

RICHLAND COUNTY

SPECIAL CALLED MEETING AGENDA



Tuesday, JULY 13, 2021

6:00 PM

COUNCIL CHAMBERS

RICHLAND COUNTY COUNCIL 2021



Bill Malinowski
District 1
2018-2022



Derrek Pugh
District 2
2020-2024



Yvonne McBride
District 3
2020-2024



Paul Livingston
District 4
2018-2022



Allison Terracio
District 5
2018-2022



Joe Walker III
District 6
2018-2022



Gretchen Barron
District 7
2020-2024



Overture Walker
District 8
2020-2024



Jessica Mackey
District 9
2020-2024



Cheryl English
District 10
2020-2024



Chakisse Newton
District 11
2018-2022





Richland County Special Called Meeting

July 13, 2021 - 6:00 PM
Council Chambers
2020 Hampton Street, Columbia, SC 29204

1. **CALL TO ORDER** The Honorable Paul Livingston

2. **INVOCATION** The Honorable Chakisse Newton

3. **PLEDGE OF ALLEGIANCE** The Honorable Chakisse Newton

4. **PRESENTATION**
 - a. Memoriam Honoring Councilman Calvin "Chip" Jackson

5. **APPROVAL OF MINUTES** The Honorable Paul Livingston
 - a. Budget - 2nd Reading: May 27, 2021 [PAGES 11-35]
 - b. Budget - 3rd Reading: June 10, 2021 [PAGES 36-61]
 - c. Regular Session: June 15, 2021 [PAGES 62-68]
 - d. Zoning Public Hearing: June 22, 2021 [PAGES 69-71]

6. **ADOPTION OF AGENDA** The Honorable Paul Livingston

7. **PRESENTATION OF RESOLUTIONS**
 - a. Resolution Recognizing Columbia-Richland Fire Department on being designated as a "Fire Safe SC Community" for Two Consecutive Years

8. **REPORT OF ACTING COUNTY ATTORNEY FOR EXECUTIVE SESSION ITEMS** Elizabeth McLean,
Acting County Attorney

- a. *After Council returns to open session, Council may take action on any item, including any subsection of any section, listed on an executive session agenda or discussed in an executive session during a properly notice meeting.*
- b. Richland County v. Richland Program Development Team (2019-CP-40-2417) - Legal update pursuant to SC Code of Laws §30-4-70(a)(2)
- c. Settlement Agreement with SCDOR (2016-CP-40-3102 / 2016-001839 - Case No. 20-ALJ-17-0224-CC) - Legal advice/settlement of legal claims pursuant to SC Code of Laws §30-4-70(a)(2)
- d. Richland County's Road Maintenance Fee in light of Burns v. Greenville County - Legal advice pursuant to SC Code of Laws §30-4-70(a)(2)

9. CITIZEN'S INPUT

- a. For Items on the Agenda Not Requiring a Public Hearing

10. CITIZEN'S INPUT

- a. Must Pertain to Richland County Matters Not on the Agenda (Items for which a public hearing is required or a public hearing has been scheduled cannot be addressed at time.)

11. REPORT OF THE COUNTY ADMINISTRATOR

Leonardo Brown,
County Administrator

- a. Coronavirus Update [PAGES 72-76]

12. REPORT OF THE DEPUTY CLERK OF COUNCIL

Michelle Onley,
Deputy Clerk of Council

13. REPORT OF THE CHAIR

The Honorable Paul Livingston

- a. Clerk's Office Personnel

14. OPEN / CLOSE PUBLIC HEARINGS

The Honorable Paul Livingston

- a. An Ordinance Authorizing deed to the City of Columbia for certain parcels on the Three Rivers Greenway/Saluda Riverwalk; Richland County TMS # 0720-03-01 and TMS # 07208-03-02

15. APPROVAL OF CONSENT ITEMS

The Honorable Paul Livingston

- a. 21-015MA
Robert C. Lee
RU to GC (.97 Acres)
511 Ross Road
TMS #R17107-03-03 [SECOND READING] [PAGES 77-78]
- b. 21-017MA
Kevin Steelman
RU to RS-E (44.64 Acres)
Old Tamah Road
TMS #R03400-02-03, 04 & 05 [SECOND READING] [PAGES 79-80]
- c. 21-018MA
DR Horton
RU to RS-E (94 Acres)
Hard Scrabble Road
TMS #R14600-03-17(p) [SECOND READING] [PAGES 81-82]
- d. I move to authorize the County Attorney to take any and all necessary actions, including condemnation proceedings, to acquire ownership of the roadway parcels of Aiken Hunt Circle and Oak Brook Drive that are currently not in the County's road maintenance program. These parcels are located in the Wildewood Subdivision, and the current owner has been nonresponsive to prior requests by the Department of Public Works to acquire the roadway parcels. [MACKEY] [PAGES 83-91]
- e. I move to name June as Pride Month in Richland County [PAGES 92-93]
- f. EMS - Ambulance Purchase [PAGES 94-96]
- g. EMS - Fire Tanker Purchase [PAGES 97-100]
- h. Department of Public Works - Stormwater NPDES Consultant [PAGES 101-117]
- i. Department of Public Works - Compound Parking Lot Restoration [PAGES 118-121]
- j. Alvin S. Glenn Detention Center - HVAC Maintenance [PAGES 122-125]
- k. Community Planning & Development - CDBG/CV FY21 Action Plan Substantial Amendment [PAGES 126-135]
- l. Community Planning & Development – 2021-2022 Annual Action Plan [PAGES 136-186]

- m. Community Planning & Development – Saint Bernard Project [PAGES 187-188]

16. THIRD READING ITEMS

The Honorable Paul Livingston

- a. An Ordinance Authorizing deed to the City of Columbia for certain parcels on the Three Rivers Greenway/Saluda Riverwalk; Richland County TMS # 0720-03-01 and TMS # 07208-03-02 [PAGES 189-190]

17. SECOND READING ITEMS

- a. Authorizing the execution and delivery of a fee-in-lieu of ad valorem taxes and incentive agreement by and between Richland County, South Carolina and [Project Mo] to provide for payment of a fee-in-lieu of taxes; authorizing certain infrastructure credits; and other related matters [PAGES 191-224]

18. REPORT OF THE DEVELOPMENT AND SERVICES COMMITTEE

The Honorable Allison Terracio

- a. Special Revenue Fund - Hospitality Tax: RC Volley ball Complex - new group seeking Council funding (\$ 3,950,000) [PAGES 225-233]
- b. Special Revenue Fund - Hospitality Tax: SC Kings Foundation Nexx Level Sports Center - new group seeking Council funding (\$ 9,500,000) [PAGES 234-240]
- c. I move to evaluate affordable housing options to include the option of establishing an Affordable Housing Trust Fund for Richland County as a benefit to the public. Housing is considered to be “affordable” when 30% or less of one’s income is spent on housing and utilities. In Richland County, nearly half of renters pay more than a third of their income on rent and utilities [TERRACIO] [PAGES 241-341]
- d. Amend the County's current ordinance, in order to allow lighting on Broad River Road [DICKERSON] [TO TABLE] [PAGES 342-441]
- e. Municipal Solid Waste Management – Collections Contract [PAGES 442-447]

