

# **RICHLAND COUNTY**

## **ADMINISTRATION & FINANCE COMMITTEE AGENDA**



**Tuesday, SEPTEMBER 25, 2018**

**6:00 PM**

**The Honorable Paul Livingston, Chair**

**County Council District 4**

**The Honorable Bill Malinowski**

**County Council District 1**

**The Honorable Yvonne McBride**

**County Council District 3**

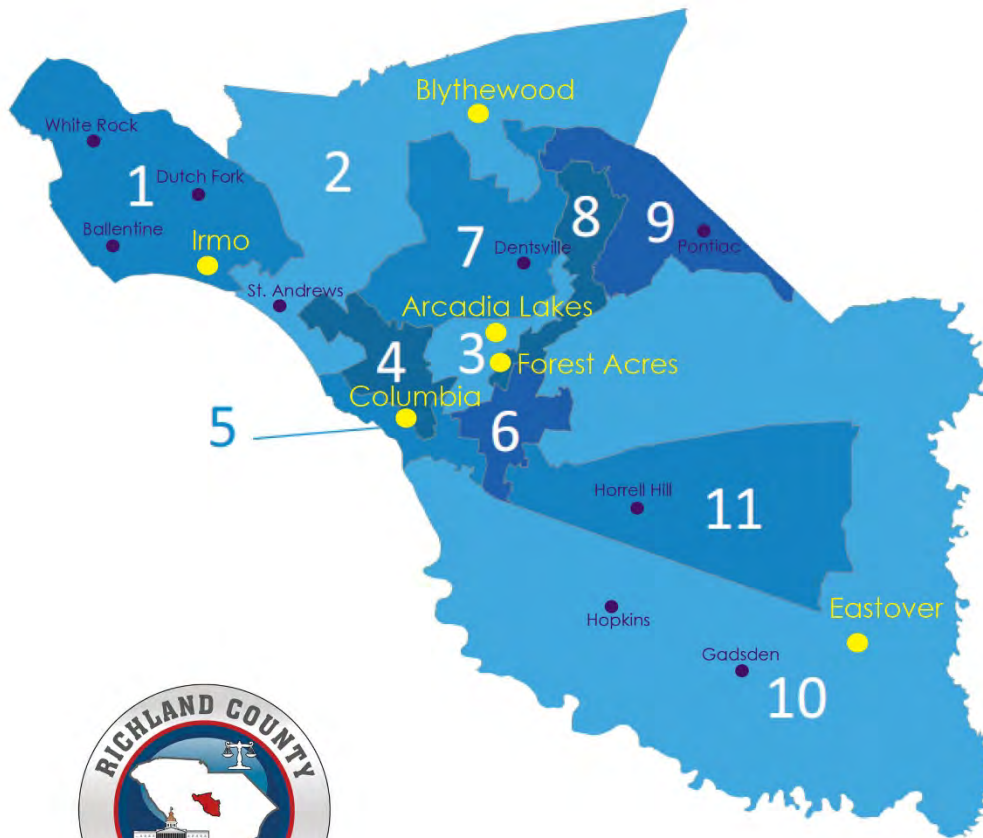
**The Honorable Dalhi Myers**

**County Council District 10**

**The Honorable Norman Jackson**

**County Council District 11**

# RICHLAND COUNTY COUNCIL 2017-2018



**VICE CHAIR**  
Bill Malinowski  
District 1



**CHAIR**  
Joyce Dickerson  
District 2



Yvonne McBride  
District 3



Paul Livingston  
District 4



Seth Rose  
District 5



Greg Pearce  
District 6



Gwendolyn Kennedy  
District 7



Jim Manning  
District 8



Calvin "Chip" Jackson  
District 9



Dalhi Myers  
District 10



Norman Jackson  
District 11



Richland County Administration & Finance Committee

September 25, 2018 - 6:00 PM

2020 Hampton Street, Columbia, SC 29201

1. **CALL TO ORDER** The Honorable Paul Livingston
  
2. **APPROVAL OF MINUTES** The Honorable Paul Livingston
  - a. Regular Session: July 24, 2018 [PAGES ]
  
3. **ADOPTION OF AGENDA** The Honorable Paul Livingston
  
4. **ITEMS FOR ACTION** The Honorable Paul Livingston
  - a. Assignment of Funds [EXECUTIVE SESSION]
  
  - b. The Richland Program Development Team (PDT) requests a wage rate increase for Calendar Year (CY) 2018 and retroactive payment for wage rate increases for CYs 2016 and 2017
  
  - c. Upgrading the Murray Point Lane Water System (aka White Rock Water System).
  
  - d. Requesting approval from County Council for the purchase of Aluminum Chlorohydrate (ACH) from Gulbrandsen Technologies Inc. for ongoing delivery to the Broad River Wastewater Treatment Facility
  
  - e. Devil's Ditch Project Funding Increase
  
  - f. Renewal of the contracts for solid waste curbside collection service in areas 5A, 5B, and 7.
  
  - g. County Council is requested to approve the award of the contract for the Fountain Lake Rd. Paving Project to Armstrong Contractors, LLC

- h. County Council is requested to approve a Work Authorization (WA) for professional services with WK Dickson & Company, Inc of Columbia, SC for design services for various airport site-civil project improvements at the Jim Hamilton – LB Owens Airport (CUB).
- i. County Council is requested to approve a standing agreement between the Civil Air Patrol (CAP) Cadet Composite Squadron and Richland County / the Jim Hamilton – LB Owens Airport (CUB).
- j. Hospitality Tax Funding for EdVenture
- k. Request from the University of South Carolina’s Center for Applied Innovation and Advanced Analytics to partner and implement (including funding) a project that would provide rural internet to those areas of unincorporated Richland County that do not have access to broadband.
- l. Council Motion: Move forward with review of the SE & NE Sport Complex plans to promote tourism and support AAU and other sports in the county [N. JACKSON]
- m. Freedom of Information Act Policy Revision

**5. ITEMS PENDING ANALYSIS: NO ACTION REQUIRED**

- a. Council Motion: Funding the Senior programs should be distributed equally and fairly. It is not right for one organization to be receiving hundreds of thousands of dollars annually while other areas receive none. All areas pay taxes and all seniors should get the same and equal opportunity in receiving funding. I move that funding for seniors (Senior Activities) be distributed equally in all eleven districts.
- b. Council Motion: The Lourie Center recently lost funding from United Way necessary to continue operating a program that transports seniors to medical appointments and essential shopping. They are requesting Council provide \$12K in additional funding so that this program can continue [PEARCE]

The Honorable Norman Jackson

**6. ADJOURN**



Special Accommodations and Interpreter Services Citizens may be present during any of the County's meetings. If requested, the agenda and backup materials will be made available in alternative formats to persons with a disability, as required by Section 202 of the Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12132), as amended and the federal rules and regulations adopted in implementation thereof. Any person who requires a disability-related modification or accommodation, including auxiliary aids or services, in order to participate in the public meeting may request such modification, accommodation, aid or service by contacting the Clerk of Council's office either in person at 2020 Hampton Street, Columbia, SC, by telephone at (803) 576-2061, or TDD at 803-576-2045 no later than 24 hours prior to the scheduled meeting.



## Richland County Council

### ADMINISTRATION AND FINANCE COMMITTEE

July 24, 2018 – 6:00 PM

Council Chambers

2020 Hampton Street, Columbia, SC 29204

COMMITTEE MEMBERS PRESENT: Paul Livingston, Chair; Bill Malinowski, Dalhi Myers, Yvonne McBride, and Norman Jackson

OTHERS PRESENT: Brandon Madden, Michelle Onley, Jennifer Wladischkin, Trenia Bowers, Tim Nielsen, Sandra Yudice, Kimberly Williams-Roberts, Larry Smith, Jamelle Ellis, Art Braswell, Melissa Watts, Stacey Hamm, Hayden Davis, John Thompson, Nathaniel Miller, Steven Gaither and James Hayes

1. **CALL TO ORDER** – Mr. Livingston called the meeting to order at approximately 6:00 PM.
2. **APPROVAL OF MINUTES**
  - a. June 26, 2018 – Ms. McBride moved, seconded by Ms. Myers, to approve the minutes as distributed.  
  
In Favor: Malinowski, Myers, N. Jackson, Livingston and McBride  
  
The vote in favor was unanimous.
3. **ADOPTION OF AGENDA** – Mr. Malinowski moved, seconded by Mr. N. Jackson, to adopt the agenda as published.  
  
In Favor: Malinowski, Myers, N. Jackson, Livingston and McBride  
  
The vote in favor was unanimous.
4. **ITEMS FOR ACTION**
  - a. Amendment to lease for Economic Development Office – Ms. Harrison stated the Economic Development Office is requesting an amendment to its existing 5-year lease agreement. She stated they have been in this space since 2012, and they are out of space. They created, and hired, a new position at the beginning of the year. With the new position, they have 2 employees sharing an office. The request is approval of the amendment, which allows staff to move down the hall to a larger space. The new space increases the square footage by 500 sq. ft., and allows for the timeframe of the lease to be extended for 7 years, with an out clause at 5 years.  
  
Mr. Malinowski stated the information they have shows there was a strategic plan for the Economic Development Office in 2009, which stated the office would eventually have 5 full-time positions. Yet in 2014, ED Office entered into a 5-year lease term for the square footage they had, with apparently no consideration for the upgrades.

Ms. Harrison stated, at that time, she was not a member of staff, but she would think at time the thought was to utilize the space.

Mr. Malinowski stated this item is a one reading item that will be forwarded to the Council meeting tonight, but the amendments to the lease agreement are not notated in the document provided in the agenda packet.

Ms. Harrison stated she has the proposed lease terms with her, if the committee would like to go through them.

Mr. Malinowski stated the terms should have been provided prior to the meeting.

Ms. Myers moved, seconded by Mr. N. Jackson, to forward to Council with a recommendation to approve the lease amendment.

In Favor: Myers, N. Jackson, Livingston and McBride

Opposed: Malinowski

The vote was in favor.

- b. City of Columbia and Richland County Animal Care Facilities Intergovernmental Agreement – Mr. Madden stated, as you recall, in Winter of 2017, we entered into negotiations with the City to amend the IGA for Animal Care. One of the points in that was the change in the fee from \$14.00 to \$24.00. The request is for Council to approve the IGA. Additionally, Mr. Madden stated the funds are in the budget to cover the fee increase.

Ms. Myers moved, seconded by Mr. Livingston, to forward to Council with a recommendation to approve the IGA with the City of Columbia to increase the fee from \$14.00 to \$24.00.

Ms. Myers inquired as to the impact to other parts of the budget by this. This is an approximately \$200,000 per year increase.

Ms. Haynes stated it is not in her budget.

Mr. Madden stated, part of the budget amendment, includes an adjustment to the non-departmental line item.

Ms. Myers stated the backup documentation said the funds were available in their budget, but actually it is coming from the contingency fund.

Ms. McBride inquired if there are any other changes to the IGA besides the rate changes.

Ms. Haynes stated it is only the rate change.

Ms. McBride inquired if the County has any input, in terms of what happens.

Ms. Haynes responded in the affirmative.

Mr. Malinowski inquired if Council will be provided an Exhibit A prior to this item going to Council.

Ms. Haynes stated it is included on p. 24 of the committee agenda.

**Administration and Finance**

**July 24, 2018**

-2-



Ms. McBride stated the estimated new cost is \$486,672 per year. She inquired if there are other expenses the County pays to the City.

Ms. Haynes stated there are no other expenses.

Mr. Malinowski inquired how the costs were determined.

Mr. Madden stated he believes the City has a cost for keeping an animal.

In Favor: Malinowski, Myers, N. Jackson, Livingston and McBride

The vote in favor was unanimous.

- c. Approval of an Intergovernmental Agreement (IGA) between Richland County and the City of Columbia regarding FY 2019 Transportation Penny Program – Mr. Livingston stated this is the same information that was discussed in the budget process.

Mr. Madden stated that is correct. This just formalizes it.

Ms. Myers moved, seconded by Mr. Malinowski, to forward to Council with a recommendation to approve the IGA.

Mr. Malinowski inquired if they will provide an Exhibit A for this item.

In Favor: Malinowski, Myers, N. Jackson, Livingston and McBride

The vote in favor was unanimous.

- d. Affordable Housing Development – Ms. Myers moved, seconded by Ms. McBride, to forward to Council with a recommendation to approve the request to award HOME funding in the amount not to exceed \$128,725 for the development of affordable housing for very low income household to Santee Lynches CDC.

In Favor: Malinowski, Myers, N. Jackson, Livingston and McBride

The vote in favor was unanimous.

- e. Candlewood Neighborhood Park Land Acquisition and Subsequent Deed to Richland County Recreation Commission for Park Maintenance – Ms. McBride moved, seconded by Ms. Myers, to forward to Council with a recommendation

Mr. Malinowski stated, in the backup documentation, out of the 9.7 acres they are going to take an acre out and give it to the Recreation Commission. They allocated funding in the amount \$120,000 from the 2018 Recreation Bond. He inquired if this particular acre and dollar amount in the original bond request, or is these monies left over and they are going to use it this.

Mr. Manning stated this was a Master Plan for District 9, but with the redistricting it came into District 8. The Richland County Recreation Bond had this project in it. Then there was the property acquisition that was going to be the County's, so we started moving ahead with the landowner, which was the original developer of Candlewood. There was an appraisal done in 2014, and the County wanted an updated appraisal done. When the new appraisal was done the price went up \$16,000, which is what is before the committee tonight.

**Administration and Finance**

**July 24, 2018**

-3-

Mr. Malinowski inquired once this particular piece of property is developed is the Recreation Commission going to have, within their current finances, the wherewithal to handle the costs of staffing, maintaining, and doing whatever is needed to be kept afloat.

Mr. Manning stated it will be maintaining, not staffing because it is not going to be a park with an office. It is going to be a pocket park with a pavilion and playground equipment.

Ms. McBride inquired if the plans for the park are on p. 42 of the committee agenda.

Ms. Hegler stated that is the overall vision for the development of the park. The Recreation piece is just a minor portion of it.

Mr. N. Jackson inquired if the plan on p. 42 is to be placed on the 1 acre.

Ms. Hegler stated p. 42 is the full 9.3 acres.

Mr. Manning stated the master plans in the past had “pie in the sky”. This is the “pie in the sky”. Where we are now, in the pragmatic real world, is developing one acre, with some playground equipment and a picnic pavilion. He further stated there is no one in this neighborhood who has any dream that they are going to ever see anything like this because they are realist. They are just thrilled to think that Council may approve the additional \$16,000, with the current appraisal, so they can move ahead and pull down the money that was in the Recreation Commission bond.

In Favor: Malinowski, Myers, N. Jackson, Livingston and McBride

The vote in favor was unanimous.

- f. Approval to negotiate and enter into a contract for the modernization of the six (6) Judicial Center elevators located at 1701 Main St. – Mr. Madden stated this was before the committee last month. There was a question regarding the previous actions that were taken on the Judicial Center. There is a companion document that outlines the responses for those questions. Staff recommendation is for approval of this item.

Ms. McBride moved, seconded by Ms. Myers, to forward to Council with a recommendation to authorize the Procurement Department Manager and staff to move forward with entering into a contract with Carolina Elevator Service, Inc., the recommended contractor from solicitation RC-074-B-2018, to supply and install all required equipment, material, and labor to modernize six (6) elevators at the Judicial Center located at 1701 Main Street. The total project cost requested for approval is in the amount of \$1,060,350.79, with a contract amount of \$922,050.79 and a reserved contingency amount of \$138,300.00.

Mr. Malinowski stated, for clarification, we are not going to wait to see how long before a new Judicial Center may be approved, correct?

In Favor: Myers, N. Jackson, Livingston and McBride

Opposed: Malinowski

The vote was in favor.

- g. This is a request for Council to award a contract for the construction of a landfill gas control system to include perimeter and in-waste active landfill gas extraction wells connected by piping to a

**Administration and Finance**

**July 24, 2018**

**-4-**

vacuum blower system, along with ancillary systems – Mr. N. Jackson moved, seconded by Ms. Myers, to forward to Council with a recommendation to approve the contract to Tri Con Works, LLC.

Ms. Myers stated this is remedial in nature. It will be a good thing to get these fixes in place to stop the gases from seeping into the ground.

In Favor: Malinowski, Myers, N. Jackson, Livingston and McBride

The vote in favor was unanimous.

- h. Council Motion: Reconsider the order to request the return of funds used to purchase four acres for county projects by CHAO and Associates and move the project forward immediately giving appropriate time to complete the project [N. JACKSON] – Mr. N. Jackson stated we gave CHAO and Associates funds to purchase property.

Mr. N. Jackson moved, seconded by Ms. McBride, that we accept the property so we can move forward with the project.

Ms. McBride stated, for clarification, the property we are speaking about is the property that Mr. Chao now, and wants to give back to the County. At this point, we are just voting on this issue.

Mr. Livingston stated it also mentioned something about immediately giving appropriate time to complete the project.

Ms. Myers stated this is not just for Mr. Jimmy Chao to give the County a piece of property. This is for a forced purchase of a piece of property, and to take other actions tied to it. She stated this is the County buying it from Mr. Chao.

Mr. N. Jackson stated in the master contract, that was passed in Phase II, we set aside \$140,000 to purchase 4 acres of property. The County processed, and Chao and Associates gave a requisition for the purchase of the property. The County gave them the appraisal company the County used. The County wrote Chao and Associates a check for \$126,000 to purchase the property. Chao purchased the property from the check the County gave them. The previous Administrator stated he had no documents that 4 acres was to be purchased. As you can see, in Phase II, we now have the document where \$140,000 was set aside to purchase the property. The check went through Procurement, Legal, Finance, etc. Richland County gave him a check for \$120,000 to purchase the property. He purchased the property. What he is trying to do now is to turn the property over to the County. The project has been held up for over 10 months. The property is the only piece of property possible to complete the project. Most of the land is wetlands and cannot be used. Once we accept the property, we can continue with the project. The longer we keep the project on hold, the more it is going to cost to build that project.

Ms. Myers stated this is the question about the vote we took some time ago to require the repayment of the money to the County, not just accepting property, right? Ms. Myers inquired if staff ever found where there was a motion to purchase the property.

Mr. Madden stated he does not recall a motion to specifically purchase the property. He stated he thinks Mr. N. Jackson's intent is to reconsider the original directive given to staff, which was to request reimbursement of the funds.

Mr. N. Jackson stated the Administrator said he had no documentation. He did not know anything to do with a land purchase. He stated the document is here on p. 96-97 where when Council approved

**Administration and Finance**

**July 24, 2018**

-5-

Phase II. It is in the document, acquisition of 4 acres. The former Administrator did not have the document and that is why he was against it.

Mr. Malinowski stated he is not arguing that the purchase was not approved by Council. The part he has the problem with is there is a process to go through, which this Council voted to uphold following the process, which is outlined in Attachment F. Chao and Associates was supposed to pay back a certain amount. The County would pay Chao and Associates for work done on County property, to date. Instead, we got a letter back that stated, "We will give you the money back, if you agree to purchase the property by a specific date." In his opinion, this is not what they were asked to do. We asked them to do certain things related to this overall matter. If they had done it, we may be moving forward now. Until it is done in the legal way, and not cutting corners, so every other company that comes along says, "Well they got with it, so why can't we do it." He inquired of Mr. Smith or Mr. Madden if his summary is correct.

Mr. Madden inquired if the document Mr. N. Jackson was referencing was located on p. 111.

Mr. N. Jackson responded in the affirmative.

Mr. Madden stated that was not a document staff had in its possession. The document was provided to the Clerk's Office by Mr. N. Jackson for inclusion in the agenda.

Mr. N. Jackson stated the documents on pp. 96-97 that referred to Phase II, with the land, was what he was speaking about. When it was brought to Council, there was no cutting of corners. Phase II was approved by Council. In Phase II, it had land acquisition, 4 acres. The \$140,000 was set aside to purchase 4 acres. We had a master agreement with Chao and Associates. This Phase II document was in the master agreement. The Administrator said that he had no copy of any of these documents showing that Council approved the purchase of land, and that is why he was against it. This did not go to committee. It was discussed in Executive Session, and we made a decision. If it had gone to committee and a search was done, and these documents were found, then we would have a different decision. These documents were not presented in Executive Session. It was never discussed. His point is, Mr. Malinowski said corners were cut. The way Council has been dealing with Pinewood Lake Park, no corners were ever cut. Everything was upfront. Richland County gave Chao and Associates \$126,000 to purchase 4 acres of land, which he did. For Richland County to say, Chao was wrong, or cut corners. We gave him the money. Now we are going to say, "Well give us back the money, and take the land." Mr. Chao does not need the land. The land is the only piece of property needed to complete the project. Because of our actions, this project has been on hold for over 10 months, and the price is escalating. His motion is to reconsider having Mr. Chao refund the money to the County, and accept the land and move forward.

Mr. Livingston stated he asked Administration whether or not the property was a part of the original plan? Is it essential for us to move forward with Pinewood Lake? If that is the case, then we will need the property. What is at stake now is the purchasing process. First of all, Council voted to ask Mr. Chao to pay the money back and keep the land. That is something this motion cannot change because this motion is not property before us because the reconsideration period is gone, which would require us to rescind the decision of Council. He stated he is willing, as a Councilmember, if Chao decides to give us the money back, and the property is essential for that, he would vote to buy the property back.

Mr. N. Jackson stated it is not a reconsideration of the item. It is to take the property because we gave him the money to purchase it.

**Administration and Finance**

**July 24, 2018**

-6-

Mr. Livingston stated Mr. N. Jackson is reconsidering Council's decision with this motion; therefore, it is not properly before us. You have to reconsider prior to the approval of the minutes. After that you have to rescind the action.

Mr. N. Jackson stated if you read the motion it says to reconsider what was done and move forward with accepting the property.

Mr. Livingston stated it says, "Reconsider the order to request the return of the funds used..." We made a motion that the funds be returned.

Mr. N. Jackson stated he believes the motion is properly before the committee, or we can make a substitute motion. At the end of the day, if the motion is not proper because the term reconsideration is used, his motion is to accept the property. That is all we need to do. It has been over 10 months. We gave the man the check to purchase the property, then we decided that he should not purchase the property. He stated we are hung on whether it is reconsideration or not.

Mr. Livingston stated what he is hung up on is what Council has voted for already.

Mr. N. Jackson inquired if he should wait 2 more months, until it has been a year to bring it back.

Mr. Livingston stated the quickest way for it to happen is for Mr. Chao to pay the money back, and then if Council wants the property, buy the property back.

Mr. N. Jackson stated it is in the agreement we approved for Phase II.

