



Richland County Council

DEVELOPMENT AND SERVICES COMMITTEE

December 17, 2019 – 5:00 PM

Council Chambers

2020 Hampton Street, Columbia, SC 29204

COMMITTEE MEMBERS PRESENT: Calvin Jackson, Chakisse Newton, Jim Manning and Allison Terracio

OTHERS PRESENT: Bill Malinowski, Joyce Dickerson, Dalhi Myers, Yvonne McBride, Paul Livingston, Michelle Onley, Larry Smith, Clayton Voignier, John Thompson, Ashiya Myers, Leonardo Brown, Angela Weathersby, Tariq Hussain, Chris Eversmann, Stephen Staley, Jennifer Wladischkin, Ashley Powell, Dale Welch, Stacey Hamm, and Kimberly Williams-Roberts

1. **CALL TO ORDER** – Mr. Manning called the meeting to order at approximately 5:00 PM.

Ms. Newton moved, seconded by Mr. Manning, to appoint Ms. Terracio to serve as Chair in Ms. Kennedy's absence.

In Favor: Terracio, Newton and Manning

The vote in favor was unanimous.

2. **APPROVAL OF MINUTES**

- a. November 21, 2019 – Mr. Manning moved, seconded by Ms. Newton, to approve the minutes as distributed.

In Favor: Terracio, Newton and Manning

The vote in favor was unanimous.

3. **ADOPTION OF AGENDA** – Ms. A. Myers stated Item 4(c) is listed as an Item for Action, but it is actually an Item Pending Analysis.

Mr. Manning moved, seconded by Ms. Newton, to adopt the agenda as amended.

In Favor: Terracio, Newton and Manning

The vote in favor was unanimous.

4. **ITEMS FOR ACTION**

- a. Approval to Develop and Advertise CTC Funded Projects – Mr. Manning moved, seconded by Ms. Newton, to forward to Council with a recommendation to direct appropriate County Staff to proceed with the project development, staff design, and advertisement for construction of the

repair and resurfacing projects of the roads/intersections named herein using the “C” Funds previously approved by the County Transportation Committee (CTC).

Mr. Malinowski noted, on p. 15 of the agenda, it states Riverwalk Subdivision is in District 1, but it is actually in District 2.

Ms. Newton noted, in the briefing document, it states the projects have been conditionally approved by the CTC. She stated, for clarification, the only thing required to move it from conditional approval to final approval is a vote by Council.

Mr. Eversmann responded in the affirmative.

Ms. Newton requested a list of the 40 roads that were accepted, as is, into the County system. In addition, she would like a list of projects the CTC is doing in Richland County.

Mr. Eversmann stated of the 40 roads that were accepted, as is, by a previous Council, they were able to obtain the right-of-way for 26 of them; 14 of them they have not been able to obtain the right-of-way; therefore, they are currently not a part of the County Road Maintenance System.

Ms. Newton inquired, if the roads, for which the County could not get right-of-way, were not ultimately accepted; therefore, they are still private roads right now.

Mr. Eversmann stated they are currently private roads. Staff can continue to pursue obtaining the right-of-way, and, if they are unsuccessful, Council could exercise their right of imminent domain. Otherwise, the roads will remain as private roads.

Ms. Newton stated, for clarification, if we chose not to accept these funds, the funds would just “evaporate” and be given to someone else.

Mr. Eversmann stated the funds will not be issued by the CTC, and will be used for other projects.

Ms. Dickerson requested, when staff starts working on these projects, to contact the Council representative. Otherwise, the Council representative has no knowledge of the project until it comes before us, and staff has already gone to the CTC and received bids.

Ms. McBride inquired as to the composition of the CTC.

Mr. Staley responded the Legislative Delegation appoint members to sit on the committee, and they vote on behalf of the different delegation districts.

