of whether or not their license at the time they applied had expired. The legal Counsel had multiple conversations with LLR and felt comfortable with City

Council voting on the item. Councilmember Seekings asked what an informal challenge was. Ms. Copeland said a formal protest was not filed and someone threatened to do so.

Mayor Tecklenburg reminded everyone that the Chief Building Official declared his concern. The first phase of action, removing the inner lining, everyone agreed would make the Smokestacks safer. As hurricane season was coming up, there was an evacuation plan in place if a strong category one storm threatened the area. The conditions exist until the inner lining was removed. Upon approving and signing the contract, the contractor was fully licensed, met all requirements, and was ready to move forward. Given the emergency nature of the condition of the Smokestacks, it was not just prudent but important that the City proceeded with the project.

There being no further business presented, the Committee on Ways and Means adjourned at 4:40 p.m.

Velvett Simmons
Assistant Clerk of Council