Mr. Livingston stated it is his opinion that this is not properly before us.

Mr. Smith stated under Council's rules a motion to reconsider an item must be introduced on the day of the decision in question, or at the next succeeding session of Council. Any subsequent motions to alter a decision already made must come in the form of a motion to rescind. To Mr. Livingston's point, the motion to reconsider would not be appropriate, at this point, because it does not come on the day of the decision, or the next meeting. However, there can be a motion made to rescind the previous action Council has taken.

Mr. Livingston stated he is going to rule this motion out of order, but he is willing to work with Mr. N. Jackson if the property is essential to the project.

Mr. N. Jackson stated he will make a motion in September to rescind the action, so we can get the property to move the project forward.

- i. Council Motion: Appropriate up to \$300,000 from the Gills Creek Part A project to repair the emergency spillway and an additional \$300,000 to build the boardwalk where the temporary bridge was removed [N. JACKSON] – Mr. N. Jackson stated, during the flood, the emergency spillway at Pinewood Lake Park was damaged. Initially, we were told that we could repair the dam because the easement only allowed us to go 10 inches because we only own 10 inches of the dam. There is nothing that states it only goes 10 inches deep. He is not sure where that came from. Without the repair of the dam, we do not have a lake. DHEC is pressuring us to fix it as soon as possible. The funding is there to repair the dam. It needs to be repaired since it is for public use. He is requesting the County use \$300,000 from the Gills Creek Part A funding.

Mr. N. Jackson moved to forward to Council with a recommendation to accept the proposal to appropriate the funding to repair the dam.

**Administration and Finance**

**July 24, 2018**

**-7-**

The motion died for lack of a second.

- j. Council Motion: Allocation of additional \$3M in funding for the Pinewood Lake Park project [N. JACKSON] – Mr. N. Jackson stated this project has been approved since 2013. As he spoke earlier regarding the land, this project is costing more as construction costs are going up. He stated the building has been designed. The longer we sit, and do nothing, the more the costs increase.

Mr. N. Jackson moved to forward to Council with a recommendation to encumber \$3M for the Pinewood Lake Park project.

The motion died for lack of a second.

- k. Council Motion: Conservation Commission to revise the proposed contract agreement with the Pinewood Lake Park Foundation [N. JACKSON] – Mr. N. Jackson stated, when the former Administrator was here, he was supposed to meet with the people at the park to discuss how to move forward. This meeting did not happen because the Administrator left. Some Councilmembers were also supposed to go to the meeting, but there was a mix up on the date. The decision on how to move forward was based on having a meeting with the citizens, at the park. A decision was made, without meeting with the community, and he thinks it disrespectful to develop a project without meeting with the citizens of the area. He is requesting a meeting with the community and the Interim Administrator/Administrator to develop an agreement based on the citizens' input.

Mr. N. Jackson moved to defer this item until the community meets with the Interim Administrator/Administrator to express their concerns.

The motion died for lack of a second.

- l. Council Motion: Council review of the Hospitality Tax process [KENNEDY] – Mr. Malinowski stated this motion is a rather general motion. He thinks the maker of the motion needs to review the backup documentation, and bring back what needs to be updated and changed.

Ms. Myers moved, seconded by Ms. McBride, to forward with Council with a recommendation to provide the flowchart, she received from Mr. Madden, to the grantees, when they are notified of their award, in an effort to help them understand the flow of the process.

Mr. Malinowski inquired if the grantees are provided this flowchart now.

Mr. Madden stated it is not provided in the format described by Ms. Myers.

Mr. N. Jackson inquired if the flowchart has been accepted by the Finance and/or Grant's Office.

Ms. Myers stated it was developed by staff.

Mr. N. Jackson inquired if it was something new.

Mr. Madden stated it was a response to a request. If it is the will of the committee, we can develop an official flowchart, with input from all of the impacted departments. The flowchart can then be provided to the grantees upfront.

In Favor: Malinowski, Myers, N. Jackson, Livingston and McBride

The vote in favor was unanimous.

**Administration and Finance**

**July 24, 2018**

**-8-**

- m. The Richland Program Development Team (PDT) requests a wage rate increase for Calendar Year (CY) 2018 and retroactive payment for wage rate increase for CYs 2016 and 2017 – Mr. Madden stated staff reviewed the request from the PDT. There was a difference in the manner in which the PDT developed their recommended increases versus what staff saw in the actual contract. On pp. 170-171, it provides a breakdown of staff’s vetting of the request. Specifically, on p. 170, the 2% base of the rate as of 11/3/14 column, plus the NAICS percentage change. Per the contractual agreement with the PDT, the increase should be their salary increased by those 2 percentages combine. As he understands it, what the PDT submitted in their request, their wage increase was to include those amounts, but the base amount they were using for the increase was the previous fiscal year’s, if those increases were approved. And, those increases were not approved in those years. There are 3 alternatives provided by staff. At this time, we are seeking direction from Council.

Mr. Malinowski stated, from what he is understanding, the wage increases have already been denied for previous years.

Mr. Madden stated he believes that is correct.

Mr. Malinowski stated now the PDT wants us to go back and undo what was previously denied.

Mr. Madden stated they want to bring all their increases they did not have since 2014.

Mr. Malinowski stated on p. 168 under the “Background” it says, “Compensation for Task I was based on 2014 wage rates. The Contractor shall be eligible on the following dates for cost of wage increases...” It does not say, “They will be given.” It says, “They are eligible.” If it was decided they should not get them, then they do not get them. He could not support going back and retroactively giving them something that is not an automatic within their contract. In addition, on p. 168 it states, “County Administrator Gerald Seals advised the PDT that he could not recommend wage rate increases for either year because the County did not grant cost of living increases to County personnel for 2016 and had not considered pay increases for County personnel for 2017.” He stated he would have to agree. If we did not give our own in-house personnel wage increases, then he does not believe we should be giving other people a wage increase. He inquired if staff was given wage increases in 2017. If the answer is no, then he recommends to provide no salary increase.

Mr. Malinowski moved, seconded by Ms. Myers, to forward to Council with a recommendation to provide no salary increase.

Mr. C. Jackson stated, before the committee casts its vote, there needs to be some degree of certainty about whether or not County staff got a pay increase in any of the years in question. If that is the case, we should honor and be consistent. If that is not the case, he would agree with Mr. Malinowski’s motion. However, he would ask the committee to make sure the statement that staff did not get an increase during any of those years is verified before action is taken regarding the PDT’s request.

Mr. Livingston made a substitute motion, seconded by Mr. Malinowski, to defer this item until the September committee meeting.

In Favor: Malinowski, Myers, N. Jackson, Livingston and McBride

The vote in favor was unanimous.

- n. Request from the University of South Carolina’s Center for Applied Innovation and Advanced Analytics to partner and implement (including funding) a project that would provide rural internet to

**Administration and Finance**

**July 24, 2018**

**-9-**

those areas of unincorporated Richland County that do not have access to broadband – Mr. Malinowski inquired as to how this item got on the agenda.

Mr. Madden stated the University of South Carolina has been working on a project for increasing internet access throughout the County. They presented some information to staff, and has been working with Councilwoman Myers for a number of months. This is a request to get Council feedback on whether or not it is their pleasure to move forward with this.

Ms. Myers stated this is a really exciting proposal that was presented to her to get high speed access and make Richland County green with 4G or 5G. The project would be partnering with ETV, USC, and their IBM Watson Smart Computer to get the County green all over.

Mr. Malinowski stated the documentation says “a partnership”, but he does not see who is paying what. It appears the County is paying for the whole thing.

Ms. Myers moved, seconded by Mr. N. Jackson, to defer this item until the September committee meeting.

In Favor: Malinowski, Myers, N. Jackson, Livingston and McBride

The vote in favor was unanimous.

5. **ITEMS PENDING ANALYSIS: NO ACTION REQUIRED**

- a. Council Motion: Funding the Senior programs should be distributed equally and fairly. It is not right for one organization to be receiving hundreds of thousands of dollars annually while other areas receive none. All areas pay taxes and all seniors should get the same and equal opportunity in receiving funding. I move that funding for seniors (Senior Activities) be distributed equally in all eleven districts [N. JACKSON] – No action was taken.

5. **ADJOURNMENT** – The meeting adjourned at approximately 7:00 p.m.



**RICHLAND COUNTY GOVERNMENT  
ADMINISTRATION**

2020 Hampton Street, Suite 4069, Columbia, SC 29204  
P 803-576-2050 | F 803-576-2137 | TDD 803-576-2045  
richlandcountysc.gov



**Administration & Finance Committee Meeting  
Companion Document**

During its July 24, 2018 meeting, the D&S Committee considered the Richland Program Development Team (PDT) request for a wage rate increase for Calendar Year (CY) 2018 and retroactive payment for wage rate increases for CYs 2016 and 2017.

Pursuant to its deliberations on this request, the Committee deferred this item. Also, the Committee requested verification that staff did not get an increase during any of the years PDT is requesting an increase.

Staff's review revealed that a countywide cost of living adjustment was provided in FY17 (4%) and FY18 (3%).



**Administration and Finance Committee Meeting  
Briefing Document**

**Agenda Item**

The Richland Program Development Team (PDT) requests a wage rate increase for Calendar Year (CY) 2018 and retroactive payment for wage rate increases for CYs 2016 and 2017.

**Background**

Section VIII.A.4 (Compensation) of the Program Management Agreement (“Agreement”) between Richland County and the Program Development Team dated November 3, 2014, states:

Compensation for Task I was based on 2014 wage rates. The Contractor shall be eligible on the following dates for cost of wage increases to be added to the compensation from the base rate established at the date of this Agreement. (The base rate is the salary of the respective position as of the date of this Agreement.) The dates on which the Contractor shall be eligible for the increase are January 1, 2016 and January 1 of each subsequent year of this Agreement. Wage rate increases shall be calculated for each position based on the US Bureau of Labor Statistics, NAICS as most applicable to each position, plus two (2%) of the base salary for each such position. Wage rate increases shall be limited to those PDT positions assigned full-time to the Program (as mutually agreed to between the County and the Contractor) and physically located in the PDT office.

On December 29, 2016, the PDT requested a wage rate increase as stated in the Agreement for 2016 and 2017. The total increase for the two years was \$128,423.32. On January 31, 2017, former County Administrator Gerald Seals advised the PDT that he could not recommend wage rate increases for either year because the County did not grant cost of living increases to County personnel for 2016 and had not considered pay increases for County personnel for 2017.

On May 4, 2018, the PDT requested a wage rate increase for 2018, which totals \$100,716.22 in addition to requesting retroactive wage rate increases for the previous two years. The total for the increases for all three years is \$229,139.53.<sup>1</sup>

**Issues**

The issue is whether County Council will grant the PDT’s request for retroactive wage rate increases for 2016-2018.

**Fiscal Impact**

The fiscal impact can range from none (if Council decides to not grant the wage rate increases) to spending the 3% administrative budget for the Penny Program at a faster rate. For example, should the County Council decide to grant the wage rate increases retroactive for all three years, then, the County would immediately pay the PDT an additional \$229,139.53 in administrative costs plus an additional \$100,716.22 per year for subsequent years. Please note that there is a maximum amount of \$32,100,000 to cover both administrative costs (i.e., for the PDT and the County’s Transportation

<sup>1</sup> A review of PDT’s request for wage rate increase calculations revealed that the formula used in PDT’s calculations is inaccurate. Richland County’s figures (see Attachment A) reflect the proper methodology as stated in the Agreement.

Department) and debt service on bonds issued to pay for Penny projects during the lifetime of the program. Should Council wish to consider granting a wage rate increase just for 2017, the fiscal impact would be an additional \$96,863.52 (see Attachment B).

Note that in the nearly five years of the program, Richland County has expended \$15,639,776.75 (\$13,611,856.28 in administrative costs and \$2,027,920.47 in debt service on bonds) or 48.7% of the total budget of \$32,100,000 with \$16,460,223.25 remaining for the life of the program. Moreover, it is anticipated that the County will spend approximately \$3,000,000 in administrative costs and \$3,571,667 in debt service in FY 2019, for an estimated total of \$6,571,667.

#### **Alternatives**

1. Provide no salary increase.
2. Provide salary increase request by PDT with correct calculations. Fiscal impact: \$229,139.53.
3. Provide salary increase just for 2017 using the 3.0% change for 2017 per the NAICS plus 2.0% of the base salary of the date of the Program Management Agreement, which is November 3, 2014. Fiscal impact: \$96,863.52.

#### **Staff Recommendation**

The intent of staff is to institute County Council's directive. Staff does not have a recommendation regarding this matter.



Position	Base Rate	Current Salary	2% of the Base Rate as of 11/3/2014 (a)	2015			2016			2017			New Annual Salary with Retroactive Increase	Increase from Current Salary
				NAICS Percent Change (b)	Increase: NAICS Percent Change + 2% of Base Rate	New Salary	NAICS Percent Change (c)	Increase: NAICS Percent Change + 2% of Base Rate	New Salary	NAICS Percent Change (d)	Increase: NAICS Percent Change + 2% of Base Rate	New Salary		
Program Manager	\$ 81.18	\$ 168,854.40	\$ 1.62	\$ 1.95	\$ 3.57	\$ 84.75	\$ 1.70	\$ 3.32	\$ 88.07	\$ 2.64	\$ 4.27	\$ 92.34	\$ 192,059.45	\$ 23,205.05
Deputy Program Manager	\$ 76.31	\$ 158,724.80	\$ 1.53	\$ 1.83	\$ 3.36	\$ 79.67	\$ 1.59	\$ 3.12	\$ 81.26	\$ 2.44	\$ 3.96	\$ 85.23	\$ 177,268.05	\$ 18,543.25
Program Administrator	\$ 60.28	\$ 125,382.40	\$ 1.21	\$ 1.45	\$ 2.65	\$ 61.73	\$ 1.23	\$ 2.44	\$ 64.17	\$ 1.93	\$ 3.13	\$ 67.30	\$ 139,978.72	\$ 14,596.32
Assistant Program Director	\$ 62.72	\$ 130,457.60	\$ 1.25	\$ 1.51	\$ 2.76	\$ 64.23	\$ 1.28	\$ 2.54	\$ 66.76	\$ 2.00	\$ 3.26	\$ 70.02	\$ 145,644.74	\$ 15,187.14
Assistant Program Director	\$ 62.72	\$ 130,457.60	\$ 1.25	\$ 1.51	\$ 2.76	\$ 64.23	\$ 1.28	\$ 2.54	\$ 66.76	\$ 2.00	\$ 3.26	\$ 70.02	\$ 145,644.74	\$ 15,187.14
Assistant Program Director	\$ 31.36	\$ 65,228.80	\$ 0.63	\$ 0.75	\$ 1.38	\$ 32.11	\$ 0.64	\$ 1.27	\$ 33.38	\$ 1.00	\$ 1.63	\$ 35.01	\$ 72,822.37	\$ 7,593.57
Assistant Program Director	\$ 31.36	\$ 65,228.80	\$ 0.63	\$ 0.75	\$ 1.38	\$ 32.11	\$ 0.64	\$ 1.27	\$ 33.38	\$ 1.00	\$ 1.63	\$ 35.01	\$ 72,822.37	\$ 7,593.57
Assistant Program Director	\$ 31.36	\$ 65,228.80	\$ 0.63	\$ 0.75	\$ 1.38	\$ 32.11	\$ 0.64	\$ 1.27	\$ 33.38	\$ 1.00	\$ 1.63	\$ 35.01	\$ 72,822.37	\$ 7,593.57
Assistant Program Director	\$ 31.36	\$ 65,228.80	\$ 0.63	\$ 0.75	\$ 1.38	\$ 32.11	\$ 0.64	\$ 1.27	\$ 33.38	\$ 1.00	\$ 1.63	\$ 35.01	\$ 72,822.37	\$ 7,593.57
Ass. Public Information Director	\$ 42.16	\$ 87,692.80	\$ 0.84	\$ 1.01	\$ 1.86	\$ 43.17	\$ 0.86	\$ 1.71	\$ 44.88	\$ 1.35	\$ 2.19	\$ 47.07	\$ 97,901.50	\$ 10,208.70
Construction Manager	\$ 63.07	\$ 131,185.60	\$ 1.26	\$ 1.51	\$ 2.78	\$ 64.58	\$ 1.29	\$ 2.55	\$ 67.14	\$ 2.01	\$ 3.28	\$ 70.41	\$ 146,457.49	\$ 15,271.89
Program Controls	\$ 62.02	\$ 129,001.60	\$ 1.24	\$ 1.49	\$ 2.73	\$ 63.51	\$ 1.27	\$ 2.51	\$ 66.02	\$ 1.98	\$ 3.22	\$ 69.24	\$ 144,019.24	\$ 15,017.64
Scheduler	\$ 35.19	\$ 73,195.20	\$ 0.70	\$ 0.84	\$ 1.55	\$ 36.03	\$ 0.72	\$ 1.42	\$ 37.46	\$ 1.12	\$ 1.83	\$ 39.29	\$ 81,716.18	\$ 8,520.98
Estimator	\$ 46.34	\$ 96,387.20	\$ 0.93	\$ 1.11	\$ 2.04	\$ 47.45	\$ 0.95	\$ 1.88	\$ 49.33	\$ 1.48	\$ 2.41	\$ 51.73	\$ 107,608.06	\$ 11,220.86
Accountant	\$ 32.75	\$ 68,120.00	\$ 0.66	\$ 0.79	\$ 1.44	\$ 33.54	\$ 0.67	\$ 1.33	\$ 34.86	\$ 1.05	\$ 1.70	\$ 36.56	\$ 76,050.15	\$ 7,930.15
Ass. Procurement Manager	\$ 23.35	\$ 48,568.00	\$ 0.47	\$ 0.56	\$ 1.03	\$ 23.91	\$ 0.48	\$ 0.95	\$ 24.86	\$ 0.75	\$ 1.21	\$ 26.07	\$ 54,222.01	\$ 5,654.01
Office Manager	\$ 31.36	\$ 65,228.80	\$ 0.63	\$ 0.75	\$ 1.38	\$ 32.11	\$ 0.64	\$ 1.27	\$ 33.38	\$ 1.00	\$ 1.63	\$ 35.01	\$ 72,822.37	\$ 7,593.57
Secretary	\$ 25.09	\$ 52,187.20	\$ 0.50	\$ 0.60	\$ 1.10	\$ 25.69	\$ 0.51	\$ 1.02	\$ 26.71	\$ 0.80	\$ 1.30	\$ 28.01	\$ 58,262.54	\$ 6,075.34
Project Utility Manager	\$ 45.65	\$ 94,952.00	\$ 0.91	\$ 1.10	\$ 2.01	\$ 46.75	\$ 0.93	\$ 1.85	\$ 48.59	\$ 1.46	\$ 2.37	\$ 50.96	\$ 106,005.78	\$ 11,053.78
ROW Manager	\$ 55.75	\$ 115,960.00	\$ 1.12	\$ 1.34	\$ 2.45	\$ 57.09	\$ 1.14	\$ 2.26	\$ 59.34	\$ 1.78	\$ 2.90	\$ 62.24	\$ 129,459.41	\$ 13,499.41
<b>Totals</b>		<b>\$ 1,937,270.40</b>											<b>\$ 2,166,409.93</b>	<b>\$ 229,139.53</b>
Total Hours/Year	2080												PDT's Total:	\$ 266,550.18
													RC's Correct Figures	\$ 229,139.53
Notes:													Difference between PDT's Total and RC's correct figures:	\$ 37,410.65

(a) Wage rate increases shall be calculated for each position based on the US Bureau of Labor Statistics, NAICS as most applicable to each position, plus two (2%) of the base salary for each such position.

The base rate is the salary of the respective position as of the date of the Agreement (November 3, 2014).

(b) NAICS Percent Change for 2015: 2.4%

(c) NAICS Percent Change for 2016: 2.0%

(d) NAICS Percent Change for 2017: 3.0%

	Position	Base Rate	Current Salary	2% of the Base Rate as of 11/3/2014 (a)	2017			New Annual Salary with 2017 Increase Only	Increase from Current Salary
					NAICS Percent Change (b)	Increase: NAICS Percent Change + 2% of Base Rate	New Salary		
	Program Manager	\$81.18	\$168,854.40	\$1.62	\$2.44	\$4.06	\$85.24	\$177,297.12	\$8,442.72
	Deputy Program Manager	\$76.31	\$158,724.80	\$1.53	\$2.29	\$3.82	\$80.13	\$166,661.04	\$7,936.24
	Program Administrator	\$60.28	\$125,382.40	\$1.21	\$1.81	\$3.01	\$63.29	\$131,651.52	\$6,269.12
	Assistant Program Director	\$62.72	\$130,457.60	\$1.25	\$1.88	\$3.14	\$65.86	\$136,980.48	\$6,522.88
		\$62.72	\$130,457.60	\$1.25	\$1.88	\$3.14	\$65.86	\$136,980.48	\$6,522.88
	Assistant Program Director	\$31.36	\$65,228.80	\$0.63	\$0.94	\$1.57	\$32.93	\$68,490.24	\$3,261.44
	Assistant Program Director	\$31.36	\$65,228.80	\$0.63	\$0.94	\$1.57	\$32.93	\$68,490.24	\$3,261.44
	Assistant Program Director	\$31.36	\$65,228.80	\$0.63	\$0.94	\$1.57	\$32.93	\$68,490.24	\$3,261.44
	Assistant Program Director	\$31.36	\$65,228.80	\$0.63	\$0.94	\$1.57	\$32.93	\$68,490.24	\$3,261.44
	Ass. Public Information Director	\$42.16	\$87,692.80	\$0.84	\$1.26	\$2.11	\$44.27	\$92,077.44	\$4,384.64
	Construction Manager	\$63.07	\$131,185.60	\$1.26	\$1.89	\$3.15	\$66.22	\$137,744.88	\$6,559.28
	Program Controls	\$62.02	\$129,001.60	\$1.24	\$1.86	\$3.10	\$65.12	\$135,451.68	\$6,450.08
	Scheduler	\$35.19	\$73,195.20	\$0.70	\$1.06	\$1.76	\$36.95	\$76,854.96	\$3,659.76
	Estimator	\$46.34	\$96,387.20	\$0.93	\$1.39	\$2.32	\$48.66	\$101,206.56	\$4,819.36
	Accountant	\$32.75	\$68,120.00	\$0.66	\$0.98	\$1.64	\$34.39	\$71,526.00	\$3,406.00
	Ass. Procurement Manager	\$23.35	\$48,568.00	\$0.47	\$0.70	\$1.17	\$24.52	\$50,996.40	\$2,428.40
	Office Manager	\$31.36	\$65,228.80	\$0.63	\$0.94	\$1.57	\$32.93	\$68,490.24	\$3,261.44
	Secretary	\$25.09	\$52,187.20	\$0.50	\$0.75	\$1.25	\$26.34	\$54,796.56	\$2,609.36
	Project Utility Manager	\$45.65	\$94,952.00	\$0.91	\$1.37	\$2.28	\$47.93	\$99,699.60	\$4,747.60
	ROW Manager	\$55.75	\$115,960.00	\$1.12	\$1.67	\$2.79	\$58.54	\$121,758.00	\$5,798.00
<b>Totals</b>			<b>\$1,937,270.40</b>					<b>\$2,034,133.92</b>	<b>\$96,863.52</b>
Total Hours/Year	2080							PDT's Total with Retroactive Increases:	\$ 266,550.18
								2017 Wage Rate Increase Only:	\$ 96,863.52
								Difference between PDT's Total and 2017 Wage Rate Increase Only:	\$ 169,686.66
Notes:									
(a)	Wage rate increases shall be calculated for each position based on the US Bureau of Labor Statistics, NAICS as most applicable to each position, plus two (2%) of the base salary for each such po								
	The base rate is the salary of the respective position as of the date of the Agreement (November 3, 2014).								
(b)	NAICS Percent Change for 2017: 3.0%								



**Administration and Finance Committee Meeting  
Briefing Document**

**Agenda Item**

Upgrading the Murray Point Lane Water System (aka White Rock Water System).