19. REPORT OF THE RULES AND APPOINTMENTS COMMITTEE

The Honorable Bill Malinowski

20. NOTIFICATION OF APPOINTMENTS

- a. Airport Commission – Two (2) Vacancies (One applicant must reside within the Rosewood, Shandon, or Hollywood-Rose-Hill-Wales Garden neighborhoods)
 - a. Lynn I. Hutto [PAGES 448-449]
 - b. Lindsey Forrest Ott [PAGES 450-451]
 - c. Wendy Nipper Homeyer [PAGES 452-455]
 - d. Heather Heckman [PAGES 456-457]
 - e. Jeffrey Hunter [PAGES 458-461]
- b. Planning Commission – Three (3) Vacancies
 - a. John Metts [PAGES 462-464]
 - b. John K. Baxter [PAGES 465-466]
- c. Richland Library Board of Trustees – One (1) Vacancy
 - a. Lisa Ellis [PAGES 467-468]
 - b. Shealy B. Reibold [PAGES 469-470]
 - c. Angela Rainey Whetstone [PAGES 471-472]
 - d. Constantina Green [PAGES 473-474]
 - e. Nicole A. Cooke [PAGES 475-476]
 - f. Marjorie Trifon [PAGES 477-478]
 - g. Brenda B. Branic [PAGES 479-480]
- d. Richland Memorial Hospital Board of Trustees – Two (2) Vacancies
 - a. William Alvin McElveen [PAGES 481-488]
 - b. Stacey V. Brennan [PAGES 489-494]
 - c. Virginia L. Crocker [PAGES 495-497]
 - d. Raquel Michelle Richardson Thomas [PAGES 498-504]
 - e. Millisa "Millie" M. Bates [PAGES 505-507]
- e. Riverbanks Park Commission – One (1) Vacancy
 - a. Clifford Bourke, Jr. [PAGES 508-509]
 - b. Lisa Ellis [PAGES 510-511]
 - c. Virginia Crocker [PAGES 512-514]

21. REPORT OF THE EMPLOYEE EVALUATION AND OVERSIGHT AD HOC COMMITTEE

The Honorable Chakisse Newton

- a. Evaluation Process for the County Administrator
- b. Clerk to Council Search
- c. Update on County Attorney Search

- 22. REPORT OF THE TRANSPORTATION AD HOC COMMITTEE** The Honorable Overture Walker
- a. Spears Creek Church Rd. Project [PAGES 515-523]
- 23. REPORT OF THE DETENTION CENTER AD HOC COMMITTEE** The Honorable Allison Terracio
- a. Compensation Recommendation [PAGES 524-527]
- 24. OTHER ITEMS**
- a. FY22 - District 1 Hospitality Tax Allocations [PAGES 528-529]
- b. FY22 - District 7 Hospitality Tax Allocations [PAGES 530-531]
- c. FY21 - District 11 Hospitality Tax Allocations [PAGES 532-533]
- d. FY22 - District 11 Hospitality Tax Allocations [PAGES 534-535]
- 25. EXECUTIVE SESSION** Elizabeth McLean,
Acting County Attorney
- a. After Council returns to open session, Council may take action on any item, including any subsection of any section, listed on an executive session agenda or discussed in an executive session during a properly notice meeting.
- 26. MOTION PERIOD**
- a. All County Council contracts and agreements adopted by a majority vote of full Council will require a majority vote of full Council to amend and/or change [NOTE: This motion should be taken up as soon as possible, and not be addressed with the overall Council Rules update.] The Honorable Paul Livingston
- b. Move to amend Council Rules related to virtual and phone call meeting attendance and have this motion included on the July 20, 2021 Rules and Appointments Committee meeting agenda. The Honorable Jesica Mackey
- c. Move to direct staff to evaluate current zoning laws that permit zoning designations for large residential developments to remain in perpetuity and present options to re-evaluate and or rezone those properties if they are not developed within 7 years. Recommendations should include processes to ensure that zoning and the comprehensive plan remain consistent with the lived character of the community. The Honorable Chakisse Newton

27. ADJOURNMENT



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

2nd Reading – Budget Meeting
May 27, 2021 – 6:00 PM
Zoom Meeting

COUNCIL MEMBERS PRESENT: Paul Livingston, Chair; Yvonne McBride, Vice Chair, Bill Malinowski, Derrek Pugh, Allison Terracio, Gretchen Barron, Overture Walker, Jesica Mackey, Cheryl English and Chakisse Newton

OTHERS PRESENT: Michelle Onley, Andrea Mathis, Jasmine Crum, Lori Thomas, Bill Davis, Tamar Black, Tyler Kirk, Ojetta O'Bryant, John Thompson, Angela Weathersby, Ashiya Myers, Clayton Voignier, Michael Niermeier, Brittney Hoyle-Terry, Stacey Hamm, Steven Gaither, Terry Graham, Wendy Davis, Randy Pruitt, Denise Teasdell, James Hayes, Marjorie King, Quinton Epps, Judy Carter, Michael Maloney, Dale Welch, Dante Roberts, Sandra Haynes, and Michael Byrd

1. **CALL TO ORDER** – Mr. Livingston called the meeting to order at approximately 6:00 PM.
2. **ADOPTION OF AGENDA** – Ms. Barron moved, seconded by Ms. English, to adopt the agenda as published.

In Favor: Malinowski, Pugh, McBride, Livingston, Terracio, Barron, O. Walker, Mackey, English and Newton

Not Present: J. Walker

The vote in favor was unanimous.

3. **SECOND READING**

Millage Agencies

1. ***Richland County Recreation Commission (Recommended: \$16,129,600)*** – Mr. Malinowski moved, seconded by Ms. McBride, to fund this item at a no mill increase, or less.

In Favor: Malinowski, Pugh, McBride, Livingston, Terracio, J. Walker, Barron, O. Walker, Mackey, English and Newton

The vote in favor was unanimous.

2. ***Columbia Area Mental Health (Recommended: \$2,462,500)*** – Mr. Malinowski moved, seconded by Ms. McBride, to fund this item at a no mill increase, or less.

In Favor: Malinowski, Pugh, McBride, Livingston, Terracio, J. Walker, Barron, O. Walker, Mackey, English and Newton

The vote in favor was unanimous.

- 3. *Public Library (Recommended: \$30,700,000)*** – Mr. Malinowski moved, seconded by Ms. McBride, to fund this item at a no mill increase, or less.

In Favor: Malinowski, Pugh, McBride, Livingston, Terracio, J. Walker, Barron, O. Walker, Mackey, English and Newton

The vote in favor was unanimous.

- 4. *Riverbanks Zoo and Gardens (Recommended: \$2,625,000)*** – Mr. Malinowski moved, seconded by Ms. McBride, to fund this item at a no mill increase, or less.

In Favor: Malinowski, Pugh, McBride, Livingston, Terracio, J. Walker, Barron, O. Walker, Mackey, English and Newton

The vote in favor was unanimous.

- 5. *Midlands Technical College – Operating (Recommended: \$6,993,600)*** – Mr. Malinowski moved, seconded by Ms. McBride, to fund this item at a no mill increase, or less.

In Favor: Malinowski, Pugh, McBride, Livingston, Terracio, J. Walker, Barron, O. Walker, Mackey, English and Newton

The vote in favor was unanimous.

- 6. *Midlands Technical College – Capital (Recommended: \$3,630,000)*** – Mr. Malinowski moved, seconded by Ms. McBride, to fund this item at a no mill increase, or less.

In Favor: Malinowski, Pugh, McBride, Livingston, Terracio, J. Walker, Barron, O. Walker, Mackey, English and Newton

The vote in favor was unanimous.

- 7. *School District One (Recommended: \$238,771,833)*** – Mr. Malinowski moved, seconded by Ms. McBride, to fund this item at a no mill increase, or less.

In Favor: Malinowski, Pugh, McBride, Livingston, Terracio, J. Walker, Barron, O. Walker, Mackey, English and Newton

The vote in favor was unanimous.

- 8. *School District Two (Recommended: \$167,105,055)*** – Mr. Malinowski moved, seconded by Ms. McBride, to fund this item at a no mill increase, or less.

In Favor: Malinowski, Pugh, McBride, Livingston, Terracio, J. Walker, Barron, O. Walker, Mackey, English and Newton

The vote in favor was unanimous.

GRANTS

9. ***Accommodations Tax (Approval of A-Tax Committee recommendation; \$100,000)*** – Mr. Malinowski moved, seconded by Ms. Newton, to fund the item at the Administrator’s recommended amount. For those he did not make a recommendation, approve at last year’s funding level, or less, provided a request was made for funding.

Ms. Mackey inquired, if we move forward with the motion, how will it impact the budget?

Mr. Hayes responded, for example, the Administrator is not recommending to use Fund Balance, so if Council opts to fund the groups outside of the Administrator’s recommendation, we will need to use approximately \$1.6M in H-Tax Fund Balance.

Mr. Livingston inquired how the agencies were funded last fiscal year.