Ms. Newton made a substitute motion, seconded by Mr. Manning, to forward to Council with a recommendation to direct County staff to proceed with project development, staff design and advertisement for construction of the repair and resurfacing projects of the roads/intersections named herein using the “C” Funds previously approved by the CTC.

In Favor: Terracio, Newton and Manning

The vote in favor was unanimous.

- b. County Sidewalk Program – Ms. Newton moved, seconded by Mr. Manning, to forward to Council with a recommendation to approve the proposed County Sidewalk Program.

Ms. Newton inquired if there have been any changes to the recommendation since the previous committee meeting.

Mr. Eversmann stated there were no changes to the briefing document, or staff's recommendation. There were some additions made to Attachment 1, beginning on p. 26. For example, Council members, the CTC, School Board, and Recreation Commission were added to the list to submit a request. As well as, clarification that Council would approve the request package at the start of the new fiscal year.

Ms. Newton stated she was curious if there was a specific plan or schedule by which staff would review these.

Mr. Eversmann stated, right now, their funding is through C-Fund from the CTC, as well as occasional TAP Grants through the SCDOT. Funding is currently the limiting factor, with regards to taking on projects. If we wanted to accelerate or increase the footprint of the program, we would have to find additional funding sources. With that said, there are some documents that are in the process of being adopted. One is a study that was done through the Central Midlands COG, which identifies numerous sidewalk projects, within the City of Columbia, and into unincorporated Richland County. Additionally, the Planning Department has a document called the "Neighborhood Improvement Plan" which also identifies and rates many sidewalk projects. There are existing studies, to which Council could analyze, update, or review and adopt, which might be another source of projects.

Ms. Newton stated it is her understanding this is an annual process, of recommendations, that are approved at one time. Considering most of these funds are coming from the CTC, would doing it that way have any impact on the amount of funds we are eligible to receive.

Mr. Eversmann responded the big difference between what is being proposed, and what we are currently doing now, is that we would not be taking individual projects to the CTC. We would be identifying all the projects, from all the sources, in the course of a year, rating them in a uniform manner, such that we would have an unbiased score associated with it. They would begin it before Council, prior to seeking CTC funding. CTC's funding level is generally pretty stable, so whether you go individually, or you collect them and bring them all forward, it would just be a means of management.

Ms. Newton stated on the priority ranking form (p. 29) there are points allotted for each item. She inquired if the winner would be the project that had the greatest number of points, or within the number of points is there another item that is identifying greater priority.

Mr. Eversmann stated point accumulation would establish the relative ranking. This form is updated, but is very similar to a form the CTC used in 2010.

Ms. Newton stated she would like to see a list of the future proactive items, and see recommendations come to that, even understanding that funding will be the problem, there might be other sources identified or requests made of Council. She would like to see everything that we are doing, when it comes to our roads and sidewalks, be where we are as proactive as we can be.

Mr. Eversmann stated both of those documents referenced were under the auspicious of the Planning Department. As we further develop the program, they will be a stakeholder, and we will hopefully be something forward that will be to your satisfaction.

Mr. Malinowski stated he would like to see the Sidewalk Program listed separately, so he does not have to try to vote on what he thinks we are trying to vote on.

Mr. Eversmann stated there were a multitude of questions when this came before the committee last time. He wanted to address all of the different components, and bring them into a single document. With that said, he would say what is under consideration, or being proposed is the section that starts with "Retrofit development program elements"(p. 27).

Mr. Malinowski inquired, if we have an ordinance, or program, why we would state "not otherwise covered by the Transportation – Penny Program", since that is a finite program that will be ending. In the future, we will have to change the ordinance or the rules to eliminate that once the Penny Program ends. In the same area, where it says, "Not applicable to municipalities..." and on the following page you list "Official requests from the Recreation Commission for parks"; however, some parks lie within municipalities. He inquired if we need to clarify that, or is that going to be understood.