**Background**

White Rock Water System (System) serves the Murray Point neighborhood located in District 1 of Richland County (see attached map of the service area –**Figure 1**).

The System is approximately 30 years old and serves water to the neighborhood via a well system. The System has approximately 20 customers.

On June 27, 2018, County Utilities maintenance staff began observing low yield, flow and pressure from the water well system resulting in some of the water customers experiencing low water pressure. After a thorough investigation, staff determined that the well system had reached to its low yield point and would no longer be able to maintain the level of demand on the System. Given the water needs of the System’s customers, the County entered into a temporary arrangement of water supply by interconnecting the City of Columbia’s water distribution network to the System via a bulk water purchase arrangement. This temporary arrangement allowed Utility staff to evaluate all options available to the County for developing a long term solution for providing reliable water service to its customers.

The System’s customers are billed at a base rate for first 1,000 gallons and a subsequent rate for each additional gallon. The current water service rate for the System is as follows:

1st 1,000 gallons –base	\$20.00
Next 8,000 gallons	\$4.67/1,000 gallons
Next 11,000 gallons	\$4.37/1,000 gallons
Next 10,000 gallons	\$4.12/1,000 gallons
Next 30,000 gallons	\$3.87/1,000 gallons
Next 60,000 gallons	\$3.87/1,000 gallons

## Issues

The primary issue is the best long term approach for the System to provide reliable water service to its customers moving forward.

There are three (3) possible long term solutions:

1. **Construct a New Well System:** Under this option, Richland County will have to identify a new location for water well in the vicinity of the existing well. As soon as the appropriate location is identified, we will have to engage a consultant to undertake the design of the well system which then will be submitted to DHEC for their approval/issuance of permit to construct. At and subject to approval of DHEC, a new well system will be constructed. Based on our informal conversations with approval agencies, the anticipated duration for this work is 6 months. The anticipated initial cost for this option is approximately \$60,000 in addition to O&M cost for the distribution network as well as the pneumatic tank & well system to be incurred over the life of the system. Should Council decided to adopt this option, a funding mechanism would have to be identified covering the cost for capital expenditures as stated above.
2. **Bulk Purchase Water from City of Columbia at Outside City Rates Industrial rate:** Under this arrangement, Richland will have to enter into intergovernmental agreement (IGA) wherein City of Columbia will commit to sell bulk water to Richland County which then will be distributed to the Murray Point Subdivision. Based on our conversation with City of Columbia, it is our understanding that City is willing to consider such arrangement subject to approval of its Council. In order to interconnect City of Columbia Water System with Murray Point subdivision network, we may have to extend the transmission line, the anticipated cost for which will be \$70,000. Under this option, Richland County will only retain and be responsible for distribution network extending from the bulk supply meter to the customers. However, this option will require adjustment of current Richland County rate structure to accommodate the additional cost incurred for construction as well as the cost of bulk purchase.
3. **Transfer the Murray Point Water System to City of Columbia:** Under this option, Richland County can deed the existing water system and transfer the customers to City of Columbia. However, unfortunately the existing distribution system "as is" does not meet minimal specification required set by the City of Columbia and hence the City will not accept the system in its current state. Based on our informal discussions with City of Columbia, it is our understanding that City requires the upgrade of the existing water distribution to the City Standards. The anticipated cost for such upgrades is in excess of \$1 million.



## Fiscal Impact

- **Construct a new Well system:** As indicated in section above, the anticipated initial cost for this option is approximately \$60,000 in addition to O&M cost for the distribution network as well as the pneumatic tank & well system to be incurred over the life of the system. While there will be no immediate impact on the rate under this option, the Rate Study in progress may recommend the rate adjustment as and when completed.
- **Bulk Purchase water from City of Columbia at Outside City Rates Industrial rate:** Purchasing the water at a bulk rate, will require increase in the rates charged to customers to cover the purchase of the water and debt service. RCU will have to install the additional lines to connect from current end point and follow the City's specifications at an estimated cost of \$ 70,000.

	Current Rate	Proposed Rate
1st 1,000 gallons –base	\$20.00	\$25.00
Next 8,000 gallons	\$4.67/1,000 gallons	\$6.07/1,000 gallons
Next 11,000 gallons	\$4.37/1,000 gallons	\$5.68/1000 gallons
Next 10,000 gallons	\$4.12/1,000 gallons	\$5.35/1000 gallons
Next 30,000 gallons	\$3.87/1,000 gallons	\$5.03/1000 gallons
Next 60,000 gallons	\$3.87/1,000 gallons	\$5.03/1000 gallons

The above recommended rate adjustment is necessary to cover the cost of bulk purchase and will remain in effect till the the Rate Study is finalized.

- **Transfer the Murray Point Water System to City of Columbia:** The anticipated cost for such upgrades is in excess of \$1 million. All customers will then be transferred eventually becoming the Water Customers of City of Columbia

## Past Legislative Actions

None

## Alternatives

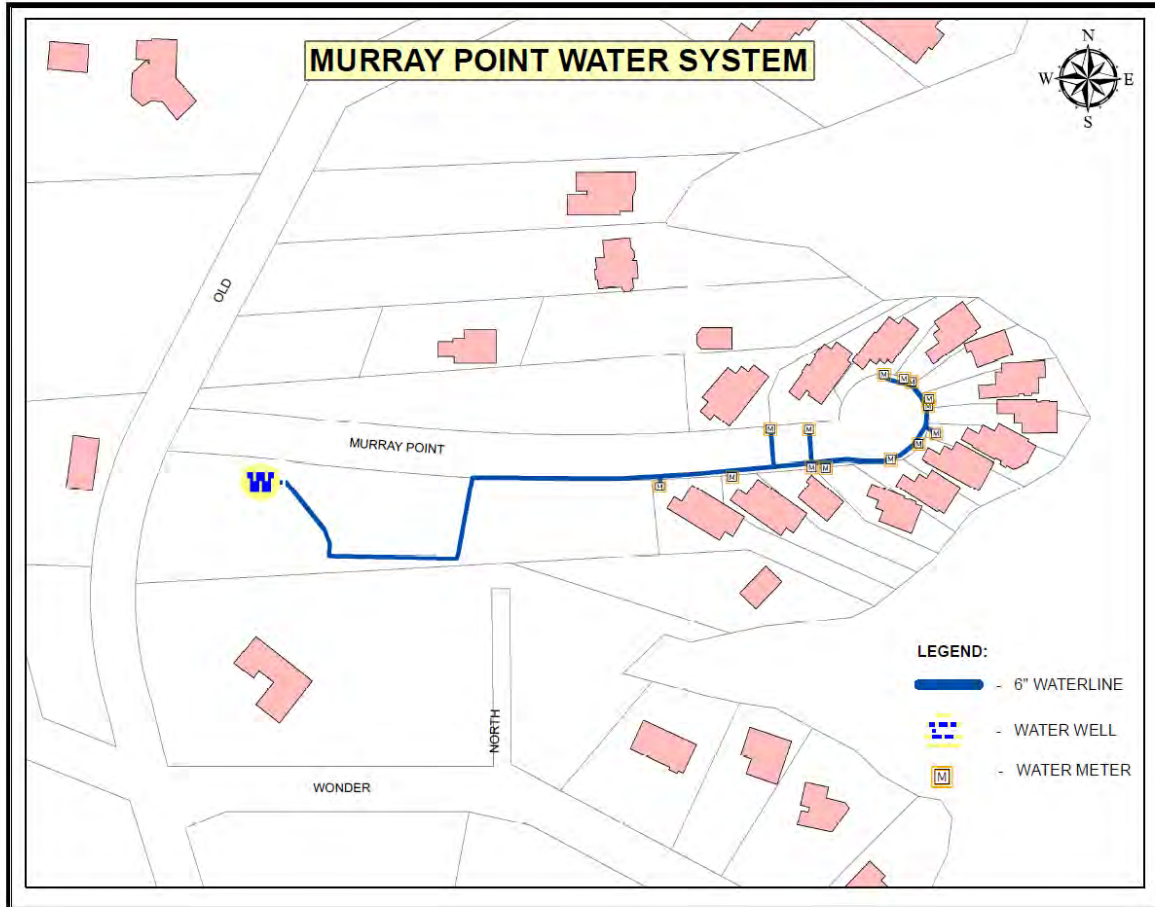
1. Approve the construction of a new Well System.
2. Approve the alternative to connect and purchase bulk water from City of Columbia
3. Approve to Transfer Murray Point Water System to City of Columbia

## Staff Recommendation

Staff recommends approval of purchasing water from the City of Columbia at the Industrial Bulk Rate. Should Council approve this recommendation, County needs to authorize County staff, in conjunction with the County Attorney's Office, to negotiate and execute an intergovernmental agreement (IGA) with the City of Columbia, and initiate the engineering, design and construction of the water system to enabling the connection to the City's bulk meter. The IGA will be approved by County Council once negotiated with the City of Columbia.



FIGURE 1: MURRAY POINT WATER SYSTEM SERVICE AREA





**Administration and Finance Committee Meeting  
Briefing Document**

**Agenda Item**

Requesting approval from County Council for the purchase of Aluminum Chlorohydrate (ACH) from Gulbrandsen Technologies Inc. for ongoing delivery to the Broad River Wastewater Treatment Facility.

**Background**

The Broad River Wastewater Treatment Facility is required to remove phosphorous from the wastewater prior to discharging its effluent to the Broad River. The facility is required to remove phosphorous to certain limits as required by its NPDES discharge permit issued by the South Carolina Department of Health and Environmental Control (SCDHEC). Previous performance testing has found that the chemical, Aluminum Chlorohydrate (ACH) is the most cost-effective chemical available to assist with the phosphorous removal by enhancing the settling phase during the WWTF process producing solids for removal.

ACH may be prepared by different manufacturers in different concentrations and with various additives. Any change from the ACH which we are currently using will require considerable bench testing of the product to insure that we can get the same results from our treatment process as we are from the current product. A solicitation was conducted in 2011 and Gulbrandsen Technologies was the lowest bidder. Extensive bench testing was performed and Gulbrandsen was approved as the supplier of ACH. A new solicitation will require new bench testing and a considerable amount of manpower and time after the Procurement bid process is complete before we can verify that a different product will be acceptable for our treatment process. We are legally bound through our NPDES permit issued by SCDHEC to insure that any chemical used in our treatment process will not adversely affect the quality of our effluent.

According to the CPI Index, the price to produce chemicals has gone up 4.5% since May 2017. Gulbrandsen has not increased the price of the chemical since we have been purchasing ACH through them.

**Issues**

Aluminum Chlorohydrate (ACH) is the most cost-effective chemical available to assist with the phosphorous removal by enhancing the settling phase during the WWTF process producing solids for removal.

**Fiscal Impact**

There is no financial impact associated with approving this request as funds are appropriated in the budget. There may be an indirect impact associated with SCDHEC penalties if a violation were to result from inadequate supply of chemical.

The cost estimated throughout the fiscal year is \$170,000.00 and is need of Council approval.

### Past Legislative Actions

None.

### Alternatives

1. Approve the purchase of ACH from Gulbrandsen Technologies throughout the year.
2. Do not approve the purchase of ACH from Gulbrandsen Technologies.
3. Delay the purchases and seek other options, perform extensive testing and bring back another request for approval to Council.

### Staff Recommendation

It is recommended that Council approve the request to continue to purchase ACH from Gulbrandsen Technologies Inc.

**Submitted By:** Jennifer Wladischkin, Procurement

**Date:** July 19, 2018



Solicitation/Quote Number: RC-QUOTE-11	Date Issued: 9/26/11	Due Date: 10/4/11	Time Due: 2:00PM	PAGE 1 of 1
Department: Utilities Representative:	Requisition#:		Buyer: Jennifer Wladischkin	
<b>Tabulation Sheet</b>	<b>Gulbrandsen</b>	<b>Operators Unlimited</b>	<b>Southern Water Consultants</b>	<b>Univar USA</b>
<b>Bulk- Min 1/2 tanker</b>	\$66,000.00	\$73,700.00	\$90,000.00	\$78,540.00
<b>275 Gallon Tote</b>	\$1,320.00	\$1,005.00	\$1,390.00	\$1,497.00
Shipping	\$0.00	?	\$2400/\$250	\$0.00
Delivery Days	3	5	6	?



**Administration & Finance Committee Meeting  
Briefing Document**

**Agenda Item**

Devil's Ditch Project Funding Increase

**Background**

The Devil's Ditch Maintenance project is a joint project between the City of Columbia and Richland County Stormwater Divisions that includes removal of overgrown vegetation, accumulated sediment and debris, and the installation of appropriate bank and bed stabilization to prevent future erosion and scouring. The estimated project cost was \$406,073.80. On February 6, 2018 County Council approved \$272,068.44 from the Stormwater Management's Capital Drainage Projects account for the County's portion (67%) of the project.

**Issues**

The project was put out for bid by the City of Columbia in August 2018. The bids were returned on August 15, 2018. The list of bidders is below. L-J, Inc. had the lowest bid amount at \$516,263.50. With a 10% contingency this brings the project cost to \$567,889.85. An increase of \$161,816.05.

**Bidders:**

- L-J, Inc. Bid amount \$516,263.50
- North American Pipeline Bid amount \$898,000.00
- G.H. Smith Construction Bid amount \$553,930.00

**Fiscal Impact**

Based on the original 67% County and 33% City split the additional funds from the Stormwater Management Division will be \$108,416.75. There is enough funding in the Stormwater Capital Drainage Projects account to cover the additional funding.

**Past Legislative Actions**

February 6, 2018 – County Council approved the County's portion of funding for the Devil's Ditch Drainage project with the requirements that any change orders for the County's portion are approved by the County.

**Alternatives**

1. Approve the additional funding for the County's share for the Devil's Ditch Maintenance Project at a cost of \$108,416.75.
2. Disapprove the additional funding for the County's share of the Devil's Ditch Maintenance Project.

**Staff Recommendation**

It is recommended that Council approval the additional funding.

**Submitted by:** Department of Public Works

**Date:** September 7, 2018



## **PROJECT AGREEMENT**

This Agreement entered into by and between Richland County, South Carolina (the "County") and the City of Columbia, South Carolina (the "City").

### **WITNESSETH THAT:**

WHEREAS, the Devils Ditch waterway ("Devils Ditch") is located within the areas served by and under the jurisdiction of the City and areas that are under the jurisdiction of the County; and

WHEREAS, the City and the County, and all those served by these entities, have a mutual interest in the maintenance of Devils Ditch; and

WHEREAS, the City and the County coordinated to have an evaluation conducted, as well as a project plans and specifications (the "Project Plans") and a project estimate (the "Project Estimate") prepared for Devils Ditch by Dennis Corporation, as illustrated in Attachment A; and

WHEREAS, the parties have agreed to collaborate on the maintenance project, in accordance with the Project Plans, and procure one contractor to execute the maintenance project in order to reduce costs; and

WHEREAS, the parties wish to authorize the maintenance activities specified in the aforesaid Project in accordance with the Project Plans and within the Project Budget;

NOW THEREFORE, in consideration of the foregoing and of the mutual covenants herein set forth, the County and the City agree as follows:

1. The parties agree that each party will secure, at their own cost, any necessary property rights – e.g., easements, licenses, etc. – to perform work located in their own jurisdiction and which property rights will provide for access and maintenance activities performed by either party. Each party will provide to the other party copies of all filed and recorded easements obtained by the party for work under this Agreement.
2. The Project Plans will be bid through the City's procurement process. Once the bidding process is completed, no further action or approvals are needed with the exception of final approvals from City and County Council for construction. Parties agree that as of the date of this agreement the Project Budget should be sufficient to complete the Project Plans.
3. The City and County consent to the maintenance activities specified in the Project within both the City corporate limits and the County unincorporated areas in accordance with the Project Plans and within the Project Budget. The foregoing consent shall be the sole approval necessary from the County for the City to complete the Project under the Project Plans and within the Project Budget.
4. The County and City will provide up to **Four Hundred Six Thousand Seventy-three and 80/100 (\$406,073.80) Dollars** toward the cost of the Project from the budget sources detailed in Attachment B. If maintenance activity costs as reflected in the low bid are over budget, the City will work with the County to revise the Project Plans as necessary to bring the cost within the funds currently allocated for the project. Until the Project Plans have been revised such that the executed contract is within the funds currently allocated for the project, a Notice to Proceed will not be issued.



5. If, after contractor award or during maintenance activities, circumstances arise or conditions are discovered which cause the Project Budget to be insufficient to complete the Project, neither party shall be responsible for obtaining or providing additional funding. In such case, the City will cooperate with the County in revising the Project Plans as necessary to complete the Project within the Project Budget. In no event will the City or County be required to provide any funds in excess of the amount reflected in the Project Budget; however, the County or the City may provide funds if approved through an appropriate change order.

6. The City may authorize change orders that is deems necessary to portions of the project that are the City's responsibility and the County may authorize change orders that it deems necessary to portions of the project that are the County's responsibility so long as such change orders are within the scope of the Project Plans and the Project Budget after the Notice of Proceed is issued..



7. Upon completion of the Project, and inspection of the Project proving the maintenance activities have been completed in accordance with Project Plans, all future maintenance activities will remain the responsibility of the entity which had maintenance responsibility prior to the Project.

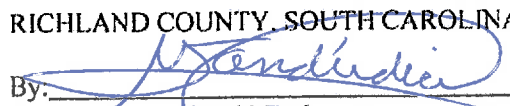
9. If any provision of this Agreement or any obligation or agreement contained herein is determined by a court of competent jurisdiction to be invalid or unenforceable, that determination shall not affect any other provision, obligation or agreement, each of which shall be construed and enforced as if the invalid or unenforceable portion were not contained herein.

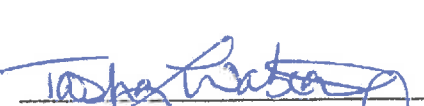
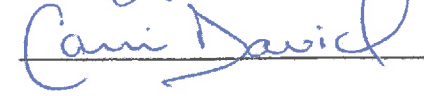
10. This Agreement may be executed in several counterparts, all or any of such shall be regarded for all purposes as one original and shall constitute and be but one and the same instrument.

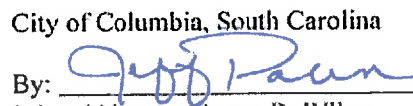
11. This Agreement represents the entire agreement between the County and the City and supersedes and replaces all terms and conditions of any prior agreements, arrangements, negotiations, or representations, written or oral, with respect to the Project.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the day and year of the last signature hereinbelow.

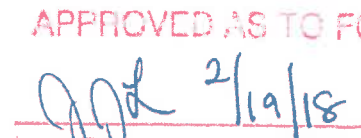
WITNESSES:  
  


RICHLAND COUNTY, SOUTH CAROLINA  
By:   
Printed Name: Gerald Seals *SANOLA YOUNG*  
Title: County Administrator *ASSISTANT COUNTY ADMINISTRATOR*  
Date: 4-19-2018

City of Columbia, South Carolina  
By:   
Printed Name: Teresa B. Wilson  
Title: City Manager *acting city manager*  
Date: 3/28/2018

Richland County Attorney's Office  
  
4/18/18

APPROVED AS TO FORM  
  
2/19/18  
Legal Department, City of Columbia, SC

App No O. COLUMBIA 1211660v4  
Form Only  
Rendered AS TO Content

**Devils Ditch  
Richland County, SC  
Construction Cost Budget Sources**

Entity	Percentage of Project	Cost
Richland County Stormwater	67 %	\$272,069.44
City of Columbia Stormwater	33%	\$134,004.36
<b>Total</b>	<b>100%</b>	<b>\$406, 073.80</b>

**Basis for breakdown:**

- Line items for work along the entire project length are a function of the relative length within each jurisdiction
- Riprap costs are allocated by location of the work as shown on the plans



**Devils Ditch**  
**Richland County, SC**  
**Construction Cost Estimate - Phase I**  
**STA: 100+00 - 133+00; 200+00 - 203+91.46**  
**Maintenance Plan**

Preliminary Construction Estimate - Phase I - 04/11/14					
Item	Description	Quantity	Units	Unit Cost	Total Cost
1	Mobilization	1	LS	\$8,500.00	\$8,500.00
2	Temporary Signage, Maintenance	1	LS	\$10,000.00	\$10,000.00
3	Maintenance Access Clearing & Stabilization	6,550	SY	\$4.50	\$29,475.00
4	Selected Clearing, (No Grubbing)	3.40	AC	\$14,000.00	\$47,600.00
5	Ditch Cleanout & Debris Removal	3,692	LF	\$12.00	\$44,304.00
6	Stormdrainage Repairs	1	LS	\$50,000.00	\$50,000.00
7	Class B RipRap - End Treatment	90	TON	\$85.00	\$7,650.00
8	Class B RipRap - Aprons	85	TON	\$85.00	\$7,225.00
9	Class C RipRap - Channel Lining & End Treatment	910	TON	\$110.00	\$100,100.00
10	RipRap Bank Armoring (Includes RipRap and Grout)	400	SY	\$155.00	\$62,000.00
11	Permanent Grassing / Vegetation	1.28	AC	\$1,800.00	\$2,304.00
12	Contigent Maintenance Stone	400	TON	\$38.00	\$15,200.00

<b>Subtotal</b>	<b>\$369,158.00</b>
<b>Contigency (10%)</b>	<b>\$36,915.80</b>
<b>GRAND TOTAL</b>	<b>\$406,073.80</b>



**Administration & Finance Committee Meeting  
Briefing Document**

**Agenda Item**

Renewal of the contracts for solid waste curbside collection service in areas 5A, 5B, and 7.