Mr. Hayes responded we are using both revenue and fund balance to balance the budget for FY21.

Mr. Livingston noted there is approximately \$15M in H-Tax Fund Balance.

Mr. Hayes stated, because the Accommodations Tax revenue has lessen significantly, we are looking at budgeting \$325,000 in A-Tax. Since the fund has a negative fund balance, we did not have the ability to use all of the projected revenue to fund Accommodations Tax. Therefore, if we fund A-Tax groups at more than \$100,000, it would cause an issue.

Mr. Livingston inquired if the Columbia Metropolitan Convention Center received Accommodations Tax funding last fiscal year.

Mr. Hayes responded the Convention Center was funded \$92,000 in A-Tax last year. The Committee is recommending \$25,000 this year because they did not have as large of a budget to work with because of the dwindling revenue and taking care of the negative fund balance.

Ms. Terracio inquired, if we approve the Accommodations Tax recommendation, will we pay back the negative balance and be in good standing.

Mr. Hayes responded that is the intent. The hope is with COVID lessening the numbers for tourism will start to go up.

Ms. Terracio inquired, if the motion to provide \$92,000 in funding to the Convention Center were approved, would that put us back in the red.

Mr. Hayes responded in the affirmative.

Mr. Malinowski stated he would like to amend his motion to accept the Administrator’s recommendation. Ms. Newton accepted the amended motion.

Ms. Mackey stated, for clarification, Mr. Malinowski’s motion is to only approve those items on which the Administrator made a recommendation.

In Favor: Malinowski, Pugh, McBride, Livingston, Terracio, J. Walker, Barron, O. Walker, Mackey, English and Newton

The vote in favor was unanimous.

9(a) Accommodations Tax: Motion to fund Columbia Metropolitan Convention Center and Visitors Bureau (Recommended: \$92,000) – Mr. Livingston stated this was the amount funded last year. One of the primary intents of the Accommodations Tax was for entities like the Convention Center. He believes it is more important to fund the Convention Center, than to divide the \$100,000 among various agencies where we will see little benefit. At some point before 3rd Reading, we need to determine a way to fund the Convention Center.

Ms. Hamm stated the Accommodations Tax brought in \$424,000 in FY20. We projected \$320,000, and we have brought in \$193,000. This means there could be a shortfall of approximately \$120,000.

Mr. Livingston inquired, if we are assuming the economy is not going to pick up, and we are not going to generate more revenue.

Mr. Hayes stated he and Ms. Hamm looked at the projected revenue increase, but we were already in a deficit. The new revenue will have to cover the deficit, which left approximately \$100,000 to be distributed by the committee.

Mr. Livingston inquired how much Accommodations Tax was generated prior to COVID.

Ms. Hamm responded for FY20 \$424,000 was generated.

Mr. Livingston stated he will bring back a recommendation at 3rd Reading.

Ms. Newton stated, for clarification, the Convention Center is recommended to receive \$25,000 in Accommodations Tax.

10. Hospitality Tax (Approval of the funding level for the Ordinance Agencies: Columbia Museum of Art, Historic Columbia, Township Auditorium, and EdVenture; \$1,921,186) – Mr. Hayes stated the County has an ordinance for those entities. This year there is no recommendation from the Administrator.

Ms. Terracio requested a breakdown of the funding for each entity.

Mr. Hayes stated the breakdown is as follows: Columbia Museum of Art (\$765,872); Historic Columbia (\$385,143); EdVenture (\$400,000) and Township Auditorium (\$370,171).

Ms. Terracio inquired if that was the minimum requirement.

Mr. Hayes responded this is the amount the entities were approved for in FY21.

Ms. Newton moved, seconded by Mr. Livingston, to fund this item at the FY21 funding level.

Mr. Malinowski inquired, according to the ordinance, where does the County stand with funding of the ordinance agencies.

Mr. Hayes responded he would have to review the ordinance and provide Council an answer prior to 3rd Reading.

Ms. McBride inquired why the Administrator is not recommending a funding amount for the ordinance agencies.

Mr. Brown responded, for items that were not contractual or statutory, but originated out of Council motions, he did not make recommendations on. This is in the purview of Council.

Ms. McBride inquired if the ordinance agencies are receiving additional funding from other sources in the budget.

Mr. Brown responded the ordinance agencies receive the amount Council traditionally recommends for them.

Mr. Hayes responded the ordinance agencies may also receive funding through the H-Tax Committee. In addition, Councilmembers could allocate funding to the agencies.

Mr. Hayes noted, if Council approves Ms. Newton's motion, it will require using approximately \$1.6M of H-Tax Fund Balance.

Mr. Livingston stated these agencies were historically funded out of the General Fund prior to the Hospitality Tax. When the Hospitality Tax was established, Council began funding these agencies with H-Tax funds.

Mr. Malinowski inquired if the reason there was no request for the Gateway Pocket Park/Blight Removal Project and Historical Corridor was because they have already received their funding.

Mr. Hayes responded the Gateway Pocket Park/Blight Removal Project is not the Gateway to the Army from a few years ago. This originated under the former Administrator to address blight. The funds have been budgeted annually, but have not been expended. The Historical Corridor also originated under the former Administrator.

Mr. Malinowski requested a friendly amendment that the ordinance be reviewed to ensure the ordinance agencies receive the correct amount, based on the ordinance.

Mr. Brown noted the ordinance states, "...in an amount, as determined by County Council annually, during the budget process." He noted there is not a formula/breakdown included in the ordinance for the ordinance agencies.

Ms. McBride inquired, in regard to the Hospitality Tax Fund, how does the County stand.

Mr. Hayes responded Hospitality Tax has been trending well, which is why the fund balance is healthy.

Ms. Hamm responded this fiscal year the County has brought in \$400,000 more than what was budgeted.

Ms. Terracio inquired if it would be appropriate to fund the Convention Center from Hospitality Tax.

Mr. Livingston responded in the affirmative.

Ms. Terracio inquired how much Hospitality Tax is allocated to the Convention Center.

Mr. Hayes responded \$104,091.

Ms. Terracio inquired if the Convention Center would run a deficit with the combined Accommodations Tax (\$25,000) and Hospitality Tax (\$104,091) funding.

Mr. Hayes indicated the Hospitality Tax allocation will remain the same, but the Accommodations Tax allocation will be less than in the FY21 budget.

Ms. Barron inquired, in regards to the Gateway Pocket Park/Blight Removal Project and the Historical Corridor, if the amount that was rolled over was the balance of what has not been used for these projects.

Mr. Hayes responded the County has not used the funding. When expenditures are not used, the funds go back to that funds fund balance. These are projects that were instituted under the previous Administrator; therefore, there are no groups requesting funds.

Ms. Barron inquired if the funds allocated are for projects that have not happened, or have not been billed.

Mr. Hayes responded these are projects that have been on the table, which were deferred because they were associated with the Renaissance.

Ms. Barron stated she would like to hear from someone on what these funds are for, and if we plan to finalize any projects. If we are not planning to finalize these projects, we need to move the funds somewhere else.

Mr. Livingston inquired if Ms. Newton's motion included the Gateway Pocket Parks/Blight Removal Project and the Historical Corridor.

Ms. Newton responded, it is her recollection, Council approved moving forward with the Historical Corridor, but the project had just not started yet. She would be amenable to remove the Gateway Pocket Parks because she is not sure where they stand.

Ms. McBride responded the Gateway Pocket Park/Blight Removal Project and Historical Corridor were included in the Renaissance Plan, which was deferred. She noted Council brought part of the plan out of deferral; however, these projects are still included in the overall plan. She inquired if Council could come back, at a later date, and get the funds if needed.

Mr. Brown responded in the affirmative.

Ms. Newton stated her recollection is that the Historical Corridor was removed from the Renaissance Plan, so it could proceed. She requested confirmation prior to 3rd Reading.

In Favor: Pugh, McBride, Livingston, Terracio, Barron, O. Walker, Mackey, English and Newton

Opposed: Malinowski

Present but Not Voting: J. Walker (due to technical difficulties)

The vote was in favor.

10(a) Motion to fund Ordinance Agencies at the FY21 Level – This motion was addressed in Item #10.