Mr. Eversmann stated, as you may be aware, we do some level of roads and drainage maintenance within smaller municipalities, based upon intergovernmental agreements. The intergovernmental agreements are not completely uniform, but they tend to talk about the fact that it covers maintenance only, and not capital development. The thought here was that if Council saw fit to say let's develop a sidewalk project within the Town of Eastover or Blythewood that would be an exception, rather than the rule, and it would be something that would require approval by Council. As matter of routine, we would be looking to only do projects within the unincorporated area.

Mr. Malinowski stated it is his understanding that Parks and Recreation are their own entity, and they handle things within their borders as they see fit. In the past, when we wanted to pave a parking lot they got upset because they were not asked about it ahead of time, and we had to jump through hoops. He inquired why we have them here, and not on their own.

Mr. Eversmann stated they were not looking to do sidewalk projects within parks themselves. If you look at Section 21, the intention is children walking to school, and children walking to parks and recreational facilities. The intention is they will be the beneficiaries of these sidewalks. If including the Recreation Commission, as a source, is confusing, or you would like that removed, we certainly could.

Mr. Malinowski stated, where it says, "All requests for projects shall originate as follows" the first one says, "from citizens in the One Stop system", so does that mean if you are not a citizen you cannot make a request. He thinks we should just say, "from requests in the One Stop system". Additionally, where you have the program being managed with an annual cutoff date for project requests of June 30th. He stated we approve the budget before June 30th, so he would think you would want to back that up and make it earlier.

Mr. Eversmann stated the thought with the June 30th cutoff date was that it was easily definable, and base it upon the established 12-month fiscal year. Historically, the funding is not coming from the County operating budget. It is coming from grants from other entities.

Ms. Myers inquired about how much it cost to build a sidewalk, per mile.

Mr. Eversmann stated he does not have that figure. They probably could come up with a decent rule of thumb number. They did try to provide an idea of the relative costs by including the Transportation Penny, C-Fund and TAP projects that had recently been done. Each project is unique, based on the surroundings, if we have to repair or relocate irrigation systems, etc.

Ms. Myers stated, if we do not know what it costs, then when requests come in, we do not know if we will be able to honor a request because we are backending ourselves into building a

sidewalk, without any kind of standard pricing. She would like to see some information as to what the average price per mile is.

Mr. Eversmann noted, as a part of the project development, we start with a citizen's request. The citizen understands their need, and what they are trying to accomplish, but beyond that it takes initial engineering and project development. We have to have meaningful cost estimates by the time we get to the CTC.

Ms. Myers stated part of what she is often concerned about, with how we expend funds with the County, and certainly things with roads. If she says she is going to build an office building, there is an average cost per square foot, and that is how we start building projections. Routinely, we are asked to look at approving plans for things, and then backend to a cost later on. She does not know how comfortable she can get with approving a project, when we do not even have a starting point. At this time last year, when we were talking about what the Public Works Department did, she was told they primarily build sidewalks. It would seem to her that we would have some idea of what it cost to build sidewalks, if we have spent most of our Public Works money building sidewalks. She would like to see us go with the schools, as they are planning, and we build in a cost, so we are aware when the new school gets built, the children will have a guarantee there will be sidewalks around it that will promote safety. Secondly, she would request that we start, from a policy position, to identify that sidewalks are beneficial in this kinds of places, and our goal is to provide this many miles of sidewalk over the course of this many years. To that end, we will begin a program of sidewalk buildout, rather than waiting for citizens to come forward because that creates a hopscotch method of buildout and does not give any uniformity to the County. It would seem to her since we are using public funds to get to the next point, that we provide the plan to the public, rather than waiting for the public to ask us for a sidewalk. She stated everyone wants a sidewalk in front of their house. It is just whether or not they know to call. It ought to be that we have decided that sidewalks are desirable in areas when they reach this population density; therefore, we will take these next steps. She would suggest that we look at the plan from that perspective rather than backing into it, based on requests, and that we come up with some idea of the costs, which will be the County's cheat sheet for how much it will cost to deploy sidewalks, the plan for doing it, where we are going to get the money, and how long it will take us to do it.