**Background**

In January of 1984 Richland County began providing county-wide curbside collection service for residents using five contracted haulers. Richland County currently provides curbside collection service in eight service areas through four contracted haulers. The collection services provided include municipal solid waste (MSW – household garbage), yard waste, bulk item collection, and recycling.

The current contract for Service Area 5A with Capital Waste Services (CWS) will expire on December 31, 2018. The current contracts for Service Areas 5B and 7 with Johnson Garbage Service will also expire on December 31, 2018. Both CWS and Johnson Garbage Service have been doing a commendable job in servicing their respective areas. The below table shows the number of valid complaints received by the County for the three service areas during the first six-months of this year:

<u>Area</u>	<u>Collector</u>	<u>Households (HH)</u>	<u>Valid / 100 HH</u>
5A	CWS	9,691	0.91
5B	Johnson Garbage Svc	1,696	1.95
7	Johnson Garbage Svc	6,023	0.91

The County is in the process of implementing the new Route Management System. Routing software has been developed for CWS in Area 5A and Johnson in Areas 5B and 7. The route management system equipment has been installed on the trucks that service Area 5A and some trucks that service Area 5B. The remaining trucks will be equipped with the Route Management System in the next few months. The system should be fully implemented and operational during the fall 2018. A map showing Collection Areas is attached.

The County’s Procurement Code states, “A contract for residential solid waste collection may be renewed or renegotiated regardless of any terms therein if the County Council determines that renewal to promote continuity of service is in the best interest of the County”.

Negotiations with the current haulers will allow the County to evaluate the haulers’ past performance and make recommendations to improve service. Negotiations shall take into consideration the annual update to the Consumer Price Index (CPI) and the fuel surcharge.

Extension of the contracts will allow time for the Solid Waste & Recycling Division of the Public Works Department to compare service prior to and after the implementation of the new route management



system by the same hauler and evaluate the hauler's performance and the effectiveness of the new route management system.

### Issues

The current contract for Areas 5A, 5B and 7 will expire on December 31, 2018. By extending the current contract with CWS and Johnson, the County can avoid a disruption in service and a delay in implementation of the new route management system. The new system will allow the county to monitor hauler performance and improve service to Richland County residents.

### Fiscal Impact

Renegotiation of the contract will allow the County to modify the Consumer Price Index (CPI) adjustment and fuel surcharge. This should result in a long term savings to the County and is consistent with another recent amendment / extension for Area 2. A chart is also attached which estimates possible savings (with no household growth forecasted).

### Past Legislative Actions

On January 9, 2014, Richland County and David Ard's Sanitation, Inc, entered into an agreement and contract for solid waste collection services in Area 5A. On October 27, 2015, the County's contract with David Ard's Sanitation, Inc., for Area 5A was assigned to Capital Waste Services, LLC. The contract will expire on December 31, 2018.

On January 9, 2014, Richland County and Johnson Garbage Service entered into an agreement and contract for solid waste collection services in Areas 5B and 7. The contract will expire on December 31, 2018.

### Alternatives

1. Direct staff to negotiate amendments to extend the contracts for Area 5A with CWS and Areas 5B and 7 with Johnson Garbage Service and to include adjustments to the contract based on the actual CPI and fuel surcharges and hauler performance. Further, if the renegotiations are consistent with the recently awarded contract for Area 2, that award of the renegotiated contracts are also authorized.

Or,

2. Direct staff to advertise and rebid the contracts for Areas 5A, 5B and 7.

### Staff Recommendation

Staff recommends that Council approve Alternative 1 stated above.

**Submitted by:** Procurement Department

**Date:** July 13, 2018

.



<b>AREA 5A CPI EXHIBIT</b>						
Financial Comparison Data (CPI Factor)						
Area #5A Unit Rate Comp	Current Contract Projected Rates Fixed CPI 3.5%	CWS Proposed Contract – CPI est. 1.9%	Current Contract Value (3.5%)	New Contract Value (CPI)	Net	Households (No Growth Assumed)*
2018	\$21.35		\$2,482,834			9,691
2019	\$22.10	\$21.76	\$2,570,053	\$2,530,514	\$39,539	9,691
2020	\$22.87	\$22.17	\$2,659,598	\$2,578,194	\$81,404	9,691
2021	\$23.67	\$22.59	\$2,752,632	\$2,627,036	\$125,595	9,691
2022	\$24.50	\$23.02	\$2,849,154	\$2,677,042	\$172,112	9,691
2023	\$25.38	\$23.46	\$2,951,491	\$2,728,210	\$223,281	9,691
				5-Year Net	\$641,931	
*Does not include homes on backyard service						

<b>AREA 5B CPI EXHIBIT</b>						
Financial Comparison Data (CPI Factor)						
Area #5B Unit Rate Comp	Current Contract Projected Rates Fixed CPI 3.5%	CWS Proposed Contract – CPI est. 1.9%	Current Contract Value (3.5%)	New Contract Value (CPI)	Net	Households (No Growth Assumed)*
2018	\$22.74		\$462,804			1,696
2019	\$23.54	\$23.17	\$479,086	\$471,556	\$7,530	1,696
2020	\$24.36	\$23.61	\$495,775	\$480,511	\$15,264	1,696
2021	\$25.21	\$24.06	\$513,073	\$489,669	\$23,404	1,696
2022	\$26.09	\$24.52	\$530,984	\$499,031	\$31,953	1,696
2023	\$27.00	\$24.99	\$549,504	\$508,596	\$40,908	1,696
				5-Year Net	\$119,059	

<b>AREA 7 CPI EXHIBIT</b>						
Financial Comparison Data (CPI Factor)						
Area #7 Unit Rate Comp	Current Contract Projected Rates Fixed CPI 3.5%	CWS Proposed Contract – CPI est. 1.9%	Current Contract Value (3.5%)	New Contract Value (CPI)	Net	Households (No Growth Assumed)*
2018	\$22.74		\$1,643,556			6,023
2019	\$23.54	\$23.17	\$1,701,377	\$1,674,635	\$26,742	6,023
2020	\$24.36	\$23.61	\$1,760,643	\$1,706,436	\$54,207	6,023
2021	\$25.21	\$24.06	\$1,822,078	\$1,738,961	\$83,117	6,023
2022	\$26.09	\$24.52	\$1,885,681	\$1,772,208	\$113,473	6,023
2023	\$27.00	\$24.99	\$1,951,452	\$1,806,177	\$145,365	6,023
				5-Year Net	\$422,904	



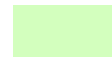




# Richland County Solid Waste Collection Areas

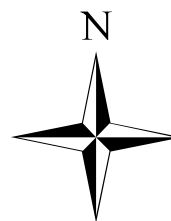
## Legend

 Solid Waste Collection Areas

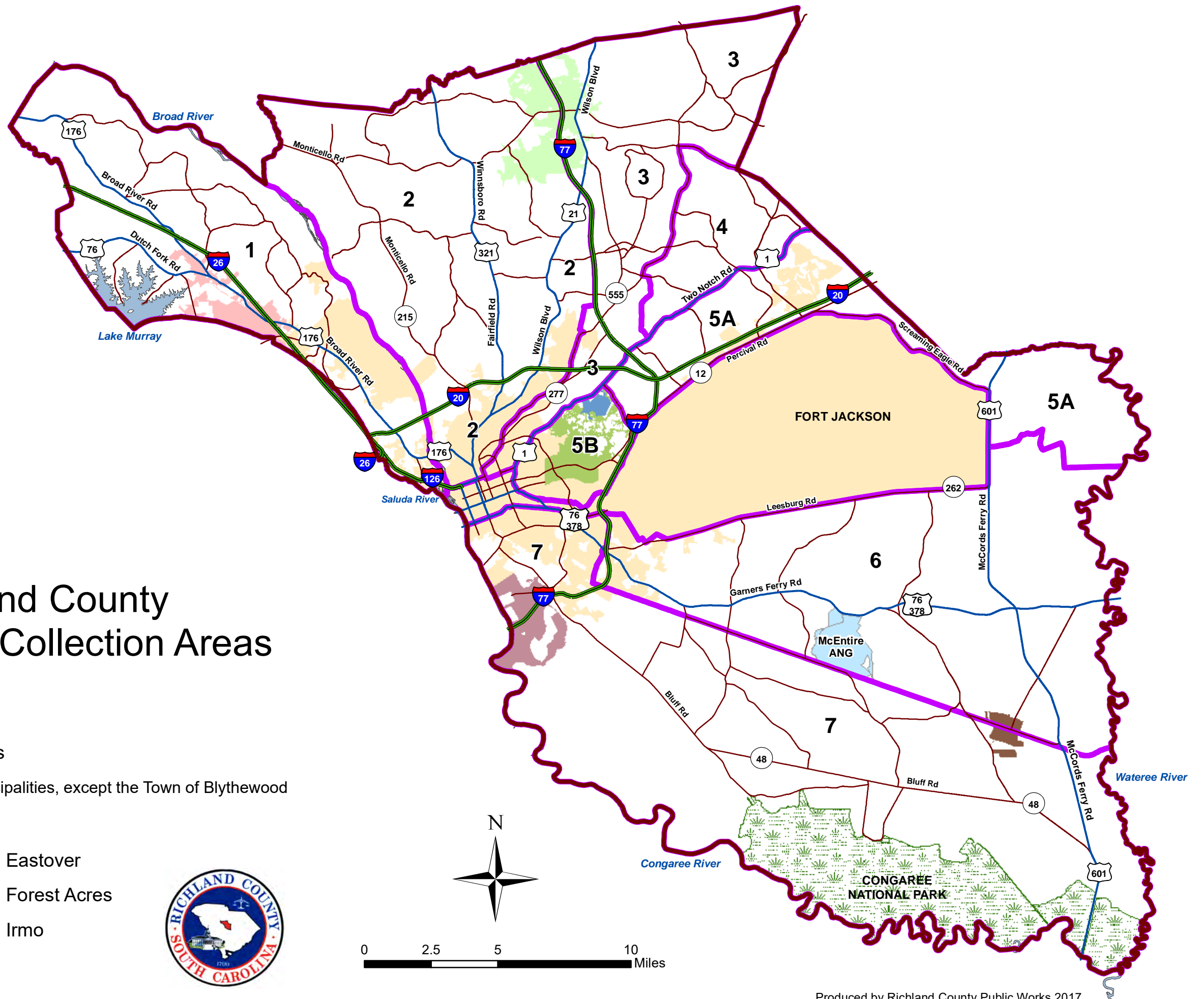
Solid Waste Collection excludes all Municipalities, except the Town of Blythewood

## Municipalities

- |   |               |   |              |
|---|---------------|---|--------------|
|  | Arcadia Lakes |  | Eastover     |
|  | Blythewood    |  | Forest Acres |
|  | Cayce         |  | Irmo         |
|  | Columbia      |   |              |



0 2.5 5 10 Miles





**Administration and Finance Committee Meeting  
Briefing Document**

**Agenda Item**

County Council is requested to approve the award of the contract for the Fountain Lake Rd. Paving Project to Armstrong Contractors, LLC

**Background**

Fountain Lake Rd. falls partially within the City of Columbia limits and partially in unincorporated Richland County. Approximately 0.30 miles of Fountain Lake Road is in disrepair and has been patched multiple times through emergency repair by both the County and the City. Both the City and the County routinely receive requests from citizens to repair the road.

Richland County and the City jointly approached the County Transportation Committee (CTC) to request C Funds to repave this section of the road. Because the majority of the section in disrepair belongs to the County, it was agreed that the County would assume the responsibility of managing the project. The CTC approved and issued a project number for it in May 2018.

Procurement issued a Request for Bids RC-097-B-2018 in July 2018, and bids were received in August 2018. Two bids were received:

Armstrong Contractors \$197,918.00  
Lynches River Contracting \$363,347.60

**Issues**

There are no other issues.

**Fiscal Impact**

The lowest, responsible, responsive bidder on this project was Armstrong Contractors in the amount of \$197,918.00. Adding a 15% contingency to that amount brings the project to \$227,605.70. The bid amount and contingency will be paid with the approved C Funds, no other funding is required.

**Past Legislative Actions**

County Council approved in March 2018 to accept the unincorporated portion of Fountain Lake Rd. into the County Road Maintenance System.

**Alternatives**

1. Approve the award of the contract for the Fountain lake Rd. Paving Project to Armstrong Contractors, LLC in the amount of \$227,605.70.
2. Do not approve the award of the contract for the Fountain lake Rd. Paving Project to Armstrong Contractors, LLC in the amount of \$227,605.70.



**Staff Recommendation**

It is recommended that County Council approve the award of the contract for the Fountain lake Rd. Paving Project to Armstrong Contractors, LLC in the amount of \$227,605.70.

**Submitted by:** Procurement Office

**Date:** August 21, 2018







May 21, 2018

Ms. Allison Steele, P.E.  
Assistant County Engineer  
Richland County  
100 Powell Road  
Columbia, South Carolina 29203

Dear Ms. Steele:

I am pleased to inform you that the Richland County Transportation Committee (CTC) has requested the South Carolina Department of Transportation (SCDOT) to budget CTC funds to Richland County for an improvement project.

Per the CTC's approval, \$310,546.08 was allocated for local paving project **PCN P037605**. This project is described as rebuilding the private portion of Fountain Lake Road, beginning at Garners Ferry Road and continuing approximately 1,740 feet to the existing portion in the City of Columbia limit. Per memorandum from the CTC and the County, reimbursement of funds is contingent upon the transfer of ownership to the City or County of Columbia. Please note that the Project Control Number (PCN) shown above will identify this project in our records and should be included on all correspondence.

Richland County will have full responsibility for the procurement, construction, maintenance, and inspection of this project. **The County is expected to comply with the requirements set forth in S. C. Code of Laws, Section 12-28-2740 (Supp. 1996), and the SC Consolidated Procurement code regarding construction specifications and procurement procedures.** No bid preferences are allowed unless required by state or Federal law.

SCDOT will reimburse CTC funds for eligible project costs up to the amount budgeted by the CTC, based upon the County's submission of the signed Request for Payment Invoice (form enclosed). The Request for Payment Invoice of all local contract expenditures must be accompanied by detailed documentation of the charges. This documentation may be in the form of a canceled check, contractor's invoice, supplier's invoice, an engineer's pay estimate, or a statement of direct expenses, if County personnel accomplish the work. Each invoice shall be certified true and correct by a duly authorized representative of the County. By submission of the payment request, the agent is certifying that the work and/or materials for which the payment is requested has been incorporated into the above referenced project; that the project has been administered and constructed in accordance with the SC Consolidated Procurement code and with the requirements of S. C. Code Section 12-28-2740 (Supp. 1996); all

Post Office Box 181  
955 Park Street  
Columbia, SC 29202-0181

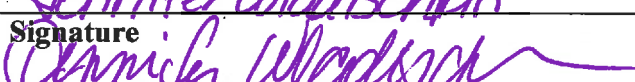
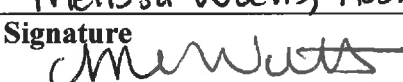


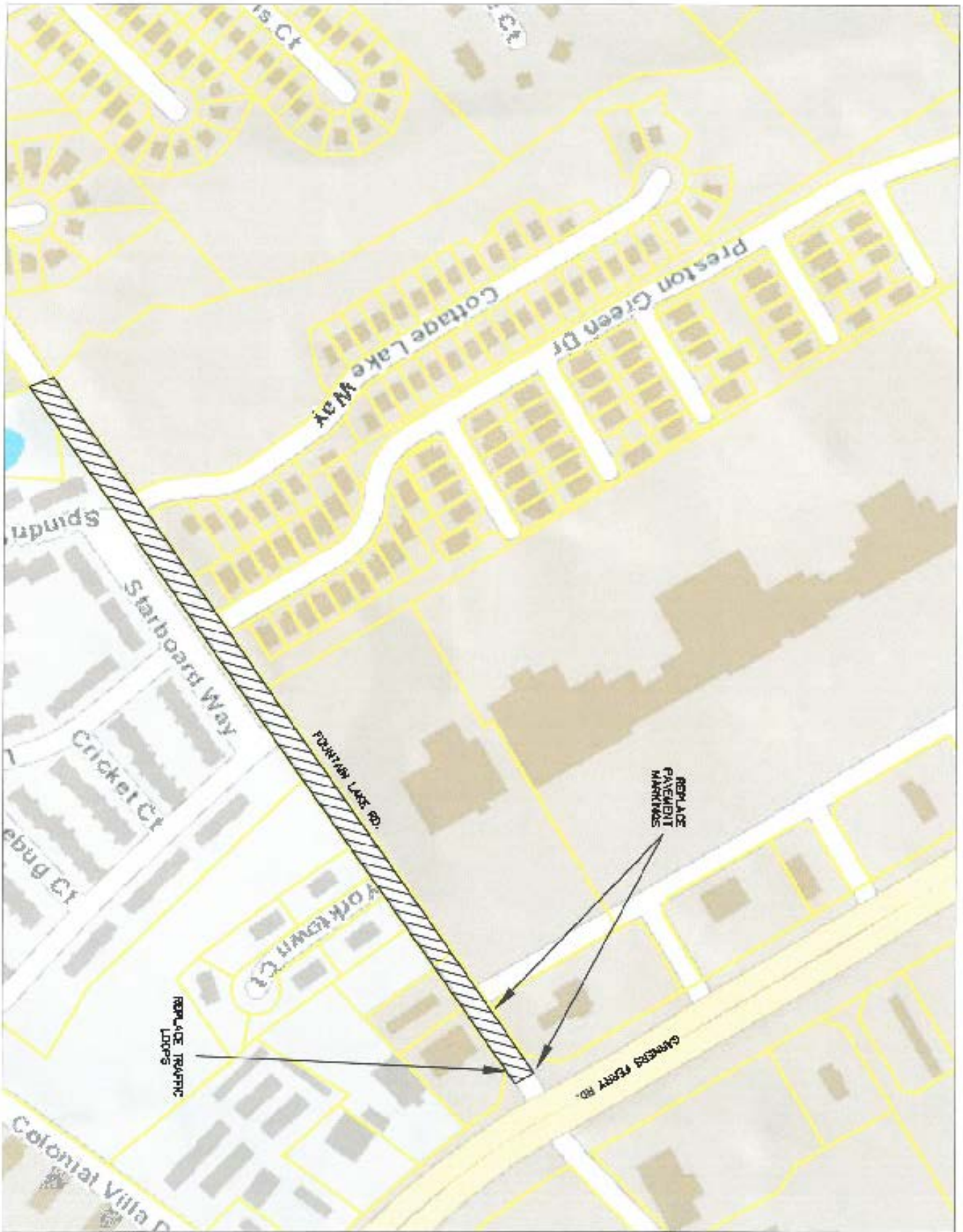
www.scdot.org  
An Equal Opportunity  
Affirmative Action Employer  
855-60-SCDOT (355-467-2388)



Solicitation/Quote Number: RC-097-B-2019	Date Issued: 7/2/2018	Due Date: 8/7/18 Time Due: 2:00PM	PAGE <u>1</u> OF <u>1</u>
Department: Public Works	Requisition#	Buyer:	Number of Addendum(s) Issued: 2
Representative: Allison Steele	Purchase Order Number:	Bid Bond %	Apparent Low Bidder:

### Tabulation Sheet

Item #	Supplies/Services/Equipment	U/I	Qty	Vendor:	Vendor:	Vendor:	Vendor:
1	Fountain Lake Rd Paving	GT	1	Lynches River	Armstrong Contractors		
	<b>TOTAL</b>			\$363,347.60	\$197,918.00		
Name & Title of Certifying Official:				Name & Title of Assistant:			
Jennifer Wladischkin				Melissa Watts, Assistant Procurement Manager			
Signature				Signature			
							
Date				Date			
8/4/18				8/7/18			





**Administration & Finance Committee Meeting  
Briefing Document**

**Agenda Item**

County Council is requested to approve a Work Authorization (WA) for professional services with WK Dickson & Company, Inc of Columbia, SC for design services for various airport site-civil project improvements at the Jim Hamilton – LB Owens Airport (CUB).

**Background**

Work Authorization 1 (WA 1) provides the necessary survey, design, and bidding services for this project in anticipation of construction during the next Federal fiscal year (FY).

Additionally, due to the uncertain cash flow of the State Aviation Fund, availability of the usual 5% State funding (as well as the current availability of sufficient local funds), we request that approval of this WA be granted with only Federal and Local funds at this time. We anticipate ultimately being able to obtain State funding later in the Fiscal Year (as has been the case in the last two grant cycles).

A copy of the consultant’s Work Authorization is contained as an enclosure to this request.

**Issues**

The timing of the availability of 5% State funding is the only issue. However, as has been the case in the last two development grant cycles, we have a high degree of confidence that this funding, for which we have applied from the South Carolina Aeronautics Commission (SCAC) will be forthcoming.

**Fiscal Impact**

The funding for this project will be provided by grant and local funds as follows:

Federal (FAA)	\$147,402	AIP Grant
Local (RC)*	<u>\$ 16,378</u>	Included in the FY19 airport budget
Total	\$163,780	

\*Note – Will be reduced by 50% to \$8,189 in the event of SCAC funding.

Federal funds have been issued in AIP Grant 3-45-0017-024-2018. Local funds are included in the current FY airport capital budget.

**Past Legislative Actions**

The following prior actions by Richland County Council and Administration relate to this request:

February 2011	Airport Master Plan approved
June 2012	Initial Master Agreement with WK Dickson & Company, Incorporated awarded
June 2018	Second Master Agreement with WK Dickson & Company, Incorporated awarded

### **Alternatives**

1. Approve the request to authorize executing Work Authorization 1 for the professional services described herein and further described in detail in the enclosure to this document.
2. Do not approve the request to authorize executing this Work Authorization.

### **Staff Recommendation**

It is recommended that Council approve the request to authorize executing Work Authorization 1 to be performed by the staff of WK Dickson & Company, Incorporated.