11. Hospitality Tax (Approval of H-Tax Committee recommendations; \$500,000) – Mr. Malinowski moved, seconded by Ms. Newton, to approve the Administrator's recommendation.

In Favor: Malinowski, Pugh, McBride, Livingston, Terracio, J. Walker, Barron, O. Walker, Mackey, English and Newton

The vote in favor was unanimous.

- 12. Hospitality Tax (Approval of recommended funding level for Special Promotions Agencies at FY21 level; \$255,091)** – Ms. Newton moved, seconded by Mr. Livingston, to fund this item at the FY21 funding level.

Mr. Malinowski inquired how the International Festival became a part of Special Promotions.

In Favor: Pugh, McBride, Livingston, Terracio, Barron, O. Walker, Mackey, English and Newton

Opposed: Malinowski

Present but Not Voting: J. Walker (due to technical difficulties)

The vote was in favor.

- 12(a) Hospitality Tax: Motion to fund Columbia Metropolitan Convention Center and Columbia International Festival (Recommended: \$351,000)** – Ms. Terracio requested a breakdown of the funding for the entities.

Mr. Hayes responded the breakdown is as follows: Columbia International Festival (\$151,000) and the Convention Center (\$200,000).

- 13. Hospitality Tax (Approval of SERCO – Tier 3 – funding level; \$67,895)** – Ms. Newton moved, seconded by Mr. Livingston, to fund this item at the FY21 funding level.

Mr. Malinowski inquired how the International Festival became a part of Special Promotions.

In Favor: Pugh, McBride, Livingston, Terracio, Barron, O. Walker, Mackey, English and Newton

Opposed: Malinowski

Present but Not Voting: J. Walker (due to technical difficulties)

The vote was in favor.

- 14. Approval of Gateway Pocket Park/Blight Removal Project (\$250,000)** – Ms. Newton moved, seconded by Mr. Livingston, to fund this item at the FY21 funding level.

Mr. Malinowski inquired how the International Festival became a part of Special Promotions.

In Favor: Pugh, McBride, Livingston, Terracio, Barron, O. Walker, Mackey, English and Newton

Opposed: Malinowski

Present but Not Voting: J. Walker (due to technical difficulties)

The vote was in favor.

- 15. *Approval of Historical Corridor funding level (\$372,715)*** – Ms. Newton moved, seconded by Mr. Livingston, to fund this item at the FY21 funding level.

Mr. Malinowski inquired how the International Festival became a part of Special Promotions.

In Favor: Pugh, McBride, Livingston, Terracio, Barron, O. Walker, Mackey, English and Newton

Opposed: Malinowski

Present but Not Voting: J. Walker (due to technical difficulties)

The vote was in favor.

- 16. *Hospitality Tax (Approval of Famously Hot New Year – Tier 3 – funding level; \$75,000)*** – Ms. Newton moved, seconded by Mr. Livingston, to fund this item at the FY21 funding level.

Mr. Malinowski inquired how the International Festival became a part of Special Promotions.

In Favor: Pugh, McBride, Livingston, Terracio, Barron, O. Walker, Mackey, English and Newton

Opposed: Malinowski

Present but Not Voting: J. Walker (due to technical difficulties)

The vote was in favor.

- 16(a) *Hospitality Tax: Motion to fund Famously Hot New Year (Recommended: \$75,000)*** – This motion was addressed in Item #10.

- 17. *Hospitality Tax (Approval of Councilmember H-Tax allocations funding level; \$906,675)*** – Ms. McBride moved, seconded by Mr. Malinowski, to fund this item at the FY21 level.

Ms. Terracio stated, one of the reasons, she moved last year to reduce the amount was because her preference would be to have the entities that come to Council over and over to go through the funding process. She also would like to utilize more of the funds for some of the larger projects.

In Favor: Malinowski, Pugh, McBride, Livingston, Terracio, Barron, O. Walker, Mackey and English

Opposed: Newton

Abstain: J. Walker

The vote was in favor.

- 18. *Hospitality Tax (Reserve for Future Years/Contingency funding level; \$150,000)*** – Mr. Malinowski moved, seconded by Ms. Newton, to approve the Administrator's recommendation.

In Favor: Malinowski, Pugh, McBride, Livingston, Terracio, J. Walker, Barron, O. Walker, Mackey, English and Newton

The vote in favor was unanimous.

- 19. Hospitality Tax (Approval of Transfers Out funding level/Cost Allocation; \$4,487,750)** – Mr. Malinowski moved, seconded by Ms. Newton, to approve the Administrator’s recommendation.

In Favor: Malinowski, Pugh, McBride, Livingston, Terracio, J. Walker, Barron, O. Walker, Mackey, English and Newton

The vote in favor was unanimous.

- 20. Hospitality Tax (RC Volley Ball Complex; \$3,950,000)** – Mr. Pugh moved, seconded by Mr. Malinowski, to refer this item to committee for further vetting.

Mr. J. Walker stated he believes there needs to be one point of coordination to facilitate a capital project using H-Tax funds for travel recreation facility that could encompass of the various aspects presented. He believes the point of coordination, thus far, has been the Recreation Commission. He inquired if there was a way to move this onto the Recreation Commission’s plate to allow them to vet suitors, and have them present a recommendation to Council.

Ms. Newton made a friendly amendment to broaden the conversation to determine the best use of travel recreation sports.

Mr. Pugh and Mr. Malinowski accepted the friendly amendment.

Ms. McBride inquired how the recommendation was placed on the motions list.

Mr. Livingston responded, if someone contacts him about a project that has to go through the budget process, he requests them to contact Mr. Hayes to place it on the motions list for consideration.

Ms. McBride stated, for clarification, anyone can submit a letter/request and it does not have to come from a Councilmember or Administration.

Mr. Livingston responded he did send it to Administration, so the request could be considered during the budget process by Council.

Ms. McBride stated, for clarification, any entity can request to be on the motion list, and the Administrator can put it on there. The request does not have to come directly from a Councilmember.

Mr. Livingston responded that is the current process.

Ms. McBride noted it seems a motion would come from a Councilmember or the Administrator, so this appears out of syn.

Ms. Barron stated, if there is not a process or rule, we should consider one. She is interested in looking at a general way of establishing travel sports, and being a destination place for Richland County.

Mr. Livingston noted he has not decided which committee should vet these items.

Mr. Malinowski stated, when something similar happened at a Council meeting, he made a motion that all future motions had to be sponsored by a Councilmember. He requested the Clerk's Office to research the outcome of his motion.

Ms. Barron stated, for clarification, Mr. Livingston received this documentation, which was then turned over to Administration.

Mr. Livingston responded in the affirmative. He stated, it could be said, he sponsored the motion since he forwarded the documentation to Administration for Council to consider.

In Favor: Malinowski, Pugh, McBride, Livingston, Terracio, Barron, O. Walker, Mackey, English and Newton

Opposed: J. Walker

The vote was in favor.

- 21. Hospitality Tax (SC Kings Foundation Nexx Level Sports Center; \$9,500,000)** – Mr. Pugh moved, seconded by Mr. Malinowski, to refer this item to committee for further vetting. In addition, to broaden the conversation to determine the best use of travel recreation sports.

In Favor: Malinowski, Pugh, McBride, Livingston, Terracio, Barron, O. Walker, Mackey, English and Newton

Opposed: J. Walker

The vote was in favor.

- 22. Richland County Conservation Commission (RCCC Community Conservation Grants and Historic Preservation Grants; \$250,000)** – Mr. Malinowski moved, seconded by Ms. Newton, to approve the Administrator's recommendation.

In Favor: Malinowski, Pugh, McBride, Livingston, Terracio, J. Walker, Barron, O. Walker, Mackey, English and Newton

The vote in favor was unanimous.

- 22(a) Richland County Conservation Commission (Rollover of Conservation Grant; \$6,500)** – Mr. Malinowski moved, seconded by Ms. Newton, to approve the Administrator's recommendation.

In Favor: Malinowski, Pugh, McBride, Livingston, Terracio, J. Walker, Barron, O. Walker, Mackey, English and Newton

The vote in favor was unanimous.