Ms. Dickerson stated it looks like there should be a plan for the whole area to have input, and not just one person requesting a sidewalk. Everything we do the community should have some voice in it to let people know that we are collectively agreeing this is something we desire. She stated she does not know how you deal with under budgeting or over budgeting. She believes, at one time, when contracts were put out, they were brought to Council. Staff needs to understand that Council needs to know what you are doing.

Mr. Malinowski stated he thought there were a couple sidewalks that were before this committee, or Council, that had already gone through the bid process, and the bid had been let on those two.

Mr. Eversmann stated, for clarification, it was not a bid process. It was for professional services for the design; therefore, it was a RFQ or RFP process for the design. They do have funds, based on the estimated construction estimated, but, at this point, we are only looking to award the design contract.

Mr. Malinowski inquired if those are being held up until the sidewalk program requirements are approved.

Mr. Eversmann responded that is his understanding. The request has not gone forward to Council.

Mr. Malinowski inquired if there are numerous requests for sidewalks that would have to be ranked, including these two.

Mr. Eversmann stated these are the two that have progressed, and they are ready to, with Council's authorization, to award a design contract.

Mr. Staley stated Spring Park, which connects to Longreen Parkway, is the next one, but they stopped until they got direction on how to move forward.

Mr. Malinowski stated because this is CTC Funds is this one of those that we need to take action on before we lose the funds.

Mr. Eversmann stated, at some point, the funds will probably be in jeopardy if we do not move forward.

Mr. Malinowski stated, if you only have 2 – 3 sidewalks that were approved for CTC funding, even if this particular item has not been approved, he does not understand why we cannot move forward with those.

Mr. Eversmann stated the projects, which are pending, have been validated by staff. They have what they believe are appropriate construction estimates for them, and they have gone through the procurement process. Based on the fact that they are in the workflow, and have progressed, staff would recommend that we move forward with those, independent of future considerations for greater development of a program. He further stated those items are Items 5(a) and (b) on the A&F Agenda under "Items Pending Analysis".

Mr. Jackson made a substitute motion, seconded by Ms. Newton, to defer this item until the next D&S Committee meeting.

In Favor: Terracio, Jackson, Newton and Manning

The vote in favor was unanimous.

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

- a. I move that Richland County undertake a study regarding the existence/prevalence of PFAS in groundwater and soil throughout the County. If desired, the County should coordinate with all municipalities within its boundaries to derive a comprehensive study on these harmful chemicals, and if necessary or warranted, a plan for corporate remediation [MYERS] – The maker of the motion, Ms. Myers stated this is being studied by military bases around the county. These are unique pollutants that result from the fire suppression they use. It is important that we are at the table while it being discussed, and when the Federal Government begins remediation that we are in the forefront of it. She believes there needs to be somebody who is following along, and attending the conferences or meetings that the Federal Government is convening on these very dangerous carcinogens. We obviously know our military installations are very important to the life and economy of the community, but this is something that we need to be aware of.
- b. I move to direct the County Attorney to work with the County Administrator to research and draft an absentee landlord ordinance. The ordinance should provide potential remedies for individuals who violate county ordinances and provide, via supplemental documentation a comprehensive review of the legal impacts [potentially] associated with the adoption of such an ordinance [NEWTON and DICKERSON] – No action was taken on this item.

6. **ADJOURNMENT** – Mr. Manning moved, seconded by Mr. Jackson, to adjourn.

Mr. Manning withdrew his motion for adjournment.

Mr. Jackson moved, seconded by Ms. Newton, to adjourn.

Ms. Newton inquired if Item 4(a) needed to be reconsidered in committee, or when it goes before Council.

Mr. Eversmann stated, when it goes before Council, reconsideration would be helpful.

In Favor: Terracio, Jackson and Newton

Present but not Voting: Manning

The vote in favor was unanimous.

The meeting adjourned at approximately 5:48 PM.