Submitted by: Department of Public Works – CUB

Date: August 28, 2018



# WORK AUTHORIZATION NO. 1

JIM HAMILTON – L.B. OWENS AIRPORT (CUB)

VARIOUS AIRFIELD IMPROVEMENT PROJECTS (DESIGN/BID)

ENGINEERING AND SURVEYING SERVICES THROUGH BIDDING

August 21, 2018

---

## Project Overview

The OWNER wishes the ENGINEER to provide professional services for Engineering and Surveying through Bidding, for various airfield improvements at the Jim Hamilton – LB Owens Airport (CUB). This project consists of the design of **Seven (7)** distinct landside and airside improvement projects:

- 1. Rehabilitation of a portion of Taxiway A-5 - Estimated Construction Cost - \$150,000**  
Per the Pavement Analysis, one area of Taxiway A-5 that has more deterioration than any other, has extensive “Alligator Cracking” and has fully failed.
- 2. Replacement of Fencing - Estimated Construction Cost - \$100,000**  
There are select areas of original fencing that are starting to fail. The rehabilitation of select areas of the perimeter fence will reduce the potential of wildlife hazards on the airfield.
- 3. Development of Airport Service Roads - Estimated Construction Cost - \$100,000**  
New Airport Service Roads will give airport staff a clean, safe access to busy areas of the airfield.
- 4. Extend the existing Airfield Retaining Wall - Estimated Construction Cost - \$120,000**  
This project will extend CUB’s Airfield Retaining Wall and further eliminate erosion.
- 5. Culvert Pipe Crossing - Estimated Construction Cost - \$35,000**  
CUB’s perimeter fence has a ditch crossing that is unable to withstand storm damage. This culvert will allow the fence to properly cross this ditch and will eliminate further storm damage.
- 6. Replacement of select Airfield Drainage Structures - Estimated Construction Cost - \$35,000**  
New, select drainage structures will enhance the existing drainage system on airport property.
- 7. Compass Rose installation - Estimated Construction Cost - \$10,000**  
CUB has no Compass Rose and would like to properly install one on the Apron.

**Total Estimated Construction Costs, All Projects = \$550,000.00**





## SCOPE OF SERVICES

### **1. BASIC SERVICES**

#### **A. Project Development**

The CONSULTANT to provide, at a minimum, the following elements:

- Prepare a Final Grant Application on the County's behalf and submit to the Federal Aviation Authority (FAA) and the South Carolina Aviation Commission (SCAC)
- Prepare necessary scopes and Task Orders
- Coordinate periodically with the FAA and SCAC
- Meet with the FAA and SCAC
- Attend meetings with the OWNER
- Prepare and submit on the County's behalf an amended FY 2018 Grant Pre-Application to the FAA, a FY 2019 Grant Pre-Application to the FAA and 2018 Final Grant Applications to the FAA and SCAC.
- Draft Grant Certifications for signature
- Monthly Grant Draw Requests to the FAA and SCAC
- Quarterly Reporting to the FAA
- Grant Close-out documentation and submittal
- "Other" required Administrative tasks to administer the grants

#### **B. Design**

The CONSULTANT to provide the following Design elements:

- Prepare Sediment and Erosion Control Plans, as necessary
- Prepare Drainage Calculations and Drainage Plans, as necessary
- Prepare Pavement Design Calculations for the Taxiway and Access Roads
- Prepare Taxiway A5 Rehabilitation Plans and Specifications
- Prepare Fencing Plans and Specifications
- Prepare Airport Service Road Plans and Specifications
- Prepare the Retaining Wall Plans, Structural Plans and Specifications
- Prepare Culvert Pipe Crossing Plans and Specifications
- Prepare Plans and Specifications for the Replacement of Select Drainage Structures
- Prepare a Change Order including Compass Rose Details and Specifications
- Prepare SCDHEC required Stormwater and Erosion Control Management Notes, Details and Specifications
- Prepare Pavement Marking Plans and Specifications
- Conduct 30%, 60% and 90% Design Review Meetings with the Owner
- Coordinate with the FAA ATL ADO and SCAC
- Prepare an Engineer's Report
- Prepare a Preliminary Quantity Take-Off and a Preliminary Cost Estimate
- Prepare a Final Quantity Take-Off and a Final Cost Estimate



### **C. Permitting**

The CONSULTANT to provide Permitting elements consisting of the following Permits/Approvals:

- SCDHEC Erosion and Sediment Control Permitting
- FAA 7460s, as required
- City of Columba Permitting, as required

### **D. Services during Bidding**

The CONSULTANT to provide the following elements:

- Coordinate Bidding with County Procurement
- Prepare Change Orders for any select elements that may fall within current contracts
- Prepare the “Issued for Bid” set of Engineering Plans (approx.) eighteen (18) sheets
- Prepare the “Issued for Bid” set of Specifications and Contract Documents
- Assist with SCBO Advertisement
- Attend and Conduct the Pre-Bid Meeting, including field review of construction elements with all attendees
- Accept and Respond to all Requests for Information (RFIs)
- Attend and Conduct the Bid Opening
- Review Bids, itemize and spreadsheet results, review Contract Document elements (DBE requirements, Insurance Requirements, Bonding requirements, etc.), Interview Apparent Low Bidder (if necessary) and Recommend Award to the Lowest Responsive and Responsible Bidder

## **2. SPECIAL SERVICES**

### **A. Field Surveys**

The CONSULTANT to provide Surveying services as follows:

Proposed Roads and Wall Areas:

- Perform a topographic survey of (approximately) 22 acres
- Show the topography of the land in one-foot contours the survey and drawing will be prepared in accordance with the Standards of Practice Manual for Land Surveying in South Carolina. Horizontal datum will be South Carolina state plane NAD83/2012. Elevation datum will conform to the North American Vertical Datum of 1988.
- Contact South Carolina 811 utility locating services to identify any utilizes that may exist in the project area.
- Locate any visible and apparent improvements to the project area.
- Perform a paint marking location survey of the Apron, Taxilanes, Taxiways and Runway
- Locate Edges of Pavement (EOPs).



**B. Geotechnical**

Perform six (6) borings, including boring logs, soil classifications and California Bearing-Ratio (CBR) Testing. A final Soils Report will be prepared.

**C. Structural Engineering**

Prepare Structural Calculations, Drawings and Specifications for the Airfield Retaining Wall Extension, as required by State Law.

**D. Geophysical Survey**

Perform a Geophysical Survey (Magnetic Survey) of the proposed Compass Rose location, per FAA Standards. This Survey includes the use of a Magnetometer, to verify the presence of a Uniform Magnetic Field at the proposed Compass Rose Location.

**TIME OF PERFORMANCE**

Design will be completed in time for Bidding in the Spring of 2019. The Final Grant Application for 2019 will be submitted to the FAA by July 1, 2019, for inclusion in FAA’s 2019 funding cycle.

**FEE SCHEDULE**

**SECTION I. BASIC SERVICES**

A.	Project Development Phase	Lump Sum	\$ 19,500.00
B.	Design Plans / Specifications	Lump Sum	\$ 60,800.00
C.	Permitting	Lump Sum	\$ 12,500.00
D.	Bidding	Lump Sum	<u>\$ 15,500.00</u>
	<b>Basic Services Subtotal</b>		<b>\$ 108,300.00</b>

**SECTION II. SPECIAL SERVICES**

A.	Field Surveys	Lump Sum	\$ 20,000.00
B.	Geotechnical (Sub)	Lump Sum	\$ 23,980.00
C.	Structural (Sub)	Lump Sum	\$ 2,500.00
D.	Geophysical Survey (Sub)	Lump Sum	<u>\$ 9,000.00</u>
	<b>Special Services Subtotal</b>		<b>\$ 55,480.00</b>

**WORK AUTHORIZATION #1 TOTAL \$163,780.00**





**ADDITIONAL COSTS**

All Permit Fees and Advertising Costs shall be paid for by the OWNER.

**ADDITIONAL WORK**

Any additional work required but not contained in the above scope of services will be paid for in accordance with the rate schedule in effect at the time and will be subject to prior approval by OWNER.

All work and compensation under this Work Authorization shall be in accordance with the Master Agreement (Contract for Professional Services between Owner and Engineer) dated June 28, 2018, which is incorporated herein by reference.

This work is eligible for participation by the Federal Aviation Administration (FAA) and the South Carolina Aeronautics Commission (SCAC). Grant assistance is included in this WORK AUTHORIZATION.

IN WITNESS, WHEREOF, the parties hereto have made and executed this Contract as of the date and year first written above.

Requested by:

Accepted by:

\_\_\_\_\_

*Terry A. Macaluso*  
\_\_\_\_\_

Interim County Administrator  
Richland County, South Carolina

Terry A. Macaluso, PE  
Vice President  
W. K. Dickson & Co., Inc.

\_\_\_\_\_

*8/30/2018*  
\_\_\_\_\_

Date

Date





## **Administration & Finance Committee Meeting Briefing Document**

### **Agenda Item**

County Council is requested to approve a standing agreement between the Civil Air Patrol (CAP) Cadet Composite Squadron and Richland County / the Jim Hamilton – LB Owens Airport (CUB).

### **Background**

The Civil Air Patrol Cadet Composite Squadron 099 has been meeting regularly at the Jim Hamilton – LB Owens Airport (CUB) for many years. They are a great asset to the airport and the Columbia aviation community.

The CAP has an administrative requirement by which the use meeting space is formally documented. In the past, this has been achieved through the annual issuance of a letter from the Airport General Manager at the start of each Federal Fiscal Year.

The leadership of the CAP has recently expressed interest in possibly basing their aircraft at the Airport, but is seeking relief from established rental fees. Though the airport would not receive the benefit of the rental revenue, it would receive the benefit of fuel sales flowage fee as well as the other activity generated by the presence of the aircraft.

This presented an opportunity to simply, but formally, document the relationship between the two organizations for their mutual benefit (as well as address the CAP's administrative requirement for meeting space documentation).

In their meeting of September 10, 2018, the Richland County Airport Commission unanimously voted to recommend approval of the attached agreement.

### **Issues**

The attached agreement has also been reviewed and approved by the CAP as well as the Assistant County Attorney; there are no issues of concern by either party.

### **Fiscal Impact**

The basing of the aircraft on a permanent basis may or may not occur (or may occur on a semi-permanent basis depending upon conditions). Most other provisions in the agreement are already taking place. Fiscal impact will likely be very slight, but any would be to the advantage of the Airport.

### **Past Legislative Actions**

There are no past legislative actions associated with this request.

### **Alternatives**

1. Approve the agreement.
2. Do not approve the agreement.

**Staff Recommendation**

It is recommended by both Airport staff as well as the Richland County Airport Commission that Council approve the agreement.

**Submitted by:** Department of Public Works – CUB

**Date:** September 11, 2018





3. All CAP personnel, representatives, agents, guests and invitees occupying, visiting or utilizing the Property described in this MOU shall be the sole responsibility of CAP, which shall ensure that all such personnel shall comply with all applicable laws, ordinances, rules, policies and procedures, including all County safety guidelines, regulations or decisions of any federal, state, County or municipal governmental authority (including all requirements of state, federal or other grant authorities to insure a drug-free workplace).

4. This Agreement shall be effective once signed by the parties or an authorized representative of the parties and the duties and obligations of the parties shall continue in full force and effect until it expires on September 30, 2021.

5. CAP, its personnel and agents agree to defend, indemnify, and hold harmless Richland County and CUB, their employees and agents from and against any and all liabilities, claims, losses, damages and expenses of every kind imposed upon or asserted against Richland County or CUB arising by reason of or in connection with CAP's use or its personnel's use of the Property described herein.

6. This Agreement contains the parties' entire understanding, and shall be governed by and interpreted under the laws of the State of South Carolina. The parties agree that should any provision, clause, term, paragraph or phrase of this agreement be rendered void or ineffective by the order of any court of competent jurisdiction, then the remaining terms of the agreement will remain in full force and effect.

7. Notices relative to this Agreement and its subject matter should be sent to:

As to Richland County:

Airport General Manager  
Jim Hamilton – LB Owens Airport (CUB)  
1400 Hamilton Blvd  
Columbia, SC 29205

As to Civil Air Patrol Columbia Composite Squadron 099:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed by their duly authorized and empowered officers or agents as of the date set forth above.

CAP COLUMBIA COMPOSITE  
SQUADRON 099

RICHLAND COUNTY, SOUTH CAROLINA

\_\_\_\_\_  
BY:  
ITS:

\_\_\_\_\_  
BY:  
ITS:

DRAFT



**Administration & Finance Committee Meeting  
Briefing Document**

**Agenda Item**

Amendment to the FY19 Edventure Budget

**Background**

It is customary for grantees to receive amended grant agreements throughout the fiscal year as Council members allocate additional funds from their Hospitality Discretionary Accounts. When this occurs, staff prepares and distributes amended grant agreements to incorporate the amendments made by Council. This occurred with the hospitality tax funds allocated to EdVenture. However, as the amended grant agreement was being prepared for Edventure in FY18 a staff member accidentally used the wrong base amount when adding the additional allocated funding resulting in a grant agreement totaling \$58,000 more than was actually approved by Council for FY18. Although this was purely an accident, corrective actions have been implemented by the Office of Budget and Grants Management Director to produce more stringent audit and review practices to avoid or mitigate such issues in the future.

**Issues**

Edventure has incurred related expenditures of \$58,000 based off the Grant agreement and is asking their budget be amended as part of the Hospitality Tax Rollover to be reimbursed for those expenditures.

**Fiscal Impact**

Staff has identified \$58,000 from the H-Tax Contingency Budget in FY18 that can be rolled over to cover the reimbursement.

**Past Legislative Actions**

In FY18 Richland County approved Edventure's Budget of \$155,557 additionally, Council members allocated \$68,975 in H-Tax Discretionary funds for a total Council approved FY18 Budget of \$224,532. Finally, in FY18 Council approved unspent H-Tax Discretionary Funds to be rolled over into FY19

**Alternatives**

1. Consider the request and proceed accordingly.
2. Consider the request and do not proceed.

**Staff Recommendation**

Staff recommends approving the amendment to the FY19 hospitality tax allocation to EdVenture in the amount of \$58,000 using the funding available in the current budget.





## **Administration & Finance Committee Meeting Briefing Document**

### **Agenda Item**

Request from the University of South Carolina's Center for Applied Innovation and Advanced Analytics to partner and implement (including funding) a project that would provide rural internet to those areas of unincorporated Richland County that do not have access to broadband.

### **Background**

Technology plays a pivotal role in the way businesses operate, how institutions provide services and where consumers choose to live, work and play. The success of a community has become dependent on how broadly and deeply the community adopts technology resources, including access to reliable, high-speed networks, digital literacy of residents, and the use of online resources locally for business, government and leisure.

Despite a growing dependence on technology, the 2010 Census reports that 27% of Americans do not have a high-speed connection at home. Additional studies also indicate that 19.1 million children do not have broadband at home, and 6.1 million of those children live in low-income households.

In this environment, deploying broadband infrastructure, services and applications presents many challenges. Nevertheless, the universal adoption and meaningful use of broadband is necessary to advance twenty-first century technologically empowered communities. Every sector of a community requires the power of broadband and related applications to function at the highest capacity.

Locally, this issue is quite real. In our region, 434,902 residents (6.3%) and 160,615 households lack access to high speed service (defined as 25Mbps download speed and 3Mbps upload speed). Of those, 267,908 (3.9%) representing 97,030 households lack access to even basic service.

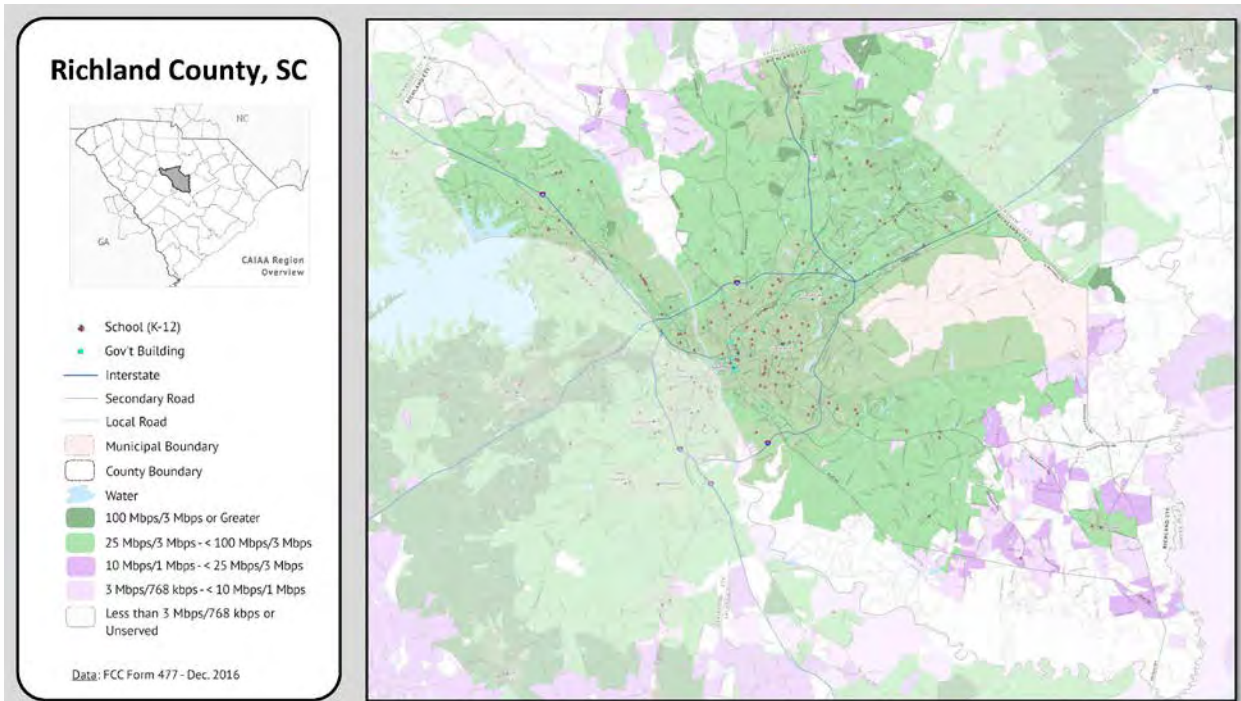
Through a grant, the University of South Carolina's Center for Applied Innovation and Advanced Analytics (CAIAA) has been researching the need for internet access in the state's rural areas and has developed a plan to provide that access. CAIAA is a public-private partnership that works with regional government, academia, and business for developing demand skills, accelerating research innovations into markets, and driving regional economic development.

Broadband access refers to the physical connection to high-speed infrastructure.

CAIAA partnered with IBM to develop a plan for providing access to these underserved areas. The plan generally assesses the local need, proposes technology to address the need and identifies necessary partners. Specific to Richland County, the need is great. 9.3% of our residents lack access to high-speed internet (75,377) and 5% lack access to basic internet (40,486).



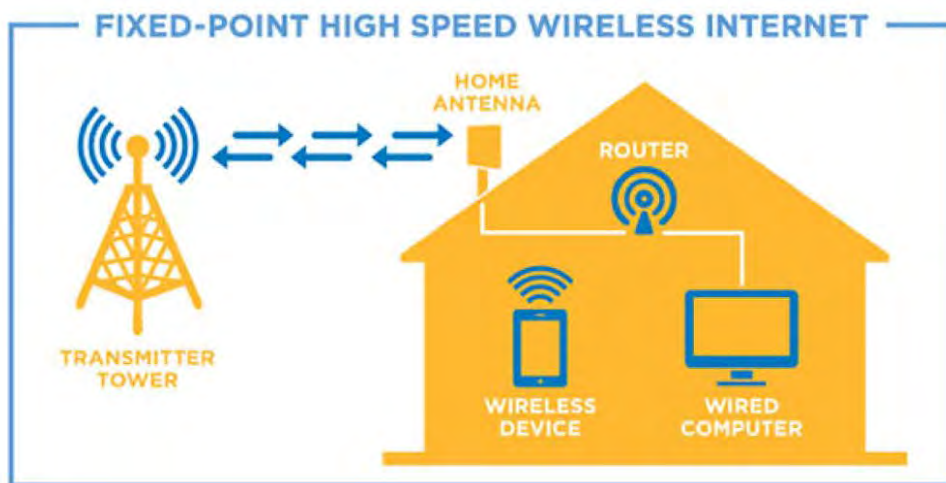




**Note: The white and purple shades indicate slow or no access.**

Deploying broadband to rural locations requires sophisticated use of wireless technology. While it is not cost effective to dig up hundreds of miles of roads to reach a few residents, the nation’s top providers are instead using what is known as fixed wireless technology to reach rural residents.

Simply put, an antenna is mounted on top of a transmitter tower and a small receiving antenna is placed on the customer’s premises. Fixed wireless is capable of delivering speeds of up to 30Mbps but is dependent on the customer’s distance from the tower and direct line-of-sight placement.



South Carolina is fortunate to have a large number of towers (650+) which are owned and operated by our public broadcasting and education network, SCETV. Many of these towers were placed in service in

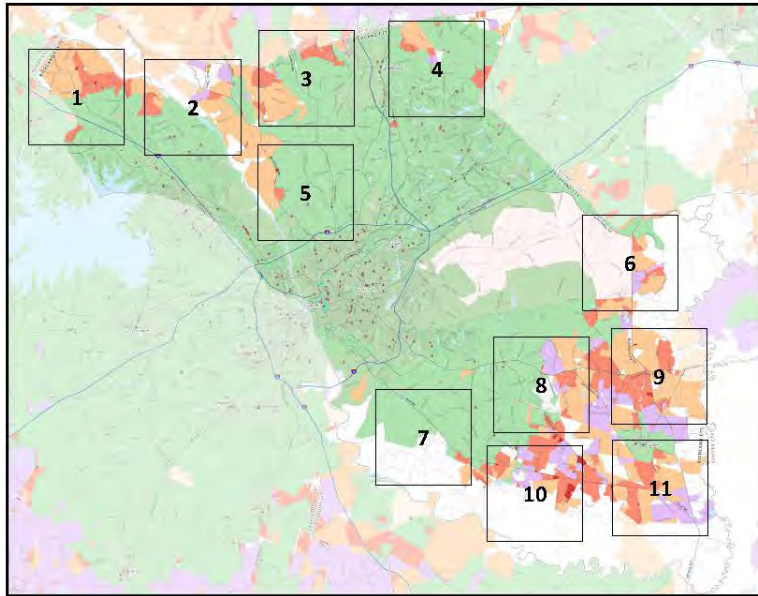
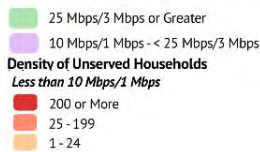


the 1980's and 1990's and are no longer needed. Most are in great condition, are movable and can be re-purposed as a transmitter source to solve a major part of SC's rural broadband problem. SCETV has already partnered with CAIAA on this project.

CAIAA has further researched to identify target areas (areas of high residential density and poor service) to determine the optimal placement of each SCETV tower.