- 23. Richland County Neighborhood Redevelopment (Neighborhood Improvement Match Grants; \$37,388)** – Mr. Malinowski moved, seconded by Ms. Newton, to approve the Administrator's recommendation.

In Favor: Malinowski, Pugh, McBride, Livingston, Terracio, J. Walker, Barron, O. Walker, Mackey, English and Newton

The vote in favor was unanimous.

- 24. Grants (Approve grants departments are applying for FY22; \$28,212,127)** – Mr. Malinowski moved, seconded by Ms. Newton, to approve the Administrator’s recommendation.

In Favor: Malinowski, Pugh, McBride, Livingston, Terracio, J. Walker, Barron, O. Walker, Mackey, English and Newton

The vote in favor was unanimous.

GENERAL FUND

- 25. County Departments (Approve as presented in budget work sessions; \$179,413,664)** – Ms. Newton moved, seconded by Mr. Malinowski, to approve the Administrator’s recommendation.

Ms. Terracio inquired, out of Items 25 – 27, which items allocate funding to the Conservation Commission.

Mr. Brown responded the General Fund amount is the salaries associated with the positions within the Richland Soil and Water Conservation District, and not the Conservation Commission.

Ms. Terracio inquired if there are overlaps between the salaried positions.

Mr. Brown responded there are some overlaps. He noted he has a meeting scheduled for next with the Richland Soil and Water Conservation District and the Conservation Commission. The information from the meeting will be provided to Council prior to 3rd Reading of the budget.

In Favor: Malinowski, Pugh, McBride, Livingston, Terracio, J. Walker, Barron, O. Walker, Mackey, English and Newton

The vote in favor was unanimous.

- 25(a) Transfer Out (Approve as presented in Budget Work Session; \$8,517,112)** – Ms. Newton moved, seconded by Mr. Malinowski, to approve the Administrator’s recommendation.

In Favor: Malinowski, Pugh, McBride, Livingston, Terracio, J. Walker, Barron, O. Walker, Mackey, English and Newton

The vote in favor was unanimous.

- 26. Discretionary Grant (Approve total of \$200,000 in discretionary grant committee recommendations)** – Ms. Newton moved, seconded by Mr. Malinowski, to approve the Administrator’s recommendation.

In Favor: Malinowski, Pugh, McBride, Livingston, Terracio, J. Walker, Barron, O. Walker, Mackey, English and Newton

The vote in favor was unanimous.

- 27. Contractual & Statutory Grant – Central Midlands COG, City Center Partnership, LRADAC (Approve as presented in Budget Work Sessions; \$848,326)** – Ms. Newton moved, seconded by Mr. Malinowski, to approve the Administrator’s recommendation.

In Favor: Malinowski, Pugh, McBride, Livingston, Terracio, J. Walker, Barron, O. Walker, Mackey, English and Newton

The vote in favor was unanimous.

28. LumpSum Allocations (Base amount approved FY21; \$2,310,364)

28(a). Lump Sum Allocations (Move to allocate \$75K to St. John Community Development Corporation; \$75,000) – Ms. McBride moved, seconded by Mr. Pugh, to approve this item.

Ms. McBride stated the three (3) programs (St. Johns Community Development Corporation, Wiley Kennedy Foundation and Greenview Swim Team) are in different areas of Richland County, but they reside in the highest crime areas in the County. These programs are recommended to bring the community back to the community. This will be a strategic, collaborative approach in dealing with crime and rebuilding the community.

Ms. Newton stated she would like to request the agencies report back to the County on how the funds were used, and what the metrics were for success.

Mr. Malinowski inquired if the St. John Community Development Corporation submitted a funding request.

Ms. McBride responded the Wiley Kennedy Foundation and Greenview Swim Team submitted applications, but the programs were expanded this year.

Mr. Hayes responded staff did not receive an application from the St. John Community Development Corporation.

Mr. Malinowski stated the policy is individuals wanting funds should be submitting applications.

Ms. McBride responded this is a motion from her and the detailed applications will be submitted.

Mr. J. Walker inquired if this is the appropriate source or manner of funding for community and 501(c)(3)

programs from the County.

Mr. Brown responded, to the extent that the Councilmember has communicated the importance, he knows Councilmembers have a discretionary item they could address items they want to put forth their energy and effort.

Mr. J. Walker stated, for clarification, Mr. Brown would suggest individual Councilmembers utilizing their discretionary funding instead of lump sum.

Mr. Brown responded in the affirmative.

Ms. McBride noted this would not be appropriate for Hospitality Tax.

Ms. Barron requested additional information regarding the entities.

Ms. Newton inquired if the County receives a report back on what the funds were used for.

Mr. Hayes responded in the affirmative.

Ms. Barron made a friendly amendment to fund the Wiley Kennedy Foundation at \$30,000; the Greenview Swim Team at \$15,000 and \$75,000 for the St. John Community Development Corporation.

In Favor: Pugh, McBride, Livingston, Terracio, Barron, O. Walker and English

Opposed: Malinowski, J. Walker, Mackey and Newton

The vote was in favor.

28(b) Lump Sum Allocations (Move to allocate \$60K to Wiley Kennedy Foundation; \$60,000) – Ms. McBride moved, seconded by Mr. Pugh, to approve this item.

In Favor: Pugh, McBride, Livingston, Terracio, Barron, O. Walker and English

Opposed: Malinowski, J. Walker, Mackey and Newton

The vote was in favor.

28(c) Lump Sum Allocations (Move to allocate an additional \$10K to Greenview Swim Team; \$10,000) – Ms. McBride moved, seconded by Mr. Pugh, to approve this item.

In Favor: Pugh, McBride, Livingston, Terracio, Barron, O. Walker and English

Opposed: Malinowski, J. Walker, Mackey and Newton

The vote was in favor.

28(d) Lump Sum Allocations (Move to fund the following groups at the FY21 level: Capitol Senior Center, Clemson University Extension, Columbia Urban League, Communities in School, Engenuity, Greater Columbia Community Relations, Palmetto Aids Life Support, SC HIV Aids Council, Senior Resources, Transitions Homeless Shelter; \$1,451,439) – Mr. Livingston moved, seconded by Mr. O. Walker, to fund the aforementioned entities at the FY21 funding level.

Mr. Malinowski stated, for the record, at least one of these entities was funded as a one-time funding request. He cannot support continuing to fund agencies that came in as a one-time funding request.

Ms. Terracio inquired if the County has a formal relationship with Transitions Homeless Shelter, in terms of funding.

Ms. McBride requested to review the applications for these agencies.

Mr. J. Walker stated our practice of giving away tax dollars to 501(c)(3)'s, regardless of their imperativeness in the community, needs to be reviewed.

Mr. Livingston responded he does not see it as giving away money, but investing in the community. He noted, if the Administrator had made a recommendation on these agencies, he would not be making a recommendation himself.

Ms. McBride inquired about the amount of funding being requested.

Mr. Livingston responded it is \$1,451,439.

Mr. Hayes noted, because the Administrator did not make a recommendation, it will cause the use of General Fund Fund Balance.

Ms. Mackey inquired about the impact on the General Fund.

Mr. Hayes responded the amount will be \$1,596,439.

Ms. Barron requested the amount in the General Fund Fund Balance.

Ms. Hamm responded the Fund Balance is \$43.5M, which is 27% of the prior year expenditures.

Mr. Livingston inquired how much was allocated from the General Fund for lump sum appropriations in the last fiscal year.

Mr. Hayes responded it was \$2.3M. He noted Administration has recommended funding the budget using \$5.7M from the Fund Balance.

Mr. Malinowski inquired if the Administrator's recommended use of \$5.7M and the approximate \$1.6M being request were accounted for in Ms. Hamm's earlier response.

Ms. Hamm responded it did not. If you take into account those amounts, the Fund Balance would be approximately 22.5%.

Ms. Newton inquired if we ever funded these entities in the General Fund.

Mr. Hayes responded the lump sum allocations are in the General Fund.

In Favor: Pugh, McBride, Livingston, Terracio, Barron, O. Walker, Mackey and English

Opposed: Malinowski, J. Walker and Newton

The vote was in favor.

28(e) Lump Sum Allocations (Move to fund United Way at amount requested; \$281,445) – Mr. Livingston moved, seconded by Ms. Terracio, to fund United Way at \$281,445.

Ms. Terracio stated she did not know how deeply we would be dipping into the Fund Balance. She supports the initiative and the work, but this is a large amount for one entity.

Ms. McBride noted she sponsored this pilot project two years ago. Once the pilot project was done, it was her understanding the school districts would pick it up. The request before Council is for the County to continue to support the pilot projects and an additional project. She supports the concept, but the projects should have been picked up by the school districts.

Ms. Terracio requested Administration to provide information regarding the American Rescue Plan.

Mr. Brown stated staff is actively looking into this plan. We will not have definitive treasury guidance until after the budget is adopted, based on the treasury's timeline.

Ms. Terracio inquired, if we will a chance to consider other funding opportunities, once the guidance is received.

Mr. Brown responded in the affirmative.

Ms. Barron stated, for clarification, we can switch the funds we are paying out (i.e. General Fund/American Rescue Funds).

Ms. Newton stated, for clarification, Council, at any time, can make an amendment to the budget with Three Readings and Public Hearing.

Ms. McBride noted the State Department of Education will also be receiving funding, which will give another opportunity for the school districts to step in.

Mr. Malinowski inquired about the approximate dollar amount the County will receive from the American Rescue Plan.

Mr. Brown responded the County is expected to receive \$80M, which the County will receive in two tranches. The funds can be used for a multiplicity of programs, as outlined by the American Rescue Plan. For example, sewer infrastructure.

In Favor: Livingston, O. Walker and English

Opposed: Malinowski, Pugh, McBride, Terracio, J. Walker, Barron

Abstain: Mackey – currently serves on the United Way Board

Present but Not Voting: Newton

The motion failed.

Ms. Barron stated, for the record, she would like to see Council fund them at a different level. She would support the new “pilot” program.

29. *Various (To allocate Lump sum funding to various groups that have historically been funded in multiple funds: \$53,000 Columbia Chamber of Commerce for BRAC; \$20,000 for Congaree River Keeper, \$42,900 Keep the Midlands Beautiful; \$53,000 River Alliance; \$168,900)* – Ms. Newton stated, for clarification, these entities used to be funded in other places, but for this year we are moving them to lump sum appropriations.

Mr. Hayes responded these entities are not funded out of the General Fund Lump Sum Appropriation. The entities are funded in other funds (i.e. Keep the Midlands Beautiful: Solid Waste Fund; Congaree Riverkeeper: Stormwater Fund; and River Alliance: Temporary Alcohol Fund). The Chamber of Commerce for BRAC is funded out of the Non-Departmental General Fund.

Ms. Newton inquired if anything ever came of the conversation in regards to litter in the County.

Mr. Brown responded not as yet. The funds are not tied to a specific project or use.

Mr. Hayes responded funding for this particular grant is in Solid Waste, but it is not tied to a particular program. It is at the pleasure of Council. If Council decides not to fund the grant program, the funds will remain in Solid Waste and the funds can be reprogrammed.

Mr. Livingston moved, seconded by Ms. Barron, to fund the Congaree Riverkeeper (\$20,000) from the Stormwater Fund; to fund Keep the Midlands Beautiful (\$42,900) from the Solid Waste Fund; and to fund River Alliance (\$53,000) from the Temporary Alcohol Fund.

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Mr. J. Walker inquired if the Columbia Chamber of Commerce for BRAC request has been excluded from the motion.

Mr. Livingston responded the request would be funded from the General Fund, and he is getting “beat up” about funding from the General Fund.

Mr. Hayes stated, because it is not a part of lump sum appropriations, the \$53,000 is already accounted for in Non-Departmental.

Mr. Livingston stated he will include the Columbia Chamber of Commerce for BRAC (\$53,000) from the Non-Departmental fund.

Ms. Terracio stated the Gills Creek Watershed Association is another entity that is historically funded from Stormwater. She inquired if that is included in the budget.

Mr. Hayes responded it may be a part of the Conservation Commission funding, but it is not a part of the lump sum appropriations.

Ms. Terracio inquired how the River Alliance came to be funded out of the Temporary Alcohol Fund.

Mr. Hayes responded he will provide an answer prior to 3rd Reading.

Ms. McBride inquired if all of the entities are nonprofits.

Mr. Hayes responded in the affirmative.

Ms. McBride inquired if the request is for each of them to receive County funds.

Mr. Hayes responded in the affirmative.

Ms. McBride inquired if it is left up to the departments where the groups are located to determine whether they want to be funded, if we do not pass the motion.

Mr. Hayes responded, if Council chooses not to fund them, the entities will not be funding. Council approves all grant funding.

Ms. McBride noted she believes Council needs to know what all nonprofits are doing. Therefore, the nonprofits should submit applications.

Mr. Malinowski stated, for clarification, these funds are accounted for in other departments, which are a part of the Administrator’s budget. It seems by approving this item, we are approving it a second time.

Mr. Hayes responded the dollar amount are a part of the Non-Departmental Professional Services. Historically, the BRAC funding has been funded out of it. If Council opts not to spend the \$53,000, then the funding would be re-programmed for another use.

Mr. Malinowski inquired why the funding is being taken out here a 2nd time.

Mr. Hayes responded the Administrator recommended a funding level for the General Fund. Any organization that is receiving County funds has to be approved by Council. Even though the funding level was approved, you still have to have the specifics of the organization approved.

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In Favor: Malinowski, Pugh, McBride, Livingston, Terracio, Barron, O. Walker, Mackey and English

Opposed: J. Walker and Newton

The vote was in favor.

29(a) Various (Move to Fund the River Alliance at the FY21 Level; \$53,000) – This motion was included in Item #29.

SPECIAL REVENUE FUNDS

30. Victim's Rights (Allocate funding to approve Victims Assistance Budget; FY21 - \$1,094,789)

– Mr. Malinowski moved, seconded by Ms. Barron, to approve the Administrator's recommended amount.

In Favor: Malinowski, Pugh, McBride, Livingston, Terracio, J. Walker, Barron, O. Walker, Mackey, English and Newton

The vote in favor was unanimous.

31. Tourism Development (Allocate funding to approve Tourism Development Budget;

\$1,000,000) – Mr. Malinowski moved, seconded by Ms. Barron, to approve the Administrator's recommended amount.

In Favor: Malinowski, Pugh, McBride, Livingston, Terracio, J. Walker, Barron, O. Walker, Mackey, English and Newton

The vote in favor was unanimous.

32. Temporary Alcohol Permits (Allocate funding to approve Temporary Alcohol Permits

Budget; \$170,000) – Mr. Malinowski moved, seconded by Ms. Barron, to approve the Administrator's recommended amount.

In Favor: Malinowski, Pugh, McBride, Livingston, Terracio, J. Walker, Barron, O. Walker, Mackey, English and Newton

The vote in favor was unanimous.

33. Emergency Telephone System (Allocate funding to approve Emergency Telephone System

Budget; \$6,943,223) – Mr. Malinowski moved, seconded by Ms. Barron, to approve the Administrator's recommended amount.

In Favor: Malinowski, Pugh, McBride, Livingston, Terracio, J. Walker, Barron, O. Walker, Mackey, English and Newton

The vote in favor was unanimous.

34. Fire Service (Allocate funding to approve Fire Service Budget; \$29,794,288) – Mr.

Malinowski moved, seconded by Ms. Barron, to approve the Administrator's recommended amount.

In Favor: Malinowski, Pugh, McBride, Livingston, Terracio, J. Walker, Barron, O. Walker, Mackey, English and Newton

The vote in favor was unanimous.

- 35. Stormwater Management (Allocate funding to approve Stormwater Management Budget; \$3,511,977)** – Mr. Malinowski moved, seconded by Ms. Barron, to approve the Administrator’s recommended amount.

In Favor: Malinowski, Pugh, McBride, Livingston, Terracio, J. Walker, Barron, O. Walker, Mackey, English and Newton

The vote in favor was unanimous.