The figure and table below highlight 11 such target areas in Richland County, where the density of unserved households would justify a need for wireless technology to provide internet access. Each area represents a 10 square mile footprint.

- Richland County Targets**
- 1) Jake Eargle Rd.
  - 2) Little River Rd.
  - 3) Winnsboro Rd.
  - 4) NE Miles Rd.
  - 5) Monticello Rd.
  - 6) Choures Pond Rd.
  - 7) Bluff Rd.
  - 8) Old Eastover Rd.
  - 9) Garners Ferry Rd.
  - 10) Dry Branch Rd.
  - 11) Eastover



Richland County Targets	Population	Residents < 25/3	Households < 25/3	Residents < 10/1	Households < 10/1	Fixed Assets	Moveable Assets	CAF Blocks
1) Jake Eargle Rd.	9,454	1,106	421	1,099	418			16
2) Little River Rd.	12,578	610	264	599	259			28
3) Winnsboro Rd.	1,702	429	187	401	173			13
4) NE Miles Rd.	24,719	381	143	359	135			11
5) Monticello Rd.	7,434	71	30	71	30			0
6) Choures Pond Rd.	5,496	1,489	581	1,316	514			40
7) Bluff Rd.	1,357	414	173	414	173			14
8) Old Eastover Rd.	5,060	1,206	446	886	333			17
9) Garners Ferry Rd.	1,929	1,888	751	1,392	555			44
10) Dry Branch Rd.	1,522	1,457	535	1,132	418			40
11) Eastover	1,875	813	326	554	224			34
<b>TOTAL</b>	<b>73,126</b>	<b>9,864</b>	<b>3,857</b>	<b>8,223</b>	<b>3,232</b>			<b>243</b>

The next step is to partner with the County team, if approved and a service provider, in addition to SCETV, to:

- field verify each of the 11 areas;
- identify existing transmitter sources, such as water towers;
- identify the optimal location for relocating SCETV towers to each target area;
- identify a local broadband vendor to provide last mile service to the underserved areas; and
- implementation of the above including the engineering and construction work required to relocate the tower.

CAIAA predicts a maximum of 25 towers or transmitter assets will be needed to ensure all of Richland County residents have access to high speed internet.

The goal is for Richland County to be the first in the state to be 100% green, meaning access is available to all residents.

### Issues

Lack of internet access in parts of unincorporated Richland County.

### Fiscal Impact

The cost to relocate an SCETV tower is roughly \$50,000 each. Relocating 25 SCETV towers to reach all portions of the County currently without broadband access is estimated, therefore, to not exceed \$1.25M. Sources of funding could be a combination of Hospitality Tax, General Fund, and CDBG and could also include private partners. However, if approved, Council may consider utilizing a portion of the revenue proceeds from the sale of the 1400 Huger St. property to fund this project in its entirety. The sale of the property, which is in its due diligence period, could close as soon as September 2018. The sale price for the property is \$4M.



### **Past Legislative Actions**

N/A

### **Alternatives**

1. Approve the project, enter into a partner agreement with CAIAA, identify funding and proceed accordingly.
2. Consider the project and do not proceed.

### **Staff Recommendation**

Staff recommends approval of this project to provide rural internet access to all of unincorporated Richland County and all components required to implement it. Any funding source requiring an amendment would be brought back to Council for consideration.





**Administration & Finance Committee Meeting  
Briefing Document**

**Agenda Item**

Move forward with review of the SE & NE Sport Complex plans to promote tourism and support AAU and other sports in the county

**Background**

During its September 11, 2018 Special Called Council meeting, Councilperson N. Jackson brought forth the following motion: "Move forward with review of the SE & NE Sport Complex plans to promote tourism and support AAU and other sports in the county"

**Sports Complex:**

In April of 2014, The Sports Facilities Advisory (SFA), LLC presented a Feasibility Report for a "Richland County Sports Complex" to Richland County. The Report incorporated Stakeholder input. Part of the study included a Five-Year Operating Pro Forma that included capital costs, start-up expenses, projected revenue and operating expenses. The locating of the facility was projected for two county properties in District 7, north of Hardscrabble Road on Farrow. (205 acres)

**Indoor Sports Arena:**

In March 2014, Brownstone Design presented a Sports Arena Feasibility Study to the County. The property of interest was locate in District 10 near the Atlas and Bluff Road. The parcels are 83.81 acres. The study included capital costs, start-up expenses, projected revenue and operating expenses. In May of 2014, a Feasibility Work Session was held with Council resulting in a request for income/expense assumptions from Brownstone. In July, the Tax Committee recommended moving forward with due diligence and full Council directed the staff to proceed. Between September 2014 and April of 2015, a Phase II ESA and two appraisals of the property were conducted.

**Issues**

The projected outdoor sports facility construction costs were \$19,321,454 (2014). The two parcels would require relocation of some utilities.

The projected indoor facility land acquisition and construction cost were estimated around \$16,000,000 (2014).

**Fiscal Impact**

None directly associated with this motion.

**Past Legislative Actions**

There are no past legislative actions associated with this request.

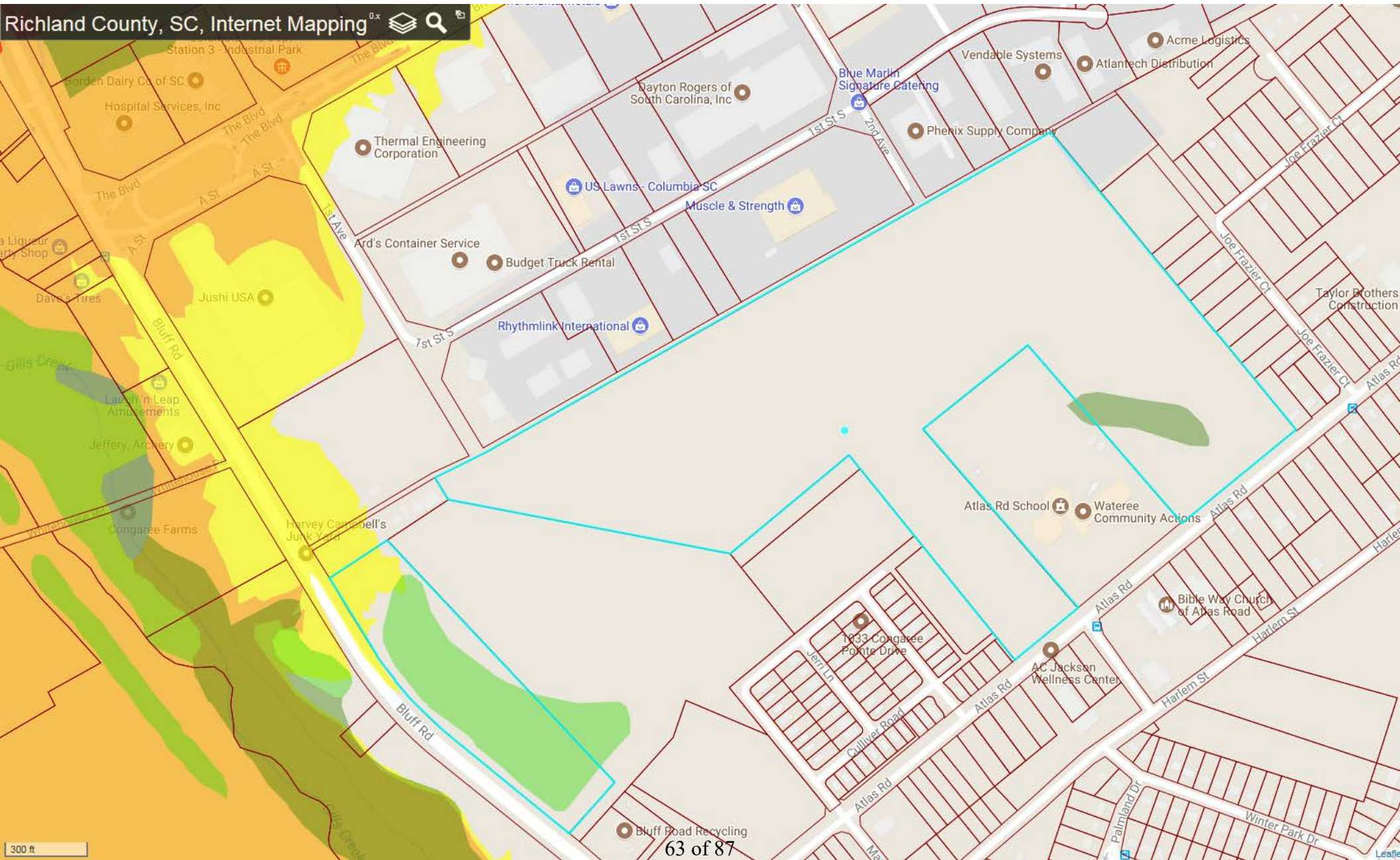
**Alternatives**

1. Consider the motion and proceed accordingly.
2. Consider the motion and do not proceed.

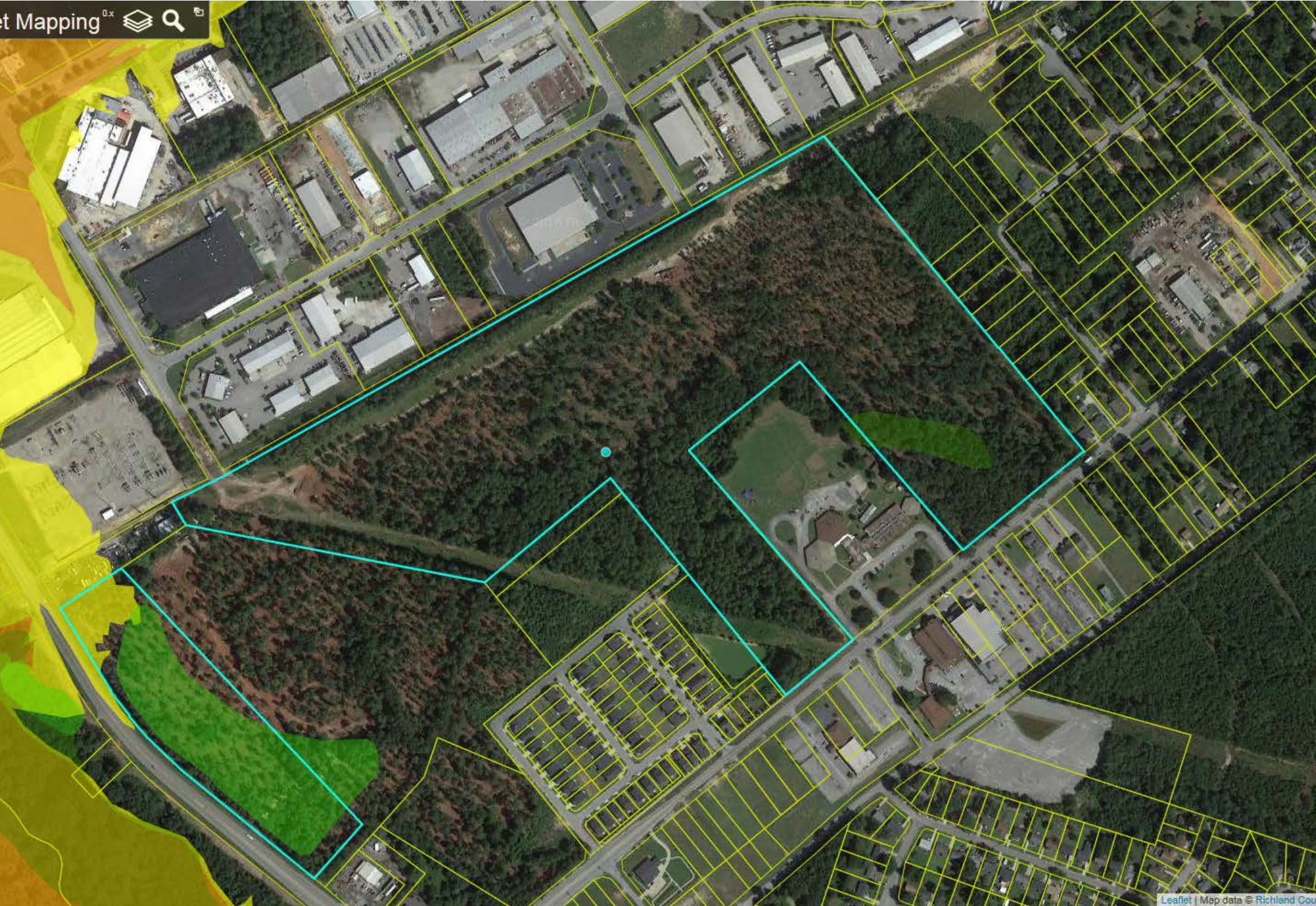
**Staff Recommendation**

If Council proceeds with this motion, staff would move forward with reviewing the SE & NE Sport Complex plans and present a report on its findings to the Council for its consideration.

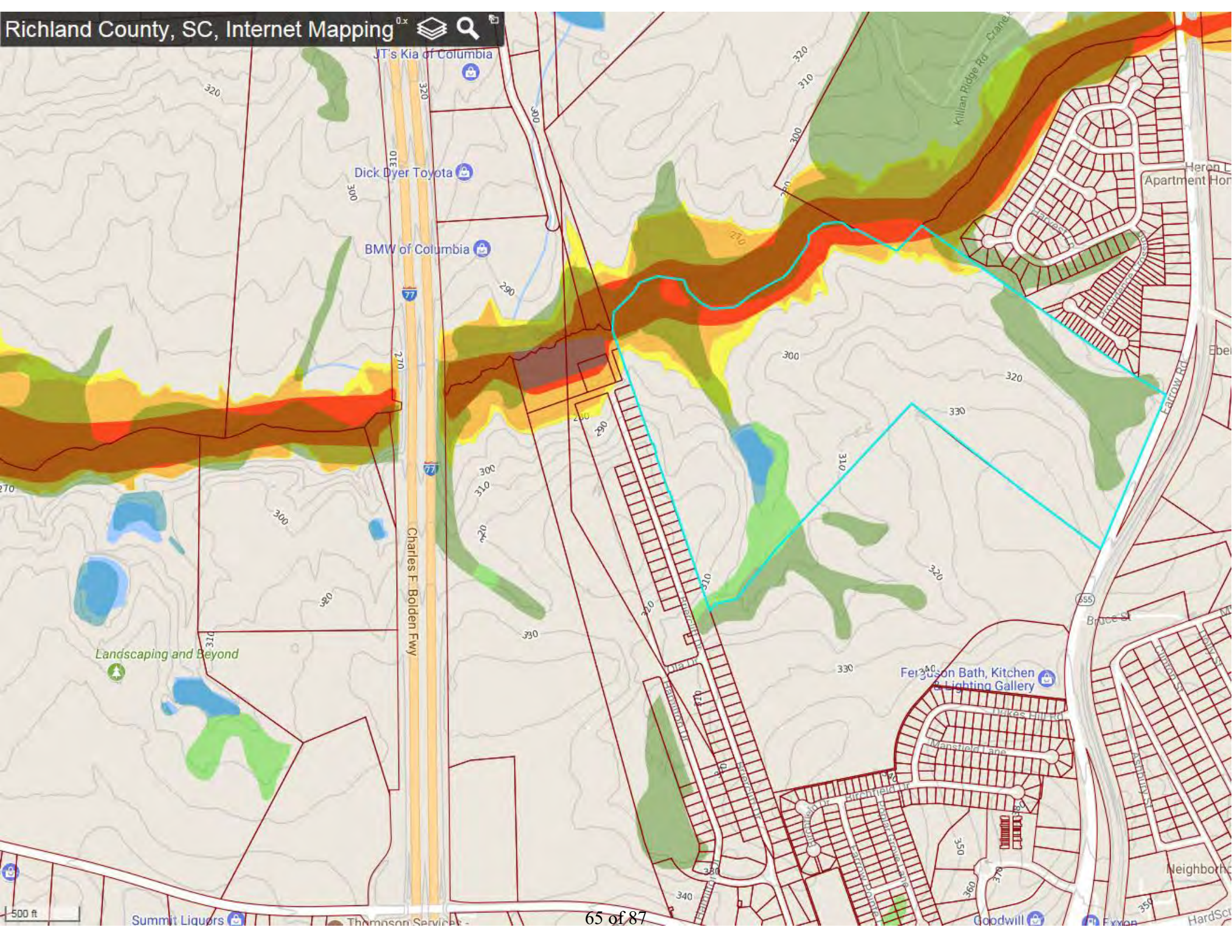
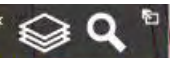












JT's Kia of Columbia

Dick Dyer Toyota

BMW of Columbia

Landscaping and Beyond

Ferguson Bath, Kitchen & Lighting Gallery

Summit Liquors

Thomson Services

Goodwill

Fryer

HardSc

500 ft









## **Administration & Finance Committee Meeting Briefing Document**

### **Agenda Item**

Freedom of Information Act Policy Revision

### **Background**

The County FOIA (South Carolina Freedom of Information Act) policy is being revised as an attempt to ensure compliance and minimize potential litigation/liability when responding to requests for public records made in accordance with the SC Freedom of Information Act. See S.C. Code of Laws §§30-4-10 et seq.

The revisions to the policy are pursuant to the 2017 amendments to the FOIA. In accordance with the S.C. Code of Laws, all Richland County departments shall adhere to the fee schedule as set forth in the revised policy. All fees collected will be applied to the General Fund Balance.

The revised FOIA policy is attached with the recommended changes redlined.

### **Issues**

**Several changes have been made to the** Freedom of Information Act, key of among which are:

- A 25% deposit may be required before searching for or copying records
- Fees must be posted online
- Convicted prisoners do not have the right to request records under FOIA
- The County has 10 business days (previously 15) from date request received to notify requestor of the determination and reasons for denial/exemption (20 days if records are more than 2 years old)
- Must provide records within 30 calendar days (35 if more than 2 years old) of the initial determination/fee notification
- All documents distributed to or reviewed by council members during a meeting in the past 6 months must be available for walk-in inspection (just like meeting minutes)
- Public body may request circuit court hearing to seek relief from burdensome, overly broad, vague, or improper FOIA requests, or to determine whether records are subject to FOIA
- New criminal offense of obtaining or using personal information from county and municipal FOIA requests for commercial solicitation (previously only applied to state records)
- County must take "reasonable measures" to prevent FOIA records from being used for commercial solicitation

### **Fiscal Impact**

None.

### **Past Legislative Actions**

- This is a staff-initiated request.
- The existing policy became effective July 27, 2010
- The revised policy was approved December 6, 2016

**Alternatives**

1. Approve the revised FOIA policy and procedures as presented.
2. Do not approve the revised FOIA policy and procedures as presented.

**Staff Recommendation**

It is recommended that the County approve the revised FOIA policy and procedures as presented.



# Richland County Government

## Policies and Procedures Manual

Title: Freedom of Information Act Requests

Department: Administrative Policy Number: 2018 - 1

Effective Date: \_\_\_\_\_

### I. Purpose

To establish a procedure to respond to requests for public records in accordance with the South Carolina Freedom of Information Act ("FOIA"). See S.C. Code of Laws §§30-4-10 et seq.

### II. Definitions

Public record – includes all books, papers, maps, photographs, cards, tapes, recordings, or other documentary materials regardless of physical form or characteristics prepared, owned, used, in the possession of, or retained by a public body. It is hereby the policy of Richland County to decline any request to create a record, which does not already exist at the time of the request, in response to any FOIA request. ~~Note, a public body is not required to create an electronic version of a public record when one does not exist to fulfill a records request.~~

Exemptions – A public body may but is not required to exempt from disclosure certain records. The list of allowed exemptions may be found in S.C. Code of Laws §30-4-40.

FOIA Request- A request, in writing, for public records made in accordance with the South Carolina Freedom of Information Act ("FOIA"). Any person has a right to inspect or copy any public record of a public body, except as otherwise provided by Section 30-4-40, in accordance with reasonable rules concerning time and place of access, as determined by Richland County.

- ~~This right does not extend to individuals serving a sentence of imprisonment in a state or county correctional facility. Pre-trial detainees not yet sentenced or other persons not yet sentenced detained in a state or county correctional facility have the right to inspect or copy any public record of a public body.~~
- ~~A person or private entity shall not knowingly obtain or use personal information obtained from a state agency, a local government, or other political subdivision of the State for commercial solicitation directed to any person in this State.~~
- Each state agency, local government, and political subdivision of the State shall provide a notice to all requestors of records pursuant to this chapter and to all persons who obtain records pursuant to this chapter that obtaining or using public records for commercial solicitation directed to any person in this State is prohibited.