- 36. Conservation Commission Fund (Allocate funding to approve Conservation Commission Fund Budget; \$1,033,470)** – Ms. Terracio inquired if this is the ½ mill.

Mr. Hayes responded the ½ mill is \$891,500. The remaining funding would come from the Conservation Commission Fund Balance.

Mr. Brown stated this is not the final budget, and he will be meeting with the Conservation Commission and Richland Soil and Water Conservation District.

Mr. Malinowski moved, seconded by Ms. Barron, to approve the Administrator’s recommended amount.

In Favor: Malinowski, Pugh, McBride, Livingston, Terracio, J. Walker, Barron, O. Walker, Mackey, English and Newton

The vote in favor was unanimous.

- 37. Neighborhood Redevelopment Fund (Allocate funding to approve Neighborhood Redevelopment Fund Budget; \$850,792)** – Mr. Malinowski moved, seconded by Ms. Barron, to approve the Administrator’s recommended amount.

In Favor: Malinowski, Pugh, McBride, Livingston, Terracio, J. Walker, Barron, O. Walker, Mackey, English and Newton

The vote in favor was unanimous.

- 38. Hospitality Tax (Allocate funding to approve Hospitality Tax Budget; \$7,400,000)** – Mr. Malinowski moved, seconded by Ms. Barron, to approve the Administrator’s recommended amount.

In Favor: Malinowski, Pugh, McBride, Livingston, Terracio, J. Walker, Barron, O. Walker, Mackey, English and Newton

The vote in favor was unanimous.

- 39. Accommodation Tax (Allocate funding to approve Accommodation Tax Budget; \$325,000)** – Mr. Malinowski moved, seconded by Ms. Barron, to approve the Administrator’s recommended amount.

In Favor: Malinowski, Pugh, McBride, Livingston, Terracio, J. Walker, Barron, O. Walker, Mackey, English and Newton

The vote in favor was unanimous.

- 40. Title IVD - Sheriff's Fund (Allocate funding to approve Title IVD - Sheriff's Fund Budget; \$55,000)** – Mr. Malinowski moved, seconded by Ms. Barron, to approve the Administrator’s recommended amount.

In Favor: Malinowski, Pugh, McBride, Livingston, Terracio, J. Walker, Barron, O. Walker, Mackey, English and Newton

The vote in favor was unanimous.

- 41. Road Maintenance Fee (Allocate funding to approve Road Maintenance Fee Budget; \$8,051,033)** – Mr. Malinowski moved, seconded by Ms. Barron, to approve the Administrator’s recommended amount.

In Favor: Malinowski, Pugh, McBride, Livingston, Terracio, J. Walker, Barron, O. Walker, Mackey, English and Newton

The vote in favor was unanimous.

- 42. Public Defender (Allocate funding to approve Public Defender Budget; \$5,191,765)** – Mr. Malinowski moved, seconded by Ms. Barron, to approve the Administrator’s recommended amount.

In Favor: Malinowski, Pugh, McBride, Livingston, Terracio, J. Walker, Barron, O. Walker, Mackey, English and Newton

The vote in favor was unanimous.

- 43. Transportation Tax (Allocate funding to approve Transportation Tax Budget; \$73,000,000)** – Mr. Malinowski moved, seconded by Ms. Barron, to approve the Administrator’s recommended amount.

In Favor: Malinowski, Pugh, McBride, Livingston, Terracio, J. Walker, Barron, O. Walker, Mackey, English and Newton

The vote in favor was unanimous.

- 44. School Resource Officers (Allocate funding to approve School Resource Officers Budget; \$6,795,405)** – Mr. Malinowski moved, seconded by Ms. Barron, to approve the Administrator’s recommended amount.

In Favor: Malinowski, Pugh, McBride, Livingston, Terracio, J. Walker, Barron, O. Walker, Mackey, English and Newton

The vote in favor was unanimous.

- 45. Economic Development (Allocate funding to approve Economic Development Budget; \$1,857,915)** – Mr. Malinowski moved, seconded by Ms. Barron, to approve the Administrator’s recommended amount.

In Favor: Malinowski, Pugh, McBride, Livingston, Terracio, J. Walker, Barron, O. Walker, Mackey, English and Newton

The vote in favor was unanimous.

DEBT SERVICE

- 46. General Debt Service (\$15,335,648)** – Mr. Malinowski moved, seconded by Mr. O. Walker, to approve the Administrator’s recommendation.

In Favor: Malinowski, Pugh, McBride, Livingston, Terracio, J. Walker, Barron, O. Walker, Mackey, English and Newton

The vote in favor was unanimous.

- 47. Fire Service (\$549,000)** – Mr. Malinowski moved, seconded by Mr. O. Walker, to approve the Administrator’s recommendation.

In Favor: Malinowski, Pugh, McBride, Livingston, Terracio, J. Walker, Barron, O. Walker, Mackey, English and Newton

The vote in favor was unanimous.

- 48. Hospitality Refund 2013A B/S (\$1,486,550)** – Mr. Malinowski moved, seconded by Mr. O. Walker, to approve the Administrator’s recommendation.

In Favor: Malinowski, Pugh, McBride, Livingston, Terracio, J. Walker, Barron, O. Walker, Mackey, English and Newton

The vote in favor was unanimous.

- 49. RFC-IP Revenue Bond 2019 (\$1,604,590)** – Mr. Malinowski moved, seconded by Mr. O. Walker, to approve the Administrator’s recommendation.

In Favor: Malinowski, Pugh, McBride, Livingston, Terracio, J. Walker, Barron, O. Walker, Mackey, English and Newton

The vote in favor was unanimous.

- 50. East Richland Public Svc Dist (FY21 - \$1,438,560)** – Mr. Malinowski moved, seconded by Mr. O. Walker, to approve the Administrator’s recommendation.

In Favor: Malinowski, Pugh, McBride, Livingston, Terracio, J. Walker, Barron, O. Walker, Mackey, English and Newton

The vote in favor was unanimous.

- 51. Recreation Commission Debt Svc (\$3,240,125)** – Mr. Malinowski moved, seconded by Mr. O. Walker, to approve the Administrator’s recommendation.

In Favor: Malinowski, Pugh, McBride, Livingston, Terracio, J. Walker, Barron, O. Walker, Mackey, English and Newton

The vote in favor was unanimous.

- 52. Riverbanks Zoo Debt Service (\$2,529,374)** – Mr. Malinowski moved, seconded by Mr. O. Walker, to approve the Administrator’s recommendation.

In Favor: Malinowski, Pugh, McBride, Livingston, Terracio, J. Walker, Barron, O. Walker, Mackey, English and Newton

The vote in favor was unanimous.

- 53. School District 1 Debt Service (\$41,891,138)** – Mr. Malinowski moved, seconded by Mr. O. Walker, to approve the Administrator’s recommendation.

In Favor: Malinowski, Pugh, McBride, Livingston, Terracio, J. Walker, Barron, O. Walker, Mackey, English and Newton

The vote in favor was unanimous.

- 54. School District 2 Debt Service (\$65,822,488)** – Mr. Malinowski moved, seconded by Mr. O. Walker, to approve the Administrator’s recommendation.

In Favor: Malinowski, Pugh, McBride, Livingston, Terracio, J. Walker, Barron, O. Walker, Mackey, English and Newton

The vote in favor was unanimous.

- 55. Transportation Bonds (\$31,832,222)** – Mr. Malinowski moved, seconded by Mr. O. Walker, to approve the Administrator’s recommendation.

In Favor: Malinowski, Pugh, McBride, Livingston, Terracio, J. Walker, Barron, O. Walker, Mackey, English and Newton

The vote in favor was unanimous.

ENTERPRISE FUNDS

- 56. Solid Waste Enterprise Fund (Allocate funding to approve Solid Waste Budget; \$37,067,254)** – Mr. Malinowski moved, seconded by Mr. O. Walker, to approve the Administrator’s recommendation.

In Favor: Malinowski, Pugh, McBride, Livingston, Terracio, J. Walker, Barron, O. Walker, Mackey, English and Newton

The vote in favor was unanimous.