The following records of a public body must be made available for public inspection and copying during hours of operations of the public body without the requestor being required to make a written request to inspect or copy the records when the requestor appears in person:

- (1) Minutes of the meetings of the public body for the preceding six months;
- (2) All reports identified in section 30-4-50(A)(8) (*crime reports*) for at least the fourteen day period before the current day; ~~and~~
- (3) Documents identifying persons confined in jail, detention center, or prison for the preceding three months; ~~;~~ ~~and~~
- (4) ~~All documents produced by the public body or its agent that were distributed to reviewed by a member of the public body during a public meeting for the preceding six-month period.~~

Fees – The public body may establish and collect fees not to exceed the actual cost of ~~the search, retrieval, and redaction of records~~. Fees charged by a public body must be uniform for copies of the same record or document

and may not exceed the prevailing commercial rate for the producing of copies. The records must be furnished at the lowest possible cost to the person requesting the records. When the County Administrator determines that providing the information requested is considered as primarily benefiting the general public, a waiver or the reduction of the fee may be granted. The County may charge a reasonable hourly rate for making records available to the public and may require a deposit not to exceed twenty-five percent (25%) of the total anticipated cost for reproduction of the records prior to searching for or making copies of the records. A copy of the fee schedule shall be posted online. ~~See below Fee Schedule Policy. Documents may be furnished when appropriate without charge or at a reduced charge where the County Administrator determines that waiver or reduction of the fee is in the public interest because furnishing the information can be considered as primarily benefiting the general public. Fees may not be charged for examination and review to determine if documents are subject to disclosure. The County may charge a reasonable hourly rate for making records available to the public and require a deposit not to exceed twenty-five percent of the total anticipated cost for reproduction of the records prior to searching for or making copies of the records. A copy of the fee schedule shall be posted online. See below Fee Schedule Policy.~~

Request for Responses:

III. Procedure

A. Intake and Assessment:

- I. Department Directors should designate, at a minimum, one person or as many employees as the Director deem necessary within each department responsible for handling FOIA requests. This responsibility should include receiving, logging, processing, and/or coordination of response.
- II. All FOIA requests received (in hand delivery, email, or facsimile) by any County Department (with the exception of those identified in the above definitions) shall be immediately date and time stamped and delivered to the Richland County Ombudsman's Office for processing. A copy of the request (hard or electronic) shall be retained by the department.
- III. Any citizen requesting information on where to send a FOIA request, shall be informed to hand deliver, mail, email, use the online FOIA form or fax the request to:  
Ombudsman's Office  
2020 Hampton Street, Suite 3061  
Columbia, SC 29204  
[ombudsman@rcgov.us](mailto:ombudsman@rcgov.us)  
Fax: 803-929-6009
- IV. The Ombudsman's Office shall assess the request to determine if it is a FOIA request (i.e., a request for records) or merely questions (i.e., request for responses) posed to Richland County. ~~FOIA requests shall be immediately processed per the below procedures.~~ It is hereby the policy of Richland County to deny requests for responses to questions from citizens. The Ombudsman's Office shall reply, in writing, ~~to all requests for response~~ to questions informing the requestor of the County's policy. Questions from the media shall be forwarded to the PIO for response. ~~FOIA requests shall be immediately processed per the below procedures.~~
  - i. The Ombudsman's Office will forward the FOIA request to all departments, via the departmental FOIA designee. All departments must respond to the Ombudsman's Office within 48 hours indicating if they have information which is responsive to the FOIA request and/or request a clarification about the request. If a department indicates it has responsive documents/information, the department must ~~immediately~~ two (2) days provide a cost estimate (and an estimated time for the provision of records) based on the Fee Scheduled Policy herein provided. Departments with questions regarding compliance with the FOIA and whether certain County records are public records should contact the Legal Department.

ii. The County has ~~ten~~ (10) working days (excluding weekends and ~~County holidays~~ legal public holidays) from the date of receipt to reply to the requestor in writing informing the requestor of the County's determination of availability of the requested records; ~~however, if the record is more than twenty-four (24) months old at the date the request is made, the County has twenty (20) days (excluding weekends and legal public holidays) of the receipt to make this notification.~~ Such correspondence shall also include the request for ~~deposit of twenty-five percent (25%) of the total cost,~~ based on the departmental estimate. The records will not be retrieved by the department(s) until the ~~deposit~~ has been received by the County and the check or transaction has cleared with the financial institution. When the ~~deposit~~ is cleared with the financial institution, the Ombudsman's Office will notify the requestor of the estimated time of response, unless such time is less than ~~seven-five~~ (57) days, in which case, no follow-up letter is necessary.

~~ii.iii.~~ The record must be furnished or made available no later than 30 calendar days from the date on which the deposit cleared the financial institution or the date the final determination was provided. If the records are more than 24 months old, the record must be furnished or made available no later than 35 calendar days from the date on which the deposit was made or the date the final determination was provided.

~~if the documents requested are two years old or less, and the documents have to be produced no later than 30 calendar days after the response date. If the documents requested are more than two years old, the response time is 20 days, and the documents must be produced no later than 35 calendar days from the response date.~~

~~iii.iv.~~ Requests for clarification or requests to narrow an overly broad request that the County cannot reasonably respond to shall be communicated to the requestor in writing within seven (7) days of the County's receipt of the request. ~~This request does not extend deadlines. The deadline to respond and all other applicable deadlines will remain active and the County must adhere to these deadlines regardless of whether the request is narrowed or whether clarification is given.~~

~~iv.v.~~ The various response, determination, and production deadlines are subject to extension by written mutual agreement of the County and the requesting party at issue, and this agreement shall not be unreasonably withheld.

~~v.vi.~~ Each department with responsive records will provide the records to the Ombudsman's Office ~~in~~ ~~a timely manner~~ within two (2) days. The Ombudsman's Office will compile the information, draft a cover letter listing the information provided, and provide a completed packet to the Legal Department for review. The Legal Department will review the records for any exemptions, make any redactions necessary to the records (or request the department make the redactions), and provide the specific section of the FOIA statute to the Ombudsman's Office for inclusion in the response cover letter.

B. Fee Schedule Policy- In accordance with the S.C. Code of Laws, all Richland County departments shall adhere to the following fee schedule:

A fee shall not be charged if the total cost to produce the record(s) is \$20.00 or less.

Service		Fee
a.	Copying Fee	\$0.25 per page
A charge shall be levied for each hard copy made by copier or computer printer. If information is emailed, the copying fee does not apply.		
b.	Records Research	Gross Hourly Rate

Hourly fee, pro-rated, shall be based on the gross hourly rate of the <del>person(s)</del> <b>lowest paid employee</b> researching the records requested, who <b>has the necessary skill and training to perform the request</b> . This time shall include any time for making hard copies of records for the requestor. <del>The department shall not use a department head or supervisor for records research unless such is reasonable due to the nature of the request.</del>		
<b>c.</b>	<b>Information Provided by Fax</b>	<b>Gross Hourly Rate</b>
Hourly fee, pro-rated, shall be based on gross hourly rate of the <b>lowest paid</b> Ombudsman’s Office employee faxing the requested records.		
<b>d.</b>	<b>E-mail Search Programming Fees</b>	<b>Gross Hourly Rate</b>
Hourly fee, pro-rated, shall be based on gross hourly rate of the <b>lowest paid</b> IT employee <b>who has the necessary skill and training to design</b> ing and enter <b>ing</b> the search criteria for the requested records and retrieving the data.		
<b>e.</b>	<b>Computer Media (CD)</b>	<b>\$5.00 per CD required</b>
<b>f.</b>	<b>USB Drives</b>	<b>Cost (including sales tax) of the USB Drive</b>
<b>f.</b>	<b>Public Inspection</b>	<b>Gross Hourly Rate</b>
The County shall charge an hourly fee, pro-rated, based on the gross hourly rate of the <b>lowest paid</b> employee <b>who has the necessary skill and training to</b> <del>tasked with making</del> <b>make</b> records available to the public for inspection. The rate shall be charged for the entire time the records are open for inspection and the employee has control of the records for inspection.		
<b>g.</b>	<b>Redactions</b>	<b>Gross Hourly Rate</b>
<del>The County shall charge an hourly fee, pro-rated, based on the gross hourly rate of the lowest paid employee who has the necessary skill and training to perform the redactions pursuant to policy.</del>		

C. Related FOIA issues

- I. The Richland County Ombudsman’s Office will compile and maintain a computerized log of all FOIA requests.
- II. FOIA requests and/or responses may contain sensitive or confidential information. Employees involved in the FOIA process must maintain confidentiality as it relates to FOIA’s.
- III. Certain information received from the IT department or GIS is copyrighted material. Richland County restricts further commercial distribution of public documents pursuant to a copyright by requiring anyone requesting the copyrighted documents to sign a licensing agreement acknowledging the copyright on the information and restricting any further commercial use without prior written consent from the County. The Ombudsman’s Office shall include the above copyright statement on all such information provided and work with the County IT/GIS to have the appropriate documentation signed by the requestor.
- IV. The above fee schedule shall not be subject to yearly CPI increase, but shall be subject to change at any time by the Richland County Council.

\_\_\_\_\_  
County Administrator

\_\_\_\_\_  
Date



Date adopted by Richland County Council: \_\_\_\_\_

CHAPTER 4  
Freedom of Information Act

**SECTION 30-4-10.** Short title.

This chapter shall be known and cited as the “Freedom of Information Act”.

HISTORY: 1978 Act No. 593, Section 1.

**SECTION 30-4-15.** Findings and purpose.

The General Assembly finds that it is vital in a democratic society that public business be performed in an open and public manner so that citizens shall be advised of the performance of public officials and of the decisions that are reached in public activity and in the formulation of public policy. Toward this end, provisions of this chapter must be construed so as to make it possible for citizens, or their representatives, to learn and report fully the activities of their public officials at a minimum cost or delay to the persons seeking access to public documents or meetings.

HISTORY: 1987 Act No. 118, Section 1.

**SECTION 30-4-20.** Definitions.

(a) “Public body” means any department of the State, a majority of directors or their representatives of departments within the executive branch of state government as outlined in Section 1-30-10, any state board, commission, agency, and authority, any public or governmental body or political subdivision of the State, including counties, municipalities, townships, school districts, and special purpose districts, or any organization, corporation, or agency supported in whole or in part by public funds or expending public funds, including committees, subcommittees, advisory committees, and the like of any such body by whatever name known, and includes any quasi-governmental body of the State and its political subdivisions, including, without limitation, bodies such as the South Carolina Public Service Authority and the South Carolina State Ports Authority. Committees of health care facilities, which are subject to this chapter, for medical staff disciplinary proceedings, quality assurance, peer review, including the medical staff credentialing process, specific medical case review, and self-evaluation, are not public bodies for the purpose of this chapter.

(b) “Person” includes any individual, corporation, partnership, firm, organization or association.

(c) “Public record” includes all books, papers, maps, photographs, cards, tapes, recordings, or other documentary materials regardless of physical form or characteristics prepared, owned, used, in the possession of, or retained by a public body. Records such as income tax returns, medical records, hospital medical staff reports, scholastic records, adoption records, records related to registration, and circulation of library materials which contain names or other personally identifying details regarding the users of public, private, school, college, technical college, university, and state institutional libraries and library systems, supported in whole or in part by public funds or expending public funds, or records which reveal the identity of the library patron checking out or requesting an item from the library or using other library services, except nonidentifying administrative and statistical reports of registration and circulation, and other records which by law are required to be closed to the public are not considered to be made open to the public under the provisions of this act; nothing herein authorizes or requires the disclosure of those records where the public body, prior to January 20, 1987, by a favorable vote of three-fourths of the membership, taken after receipt of a written request, concluded that the public interest was best served by not disclosing them. Nothing herein authorizes or requires the disclosure of records of the Board of Financial Institutions pertaining to applications and surveys for charters and branches of banks and savings and loan associations or surveys and examinations of the institutions required to be made by law. Information relating to security plans and devices proposed, adopted, installed, or utilized by a public body, other than amounts expended for adoption, implementation, or installation of these plans and devices, is required to be closed to the public and is not considered to be made open to the public under the provisions of this act.

(d) “Meeting” means the convening of a quorum of the constituent membership of a public body, whether corporal or by means of electronic equipment, to discuss or act upon a matter over which the public body has supervision, control, jurisdiction or advisory power.

(e) “Quorum” unless otherwise defined by applicable law means a simple majority of the constituent membership of a public body.

HISTORY: 1978 Act No. 593, Section 3; 1985 Act No. 108, Section 3; 1987 Act No. 118, Section 2; 2002 Act No. 339, Section 17; 2003 Act No. 86, Section 7.

**SECTION 30-4-30.** Right to inspect or copy public records; fees; notification as to public availability of records; presumption upon failure to give notice; records to be available when requestor appears in person.

(A)(1) A person has a right to inspect, copy, or receive an electronic transmission of any public record of a public body, except as otherwise provided by Section 30-4-40, or other state and federal laws, in accordance with reasonable rules concerning time and place of access. This right does not extend to individuals serving a sentence of imprisonment in a state or county correctional facility in this State, in another state, or in a federal correctional facility; however, this may not be construed to prevent those individuals from exercising their constitutionally protected rights, including, but not limited to, their right to call for evidence in their favor in a criminal prosecution under the South Carolina Rules of Criminal Procedure.

(2) A public body is not required to create an electronic version of a public record when one does not exist to fulfill a records request.

(B) The public body may establish and collect fees as provided for in this section. The public body may establish and collect reasonable fees not to exceed the actual cost of the search, retrieval, and redaction of records. The public body shall develop a fee schedule to be posted online. The fee for the search, retrieval, or redaction of records shall not exceed the prorated hourly salary of the lowest paid employee who, in the reasonable discretion of the custodian of the records, has the necessary skill and training to perform the request. Fees charged by a public body must be uniform for copies of the same record or document and may not exceed the prevailing commercial rate for the producing of copies. Copy charges may not apply to records that are transmitted in an electronic format. If records are not in electronic format and the public body agrees to produce them in electronic format, the public body may charge for the staff time required to transfer the documents to electronic format. However, members of the General Assembly may receive copies of records or documents at no charge from public bodies when their request relates to their legislative duties. The records must be furnished at the lowest possible cost to the person requesting the records. Records must be provided in a form that is both convenient and practical for use by the person requesting copies of the records concerned, if it is equally convenient for the public body to provide the records in this form. Documents may be furnished when appropriate without charge or at a reduced charge where the agency determines that waiver or reduction of the fee is in the public interest because furnishing the information can be considered as primarily benefiting the general public. Fees may not be charged for examination and review to determine if the documents are subject to disclosure. A deposit not to exceed twenty-five percent of the total reasonably anticipated cost for reproduction of the records may be required prior to the public body searching for or making copies of records.

(C) Each public body, upon written request for records made under this chapter, shall within ten days (excepting Saturdays, Sundays, and legal public holidays) of the receipt of the request, notify the person making the request of its determination and the reasons for it; provided, however, that if the record is more than twenty-four months old at the date the request is made, the public body has twenty days (excepting Saturdays, Sundays, and legal public holidays) of the receipt to make this notification. This determination must constitute the final opinion of the public body as to the public availability of the requested public record, however, the determination is not required to include a final decision or express an opinion as to whether specific portions of the documents or information may be subject to redaction according to exemptions provided for by Section 30-4-40 or other state or federal laws. If the request is granted, the record must be furnished or made available for inspection or copying no later than thirty calendar days from

the date on which the final determination was provided, unless the records are more than twenty-four months old, in which case the public body has no later than thirty-five calendar days from the date on which the final determination was provided. If a deposit as provided in subsection (B) is required by the public body, the record must be furnished or made available for inspection or copying no later than thirty calendar days from the date on which the deposit is received, unless the records are more than twenty-four months old, in which case the public body has no later than thirty-five calendar days from the date on which the deposit was received to fulfill the request. The full amount of the total cost must be paid at the time of the production of the request. If written notification of the determination of the public body as to the availability of the requested public record is neither mailed, electronically transmitted, nor personally delivered to the person requesting the document within the time set forth by this section, the request must be considered approved as to nonexempt records or information. Exemptions from disclosure as set forth in Section 30-4-40 or by other state or federal laws are not waived by the public body's failure to respond as set forth in this subsection. The various response, determination, and production deadlines provided by this subsection are subject to extension by written mutual agreement of the public body and the requesting party at issue, and this agreement shall not be unreasonably withheld.

(D) The following records of a public body must be made available for public inspection and copying during the hours of operations of the public body, unless the record is exempt pursuant to Section 30-4-40 or other state or federal laws, without the requestor being required to make a written request to inspect or copy the records when the requestor appears in person:

- (1) minutes of the meetings of the public body for the preceding six months;
- (2) all reports identified in Section 30-4-50(A)(8) for at least the fourteen-day period before the current day;
- (3) documents identifying persons confined in a jail, detention center, or prison for the preceding three months; and
- (4) all documents produced by the public body or its agent that were distributed to or reviewed by a member of the public body during a public meeting for the preceding six-month period.

(E) A public body that places the records in a form that is both convenient and practical for use on a publicly available Internet website is deemed to be in compliance with the provisions of subsection (D), provided that the public body also shall produce documents pursuant to this section upon request.

HISTORY: 1978 Act No. 593, Section 4; 1987 Act No. 118, Section 4; 1990 Act No. 555, Section 1; 1998 Act No. 423, Section 1; 2017 Act No. 67 (H.3352), Section 1, eff May 19, 2017.

Effect of Amendment

2017 Act No. 67, Section 1, rewrote the section, providing that electronic transmissions are included among the record formats available for inspection, providing certain limitations applicable to prisoners, providing that public bodies are not required to create electronic versions of public records to fulfill records requests, revising requirements concerning records request fulfillment fees, permitting public bodies to charge certain deposits before searching and copying public records in response to records requests, and revising the time limits and manner for responding to records requests.

**SECTION 30-4-40. Matters exempt from disclosure.**

(a) A public body may but is not required to exempt from disclosure the following information:

(1) Trade secrets, which are defined as unpatented, secret, commercially valuable plans, appliances, formulas, or processes, which are used for the making, preparing, compounding, treating, or processing of articles or materials which are trade commodities obtained from a person and which are generally recognized as confidential and work products, in whole or in part collected or produced for sale or resale, and paid subscriber information. Trade secrets also include, for those public bodies who market services or products in competition with others, feasibility, planning, and marketing studies, marine terminal service and nontariff agreements, and evaluations and other materials which contain references to potential customers, competitive information, or evaluation.

(2) Information of a personal nature where the public disclosure thereof would constitute unreasonable invasion of personal privacy. Information of a personal nature shall include, but not be limited to, information as to gross receipts contained in applications for business licenses, information relating to public records which include the name, address, and telephone number or other such information of an individual or individuals who are handicapped or disabled when the information is requested for person-to-person commercial solicitation of handicapped persons solely by virtue of their handicap, and any audio recording of the final statements of a dying victim in a call to 911 emergency services. Any audio of the victim's statements must be redacted prior to the release of the recording unless the privacy interest is waived by the victim's next of kin. This provision must not be interpreted to restrict access by the public and press to information contained in public records.

(3) Records, video or audio recordings, or other information compiled for law enforcement purposes, but only to the extent that the production of such law enforcement records or information:

(A) would interfere with a prospective law enforcement proceeding;

(B) would deprive a person of a right to a fair trial or an impartial adjudication;

(C) would constitute an unreasonable invasion of personal privacy;

(D) would disclose the identity of a confidential source, including a state, local, or foreign agency or authority or any private institution which furnished information on a confidential basis, and, in the case of a record or information compiled by criminal law enforcement authority in the course of a criminal investigation, by an agency conducting a lawful security intelligence investigation, or information furnished by a confidential source;

(E) would disclose current techniques and procedures for law enforcement investigations or prosecutions, or would disclose current guidelines for law enforcement investigations or prosecutions if such disclosure would risk circumvention of the law;

(F) would endanger the life or physical safety of any individual;

(G) would disclose any contents of intercepted wire, oral, or electronic communications not otherwise disclosed during a trial.

(4) Matters specifically exempted from disclosure by statute or law.

(5) Documents of and documents incidental to proposed contractual arrangements and documents of and documents incidental to proposed sales or purchases of property; however:

(a) these documents are not exempt from disclosure once a contract is entered into or the property is sold or purchased except as otherwise provided in this section;

(b) a contract for the sale or purchase of real estate shall remain exempt from disclosure until the deed is executed, but this exemption applies only to those contracts of sale or purchase where the execution of the deed occurs within twelve months from the date of sale or purchase;

(c) confidential proprietary information provided to a public body for economic development or contract negotiations purposes is not required to be disclosed.

(6) All compensation paid by public bodies except as follows:

(A) For those persons receiving compensation of fifty thousand dollars or more annually, for all part-time employees, for any other persons who are paid honoraria or other compensation for special appearances, performances, or the like, and for employees at the level of agency or department head, the exact compensation of each person or employee;

(B) For classified and unclassified employees, including contract instructional employees, not subject to item (A) above who receive compensation between, but not including, thirty thousand dollars and fifty thousand dollars annually, the compensation level within a range of four thousand dollars, such ranges to commence at thirty thousand dollars and increase in increments of four thousand dollars;

(C) For classified employees not subject to item (A) above who receive compensation of thirty thousand dollars or less annually, the salary schedule showing the compensation range for that classification including longevity steps, where applicable;

(D) For unclassified employees, including contract instructional employees, not subject to item (A) above who receive compensation of thirty thousand dollars or less annually, the compensation level within

a range of four thousand dollars, such ranges to commence at two thousand dollars and increase in increments of four thousand dollars.

(E) For purposes of this subsection (6), “agency head” or “department head” means any person who has authority and responsibility for any department of any institution, board, commission, council, division, bureau, center, school, hospital, or other facility that is a unit of a public body.

(7) Correspondence or work products of legal counsel for a public body and any other material that would violate attorney-client relationships.

(8) Memoranda, correspondence, and working papers in the possession of individual members of the General Assembly or their immediate staffs; however, nothing herein may be construed as limiting or restricting public access to source documents or records, factual data or summaries of factual data, papers, minutes, or reports otherwise considered to be public information under the provisions of this chapter and not specifically exempted by any other provisions of this chapter.

(9) Memoranda, correspondence, documents, and working papers relative to efforts or activities of a public body and of a person or entity employed by or authorized to act for or on behalf of a public body to attract business or industry to invest within South Carolina; however, an incentive agreement made with an industry or business: (1) requiring the expenditure of public funds or the transfer of anything of value, (2) reducing the rate or altering the method of taxation of the business or industry, or (3) otherwise impacting the offeror fiscally, is not exempt from disclosure after:

(a) the offer to attract an industry or business to invest or locate in the offeror’s jurisdiction is accepted by the industry or business to whom the offer was made; and

(b) the public announcement of the project or finalization of any incentive agreement, whichever occurs later.

(10) Any standards used or to be used by the South Carolina Department of Revenue for the selection of returns for examination, or data used or to be used for determining such standards, if the commission determines that such disclosure would seriously impair assessment, collection, or enforcement under the tax laws of this State.

(11) Information relative to the identity of the maker of a gift to a public body if the maker specifies that his making of the gift must be anonymous and that his identity must not be revealed as a condition of making the gift. For the purposes of this item, “gift to a public body” includes, but is not limited to, gifts to any of the state-supported colleges or universities and museums. With respect to the gifts, only information which identifies the maker may be exempt from disclosure. If the maker of any gift or any member of his immediate family has any business transaction with the recipient of the gift within three years before or after the gift is made, the identity of the maker is not exempt from disclosure.

(12) Records exempt pursuant to Section 9-16-80(B) and 9-16-320(D).

(13) All materials, regardless of form, gathered by a public body during a search to fill an employment position, except that materials relating to not fewer than the final three applicants under consideration for a position must be made available for public inspection and copying. In addition to making available for public inspection and copying the materials described in this item, the public body must disclose, upon request, the number of applicants considered for a position. For the purpose of this item “materials relating to not fewer than the final three applicants” do not include an applicant’s income tax returns, medical records, social security number, or information otherwise exempt from disclosure by this section.

(14)(A) Data, records, or information of a proprietary nature, produced or collected by or for faculty or staff of state institutions of higher education in the conduct of or as a result of study or research on commercial, scientific, technical, or scholarly issues, whether sponsored by the institution alone or in conjunction with a governmental body or private concern, where the data, records, or information has not been publicly released, published, copyrighted, or patented.

(B) Any data, records, or information developed, collected, or received by or on behalf of faculty, staff, employees, or students of a state institution of higher education or any public or private entity supporting or participating in the activities of a state institution of higher education in the conduct of or as a result of study or research on medical, scientific, technical, scholarly, or artistic issues, whether sponsored by the institution alone or in conjunction with a governmental body or private entity until the information

is published, patented, otherwise publicly disseminated, or released to an agency whereupon the request must be made to the agency. This item applies to, but is not limited to, information provided by participants in research, research notes and data, discoveries, research projects, proposals, methodologies, protocols, and creative works.

(C) The exemptions in this item do not extend to the institution's financial or administrative records.

(15) The identity, or information tending to reveal the identity, of any individual who in good faith makes a complaint or otherwise discloses information, which alleges a violation or potential violation of law or regulation, to a state regulatory agency.

(16) Records exempt pursuant to Sections 59-153-80(B) and 59-153-320(D).

(17) Structural bridge plans or designs unless: (a) the release is necessary for procurement purposes; or (b) the plans or designs are the subject of a negligence action, an action set forth in Section 15-3-530, or an action brought pursuant to Chapter 78 of Title 15, and the request is made pursuant to a judicial order.

(18) Photographs, videos, and other visual images, and audio recordings of and related to the performance of an autopsy, except that the photographs, videos, images, or recordings may be viewed and used by the persons identified in Section 17-5-535 for the purposes contemplated or provided for in that section.

(19) Private investment and other proprietary financial data provided to the Venture Capital Authority by a designated investor group or an investor as those terms are defined by Section 11-45-30.

(b) If any public record contains material which is not exempt under subsection (a) of this section, the public body shall separate the exempt and nonexempt material and make the nonexempt material available in accordance with the requirements of this chapter.

(c) Information identified in accordance with the provisions of Section 30-4-45 is exempt from disclosure except as provided therein and pursuant to regulations promulgated in accordance with this chapter. Sections 30-4-30, 30-4-50, and 30-4-100 notwithstanding, no custodian of information subject to the provisions of Section 30-4-45 shall release the information except as provided therein and pursuant to regulations promulgated in accordance with this chapter.

(d) A public body may not disclose a "privileged communication", "protected information", or a "protected identity", as defined in Section 23-50-15 pursuant to a request under the South Carolina Freedom of Information Act. These matters may only be disclosed pursuant to the procedures set forth in Section 23-50-45.

HISTORY: 1978 Act No. 593, Section 5; 1980 Act No. 495, Section 1; 1987 Act No. 118, Section 5; 1993 Act No. 181, Section 489; 1994 Act No. 404, Section 1; 1995 Act No. 1, Section 11; 1996 Act No. 458, Part II, Section 31D; 1998 Act No. 371, Section 7A; 1998 Act No. 423, Sections 2, 3, 4, 5, 6; 1999 Act No. 122, Section 4; 2002 Act No. 339, Sections 18, 19, 29; 2002 Act No. 350, Section 1; 2003 Act No. 34, Section 2; 2003 Act No. 86, Sections 4, 5; 2005 Act No. 125, Section 2; 2006 Act No. 380, Section 2, eff upon approval (became law without the Governor's signature on June 14, 2006); 2017 Act No. 67 (H.3352), Section 2, eff May 19, 2017.

Effect of Amendment

The 2006 amendment added subsection (d) relating to certain disclosures by a public body.

2017 Act No. 67, Section 2, amended (a)(2) and (a)(3), revising provisions concerning law enforcement records.

**SECTION 30-4-45.** Information concerning safeguards and off-site consequence analyses; regulation of access; vulnerable zone defined.

(A) The director of each agency that is the custodian of information subject to the provisions of 42 U.S.C. 7412(r)(7)(H), 40 CFR 1400 "Distribution of Off-site Consequence Analysis Information", or 10 CFR 73.21 "Requirements for the protection of safeguards information", must establish procedures to ensure that the information is released only in accordance with the applicable federal provisions.

(B) The director of each agency that is the custodian of information, the unrestricted release of which could increase the risk of acts of terrorism, may identify the information or compilations of information by

notifying the Attorney General in writing, and shall promulgate regulations in accordance with the Administrative Procedures Act, Sections 1-23-110 through 1-23-120(a) and Section 1-23-130, to regulate access to the information in accordance with the provisions of this section.

(C) Regulations to govern access to information subject to subsections (A) and (B) must at a minimum provide for:

(1) disclosure of information to state, federal, and local authorities as required to carry out governmental functions; and

(2) disclosure of information to persons who live or work within a vulnerable zone.

For purposes of this section, “vulnerable zone” is defined as a circle, the center of which is within the boundaries of a facility possessing hazardous, toxic, flammable, radioactive, or infectious materials subject to this section, and the radius of which is that distance a hazardous, toxic, flammable, radioactive, or infectious cloud, overpressure, radiation, or radiant heat would travel before dissipating to the point it no longer threatens serious short-term harm to people or the environment.

Disclosure of information pursuant to this subsection must be by means that will prevent its removal or mechanical reproduction. Disclosure of information pursuant to this subsection must be made only after the custodian has ascertained the person’s identity by viewing photo identification issued by a federal, state, or local government agency to the person and after the person has signed a register kept for the purpose.

HISTORY: 2002 Act No. 339, Section 30.

**SECTION 30-4-50.** Certain matters declared public information; use of information for commercial solicitation prohibited.

(A) Without limiting the meaning of other sections of this chapter, the following categories of information are specifically made public information subject to the restrictions and limitations of Sections 30-4-20, 30-4-40, and 30-4-70 of this chapter:

(1) the names, sex, race, title, and dates of employment of all employees and officers of public bodies;

(2) administrative staff manuals and instructions to staff that affect a member of the public;

(3) final opinions, including concurring and dissenting opinions, as well as orders, made in the adjudication of cases;

(4) those statements of policy and interpretations of policy, statute, and the Constitution which have been adopted by the public body;

(5) written planning policies and goals and final planning decisions;

(6) information in or taken from any account, voucher, or contract dealing with the receipt or expenditure of public or other funds by public bodies;

(7) the minutes of all proceedings of all public bodies and all votes at such proceedings, with the exception of all such minutes and votes taken at meetings closed to the public pursuant to Section 30-4-70;

(8) reports which disclose the nature, substance, and location of any crime or alleged crime reported as having been committed. Where a report contains information exempt as otherwise provided by law, the law enforcement agency may delete that information from the report;

(9) notwithstanding any other provision of the law, data from a video or audio recording made by a law enforcement vehicle-mounted recording device or dashboard camera that involves an officer involved incident resulting in death, injury, property damage, or the use of deadly force.

(a) A law enforcement or public safety agency may apply to the circuit court for an order to prevent the disclosure of the video or audio recording data. Notice of the request and of the hearing must be provided to the person seeking the record. A hearing must be requested within fifteen days (excepting Saturdays, Sundays, and legal public holidays) of the receipt of the request for disclosure and the hearing shall be held in-camera.

(b) The court may order the recording data not be disclosed upon a showing by clear and convincing evidence that the recording is exempt from disclosure as specified in Section 30-4-40(a)(3) and that the reason for the exemption outweighs the public interest in disclosure. A court may order the recording data



be edited to redact specific portions of the data and then released, upon a showing by clear and convincing evidence that portions of the recording are not exempt from disclosure as specified in Section 30-4-40(a)(3).

(c) A court order to withhold the release of recording data under this section must specify a definite time period for the withholding of the release of the recording data and must include the court's findings.

(d) A copy of the order shall be made available to the person requesting the release of the recording data.

(10) statistical and other empirical findings considered by the Legislative Audit Council in the development of an audit report.

(B) No information contained in a police incident report or in an employee salary schedule revealed in response to a request pursuant to this chapter may be utilized for commercial solicitation. Also, the home addresses and home telephone numbers of employees and officers of public bodies revealed in response to a request pursuant to this chapter may not be utilized for commercial solicitation. However, this provision must not be interpreted to restrict access by the public and press to information contained in public records.

HISTORY: 1978 Act No. 593, Section 6; 1982 Act No. 370, Section 1; 1992 Act No. 269, Section 1; 1993 Act No. 44, Section 1; 1998 Act No. 423, Section 7; 2017 Act No. 67 (H.3352), Section 3, eff May 19, 2017.

Effect of Amendment

2017 Act No. 67, Section 3, inserted (A)(9), providing for the inclusion of law enforcement vehicle-mounted videos and audio recordings of certain incidents involving law enforcement officers as a category of information made public, providing procedures through which enforcement may seek exemption of disclosure of the recordings, and providing requirements for related court orders, and redesignated (A)(9) as (A)(10).

**SECTION 30-4-55.** Disclosure of fiscal impact on public bodies offering economic incentives to business; cost-benefit analysis required.

A public body as defined by Section 30-4-20(a), or a person or entity employed by or authorized to act for or on behalf of a public body, that undertakes to attract business or industry to invest or locate in South Carolina by offering incentives that require the expenditure of public funds or the transfer of anything of value or that reduce the rate or alter the method of taxation of the business or industry or that otherwise impact the offeror fiscally, must disclose, upon request, the fiscal impact of the offer on the public body and a governmental entity affected by the offer after:

(a) the offered incentive or expenditure is accepted, and

(b) the project has been publicly announced or any incentive agreement has been finalized, whichever occurs later.

The fiscal impact disclosure must include a cost-benefit analysis that compares the anticipated public cost of the commitments with the anticipated public benefits. Notwithstanding the requirements of this section, information that is otherwise exempt from disclosure under Section 30-4-40(a)(1), (a)(5)(c), and (a)(9) remains exempt from disclosure.

HISTORY: 2003 Act No. 86, Section 3.

**SECTION 30-4-60.** Meetings of public bodies shall be open.

Every meeting of all public bodies shall be open to the public unless closed pursuant to Section 30-4-70 of this chapter.

HISTORY: 1978 Act No. 593, Section 7.

**SECTION 30-4-65.** Cabinet meetings subject to chapter provisions; cabinet defined.

(A) The Governor's cabinet meetings are subject to the provisions of this chapter only when the Governor's cabinet is convened to discuss or act upon a matter over which the Governor has granted to the cabinet, by executive order, supervision, control, jurisdiction, or advisory power.

(B) For purposes of this chapter, "cabinet" means the directors of the departments of the executive branch of state government appointed by the Governor pursuant to the provisions of Section 1-30-10(B)(1)(i) when they meet as a group and a quorum is present.

HISTORY: 2003 Act No. 86, Section 6.

**SECTION 30-4-70.** Meetings which may be closed; procedure; circumvention of chapter; disruption of meeting; executive sessions of General Assembly.

(a) A public body may hold a meeting closed to the public for one or more of the following reasons:

(1) Discussion of employment, appointment, compensation, promotion, demotion, discipline, or release of an employee, a student, or a person regulated by a public body or the appointment of a person to a public body; however, if an adversary hearing involving the employee or client is held, the employee or client has the right to demand that the hearing be conducted publicly. Nothing contained in this item shall prevent the public body, in its discretion, from deleting the names of the other employees or clients whose records are submitted for use at the hearing.

(2) Discussion of negotiations incident to proposed contractual arrangements and proposed sale or purchase of property, the receipt of legal advice where the legal advice relates to a pending, threatened, or potential claim or other matters covered by the attorney-client privilege, settlement of legal claims, or the position of the public agency in other adversary situations involving the assertion against the agency of a claim.

(3) Discussion regarding the development of security personnel or devices.

(4) Investigative proceedings regarding allegations of criminal misconduct.

(5) Discussion of matters relating to the proposed location, expansion, or the provision of services encouraging location or expansion of industries or other businesses in the area served by the public body.

(6) The Retirement System Investment Commission, if the meeting is in executive session specifically pursuant to Section 9-16-80(A) or 9-16-320(C).

(b) Before going into executive session the public agency shall vote in public on the question and when the vote is favorable, the presiding officer shall announce the specific purpose of the executive session. As used in this subsection, "specific purpose" means a description of the matter to be discussed as identified in items (1) through (5) of subsection (a) of this section. However, when the executive session is held pursuant to Sections 30-4-70(a)(1) or 30-4-70(a)(5), the identity of the individual or entity being discussed is not required to be disclosed to satisfy the requirement that the specific purpose of the executive session be stated. No action may be taken in executive session except to (a) adjourn or (b) return to public session. The members of a public body may not commit the public body to a course of action by a polling of members in executive session.

(c) No chance meeting, social meeting, or electronic communication may be used in circumvention of the spirit of requirements of this chapter to act upon a matter over which the public body has supervision, control, jurisdiction, or advisory power.

(d) This chapter does not prohibit the removal of any person who wilfully disrupts a meeting to the extent that orderly conduct of the meeting is seriously compromised.

(e) Sessions of the General Assembly may enter into executive sessions authorized by the Constitution of this State and rules adopted pursuant thereto.

(f) The Board of Trustees of the respective institution of higher learning, while meeting as the trustee of its endowment funds, if the meeting is in executive session specifically pursuant to Sections 59-153-80(A) or 59-153-320(C).

HISTORY: 1978 Act No. 593, Section 8; 1987 Act No. 118, Section 6; 1998 Act No. 371, Section 7B; 1998 Act No. 423, Section 8; 1999 Act No. 122, Section 4; 2005 Act No. 153, Pt IV, Section 5.

**SECTION 30-4-80.** Notice of meetings of public bodies.

(A) All public bodies, except as provided in subsections (B) and (C) of this section, must give written public notice of their regular meetings at the beginning of each calendar year. The notice must include the dates, times, and places of such meetings. An agenda for regularly scheduled or special meetings must be posted on a bulletin board in a publicly accessible place at the office or meeting place of the public body and on a public website maintained by the body, if any, at least twenty-four hours prior to such meetings. All public bodies must post on such bulletin board or website, if any, public notice for any called, special, or rescheduled meetings. Such notice must include the agenda, date, time, and place of the meeting, and must be posted as early as is practicable but not later than twenty-four hours before the meeting. This requirement does not apply to emergency meetings of public bodies. Once an agenda for a regular, called, special, or rescheduled meeting is posted pursuant to this subsection, no items may be added to the agenda without an additional twenty-four hours notice to the public, which must be made in the same manner as the original posting. After the meeting begins, an item upon which action can be taken only may be added to the agenda by a two-thirds vote of the members present and voting; however, if the item is one upon which final action can be taken at the meeting or if the item is one in which there has not been and will not be an opportunity for public comment with prior public notice given in accordance with this section, it only may be added to the agenda by a two-thirds vote of the members present and voting and upon a finding by the body that an emergency or an exigent circumstance exists if the item is not added to the agenda. Nothing herein relieves a public body of any notice requirement with regard to any statutorily required public hearing.

(B) Legislative committees must post their meeting times during weeks of the regular session of the General Assembly and must comply with the provisions for notice of special meetings during those weeks when the General Assembly is not in session. Subcommittees of standing legislative committees must give notice during weeks of the legislative session only if it is practicable to do so.

(C) Subcommittees, other than legislative subcommittees, of committees required to give notice under subsection (A), must make reasonable and timely efforts to give notice of their meetings.

(D) Written public notice must include but need not be limited to posting a copy of the notice at the principal office of the public body holding the meeting or, if no such office exists, at the building in which the meeting is to be held.

(E) All public bodies shall notify persons or organizations, local news media, or such other news media as may request notification of the times, dates, places, and agenda of all public meetings, whether scheduled, rescheduled, or called, and the efforts made to comply with this requirement must be noted in the minutes of the meetings.

HISTORY: 1978 Act No. 593, Section 9; 1987 Act No. 118, Section 7; 2015 Act No. 70 (S.11), Section 1, eff June 8, 2015.

Effect of Amendment

2015 Act No. 70, Section 1, changed the paragraph designators to upper case; in (A), substituted “An agenda for regularly scheduled or special meetings” for “Agenda, if any, for regularly scheduled meetings” in the third sentence, added references to websites, and added the text beginning with “Once an agenda for a regular ...”; and made other nonsubstantive changes.

**SECTION 30-4-90.** Minutes of meetings of public bodies.

(a) All public bodies shall keep written minutes of all of their public meetings. Such minutes shall include but need not be limited to:

- (1) The date, time and place of the meeting.
- (2) The members of the public body recorded as either present or absent.
- (3) The substance of all matters proposed, discussed or decided and, at the request of any member, a record, by an individual member, of any votes taken.

(4) Any other information that any member of the public body requests be included or reflected in the minutes.

(b) The minutes shall be public records and shall be available within a reasonable time after the meeting except where such disclosures would be inconsistent with Section 30-4-70 of this chapter.

(c) All or any part of a meeting of a public body may be recorded by any person in attendance by means of a tape recorder or any other means of sonic or video reproduction, except when a meeting is closed pursuant to Section 30-4-70 of this chapter, provided that in so recording there is no active interference with the conduct of the meeting. Provided, further, that the public body is not required to furnish recording facilities or equipment.

HISTORY: 1978 Act No. 593, Section 10; 2001 Act No. 13, Section 1.

**SECTION 30-4-100.** Injunctive relief; costs and attorney's fees.

(A) A citizen of the State may apply to the circuit court for a declaratory judgment, injunctive relief, or both, to enforce the provisions of this chapter in appropriate cases if the application is made no later than one year after the date of the alleged violation or one year after a public vote in public session, whichever comes later. Upon the filing of the request for declaratory judgment or injunctive relief related to provisions of this chapter, the chief administrative judge of the circuit court must schedule an initial hearing within ten days of the service on all parties. If the hearing court is unable to make a final ruling at the initial hearing, the court shall establish a scheduling order to conclude actions brought pursuant to this chapter within six months of initial filing. The court may extend this time period upon a showing of good cause. The court may order equitable relief as it considers appropriate, and a violation of this chapter must be considered to be an irreparable injury for which no adequate remedy at law exists.

(B) If a person or entity seeking relief under this section prevails, he may be awarded reasonable attorney's fees and other costs of litigation specific to the request. If the person or entity prevails in part, the court may in its discretion award him reasonable attorney's fees or an appropriate portion of those attorney's fees.

HISTORY: 1978 Act No. 593, Section 11; 1987 Act No. 118, Section 8; 2017 Act No. 67 (H.3352), Section 4, eff May 19, 2017.

Effect of Amendment

2017 Act No. 67, Section 4, amended the section, providing time constraints within which determinative hearings on the requests for relief must be made.

**SECTION 30-4-110.** Hearings regarding disclosure; appropriate relief; civil fine for violation.

(A) A public body may file a request for hearing with the circuit court to seek relief from unduly burdensome, overly broad, vague, repetitive, or otherwise improper requests, or where it has received a request but it is unable to make a good faith determination as to whether the information is exempt from disclosure.

(B) If a request for disclosure may result in the release of records or information exempt from disclosure under Section 30-4-40(a)(1), (2), (4), (5), (9), (14), (15), or (19), a person or entity with a specific interest in the underlying records or information shall have the right to request a hearing with the court or to intervene in an action previously filed.

(C) If a person or entity seeking relief under this section prevails, the court may order:

(1) equitable relief as he considers appropriate;

(2) actual or compensatory damages; or

(3) reasonable attorney's fees and other costs of litigation specific to the request, unless there is a finding of good faith. The finding of good faith is a bar to the award of attorney's fees and costs.

(D) If a court determines that records are not subject to disclosure, the determination constitutes a finding of good faith on the part of the public body or public official, and acts as a complete bar against the award

of attorney's fees or other costs to the prevailing party should the court's determination be reversed on appeal.

(E) If the person or entity prevails in part, he may be awarded reasonable attorney's fees or other costs of litigation specific to the request, or an appropriate portion thereof, unless otherwise barred.

(F) If the court finds that the public body has arbitrarily and capriciously violated the provisions of this chapter by refusal or delay in disclosing or providing copies of a public record, it may, in addition to actual or compensatory damages or equitable relief, impose a civil fine of five hundred dollars.

HISTORY: 1978 Act No. 593, Section 12; 2017 Act No. 67 (H.3352), Section 5, eff May 19, 2017.

Effect of Amendment

2017 Act No. 67, Section 5, rewrote the section, removing criminal penalties, and providing rights and remedies of public bodies from whom requests are made and persons with specific interests in exempt information for which disclosure is sought.

**SECTION 30-4-160.** Sale of Social Security number or driver's license photograph or signature.

(A) This chapter does not allow the Department of Motor Vehicles to sell, provide, or otherwise furnish to a private party Social Security numbers in its records, copies of photographs, or signatures, whether digitized or not, taken for the purpose of a driver's license or personal identification card.

(B) Photographs, signatures, and digitized images from a driver's license or personal identification card are not public records.

HISTORY: 1999 Act No. 100, Part II, Section 53.

**SECTION 30-4-165.** Privacy of driver's license information.

(A) The Department of Motor Vehicles may not sell, provide, or furnish to a private party a person's height, weight, race, social security number, photograph, or signature in any form that has been compiled for the purpose of issuing the person a driver's license or special identification card. The department shall not release to a private party any part of the record of a person under fifteen years of age who has applied for or has been issued a special identification card.

(B) A person's height, weight, race, photograph, signature, and digitized image contained in his driver's license or special identification card record are not public records.

(C) Notwithstanding another provision of law, a private person or private entity shall not use an electronically-stored version of a person's photograph, social security number, height, weight, race, or signature for any purpose, when the electronically-stored information was obtained from a driver's license record.

HISTORY: 1999 Act No. 33, Section 1.



**Administration & Finance Committee Meeting  
Items Pending Analysis**

**Agenda Item**

Council Motion: Funding the Senior programs should be distributed equally and fairly. It is not right for one organization to be receiving hundreds of thousands of dollars annually while other areas receive none. All areas pay taxes and all seniors should get the same and equal opportunity in receiving funding. I move that funding for seniors (Senior Activities) be distributed equally in all eleven districts [N. JACKSON]

**Status:**

During its June 24, 2018 meeting, the Committee considered this item and requested additional information to address the concerns raised regarding the manner in which funding for senior programming in the County is managed. Staff's research revealed much information regarding this issue and staff is still gathering this information. At this time, staff would request that Council schedule a work session to discuss this matter and consider the information that staff is gathering to develop a path forward on this request.

**RICHLAND COUNTY GOVERNMENT  
ADMINISTRATION**

2020 Hampton Street, Suite 4069, Columbia, SC 29204  
P 803-576-2050 | F 803-576-2137 | TDD 803-576-2045  
richlandcountysc.gov



**Administration & Finance Committee Meeting  
Items Pending Analysis**

**Agenda Item**

Council Motion: The Lourie Center recently lost funding from United Way necessary to continue operating a program that transports seniors to medical appointments and essential shopping. They are requesting Council provide \$12K in additional funding so that this program can continue [PEARCE]

**Status:**

This motion was forwarded to the A&F Committee for review during the September 18, 2018 Council meeting. Staff is researching this matter and will present a briefing document for the Committee's consideration during the October Committee meeting.