- 57. *Richland County Utilities (Allocate funding to approve Richland County Utilities Budget; \$10,850,000)*** – Mr. Malinowski moved, seconded by Mr. O. Walker, to approve the Administrator’s recommendation.

In Favor: Malinowski, Pugh, McBride, Livingston, Terracio, J. Walker, Barron, O. Walker, Mackey, English and Newton

The vote in favor was unanimous.

- 58. *Hamilton-Owens Airport Operations (Allocate funding to approve Airport Budget; 577,446)*** – Mr. Malinowski moved, seconded by Mr. O. Walker, to approve the Administrator’s recommendation.

Ms. Newton inquired about the amount of funding being transferred from the General Fund. She noted she looks forward to seeing a plan where the airport is more self-sustaining or where we have a conversation that says we will always transfer funds from the General Fund.

Mr. Hayes responded the airport has its own revenue, but the General Fund supplements it. The transfer out assists with balancing the budget. The amount being transferred out this fiscal year is \$270,846.

In Favor: Malinowski, Pugh, McBride, Livingston, Terracio, J. Walker, Barron, O. Walker, Mackey, English and Newton

The vote in favor was unanimous.

- 1(a) *Richland County Recreation Commission: Additional amount to cover Capital Project at Tennis Facility (Recommended: \$325,000)*** – Mr. Livingston suggested moving this item to 3rd Reading in order to find a funding source.

Mr. Malinowski noted the Recreation Commission has a debt service of \$3.2M. He suggested the County inquire about what the debt service is for, and potentially rearrange their capital projects list to accommodate this request.

Ms. English inquired if putting an organization over the cap would raise taxes.

Mr. Hayes responded, according to State statute, you cannot take an organization. If you give an organization anything more than a no mill increase, it would raise the taxes.

Ms. Barron stated, for clarification, if we take the Recreation Commission to the cap, there is not a tax increase.

Mr. Hayes responded there would be an increase. Anything more than a no mill increase would raise taxes.

Ms. Barron inquired if we could look at using Hospitality Tax dollars.

Mr. Hayes responded typically we do not fund recreation with Hospitality Tax funds, but if the organization had a project that complies with H-Tax guidelines we could use those funds.

Mr. Livingston requested an explanation of why the General Fund Balance amount he was given earlier is different than the amount shared tonight.

Ms. Hamm responded the amount shared tonight is from the CAFR. She noted the unassigned Fund Balance is \$43M, with an overall total of \$68.4M.

Ms. Newton requested the Recreation Commission's maintenance plan.

Ms. McBride noted the County funds the Recreation Commission more than the base amount required by ordinance. She stated we may have to prioritize the needs, and have the Recreation Commission to fund some of these needs.

Ms. Terracio inquired, if we go to the cap, what would be the impact on the taxpayer(s).

Mr. Livingston moved, seconded by Ms. Barron, to bring this item back at 3rd Reading.

In Favor: Pugh, McBride, Livingston, Terracio, Barron, O. Walker, Mackey and Newton

Opposed: Malinowski, J. Walker and English

The vote was in favor.

SECOND READING: ORDINANCES

An Ordinance to raise revenue, make appropriations and adopt an Annual Budget (FY22) for Richland County, South Carolina for Fiscal Year beginning July 1, 2021 and ending June 30, 2022, so as to raise revenue, make appropriations and adopt the General Fund, Millage Agencies, Special Revenue Funds, Enterprise Funds, and Debt Service Funds Budget for Richland County, South Carolina for Fiscal Year beginning July 1, 2021 and ending June 30, 2022 – Ms. McBride moved, seconded by Ms. Barron, to approve this item.

In Favor: Pugh, McBride, Livingston, Terracio, Barron, O. Walker, Mackey, English and Newton

Opposed: Malinowski and Mr. J. Walker

The vote was in favor.

An Ordinance authorizing the levying of ad valorem property taxes which together with the prior year's carryover and other State levies and any additional amount appropriated by the Richland County Council prior to July 1, 2021 will provide sufficient revenues for the operation of Richland County Government during the period from July 1, 2021 through June 30, 2022 – Ms. McBride moved, seconded by Ms. Barron, to approve this item.

In Favor: Pugh, McBride, Livingston, Terracio, Barron, O. Walker, Mackey, English and Newton

Opposed: Malinowski and Mr. J. Walker

The vote was in favor.

4. **ADJOURNMENT** – The meeting adjourned at approximately 9:37 PM.

2nd Reading - Budget Meeting
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Richland County Council

3rd Reading – Budget Meeting
June 10, 2021 – 6:00 PM
Zoom Meeting

COUNCIL MEMBERS PRESENT: Paul Livingston, Chair; Yvonne McBride, Vice Chair, Bill Malinowski, Derrek Pugh, Allison Terracio, Gretchen Barron, Overture Walker, Jesica Mackey, Cheryl English and Chakisse Newton

OTHERS PRESENT: Michelle Onley, Andrea Mathis, Jasmine Crum, Lori Thomas, Bill Davis, Tamar Black, Tyler Kirk, Angela Weathersby, Ashiya Myers, Michael Niermeier, Brittney Hoyle-Terry, Stacey Hamm, Steven Gaither, Wendy Davis, Denise Teasdell, James Hayes, Quinton Epps, Michael Maloney, Dale Welch, Sandra Haynes, Michael Byrd, Kyle Holsclaw, Leonardo Brown, Allen Brown, Dwight Hanna and Paul Brawley

1. **CALL TO ORDER** – Mr. Livingston called the meeting to order at approximately 6:00 PM.
2. **ADOPTION OF AGENDA** – Ms. Barron moved, seconded by Ms. Terracio, to adopt the agenda as published.

In Favor: Malinowski, Pugh, McBride, Livingston, Terracio, Barron, O. Walker, Mackey, English and Newton

Not Present: J. Walker

The vote in favor was unanimous.

3. **SECOND READING**

Millage Agencies

1. ***Richland County Recreation Commission (Recommended: \$15,900,000)*** – Mr. Hayes stated the Auditor was provided more definitive numbers; therefore, he was able to make adjustments to the millage agency budget. Unfortunately, the library's budget was decreased.

Ms. Terracio requested an explanation for why the library's budget was decreased.

Mr. Brawley responded the Treasurer's Office did not provide the carryforward balance estimate until late in the process. When the estimate was provided it caused the library's numbers to go down by \$600,000.

Ms. Barron inquired if the library could be funded at 2nd Reading amount.

Mr. Brawley stated the carryforward is the number the Treasurer's Office will estimate we will have in excess of what the budget was for this current fiscal year. Those dollars that are in excess of what the budget was for this fiscal year are carried over into that millage agencies budget for the next fiscal year. The tax numbers are fluid until we get to this point. When we get

to this point, we have gotten our estimates from the Treasurer's Office, which allows the Auditor's Office to make the adjustments accordingly.

Ms. Mackey inquired why School District One's line is blank on the motion's list.

Mr. Hayes responded School District One's line is blank because there was no change between 2nd Reading and 3rd Reading. He noted the library's budget for FY21 was \$27.8M, and the amount recommended this year is \$30.1M is an increase.

Ms. Terracio moved to approve the millage agencies at the FY22 3rd Reading amount.

Mr. Malinowski stated, for clarification, Ms. Terracio initially said "at the 3rd Reading amount", and then the Chair interjected it was a no mill increase. He requested Ms. Terracio to restate her intended motion.

Mr. Hayes reiterated that Council approved a no mill increase at 2nd Reading, which is what is listed for 3rd Reading. We got adjusted numbers from the Auditor, which changed all of the no mill increase amounts. Council has the option to keep the no mill increase from 2nd Reading or the adjusted no mill increase.

Ms. Terracio restated her motion to fund the millage agencies at the adjusted no mill increase amounts, with the exception of School District One. Mr. Malinowski seconded the motion, and noted School District One would be funded at the amount approved on 2nd Reading.

Ms. Barron requested the motion to be restated for clarity.

Mr. Malinowski moved, seconded by Mr. Pugh, to fund the millage at the adjusted no mill increase, as provided by the Auditor.

Ms. Newton inquired if the motion included Item 1(a): "Additional amount to cover Capital Project at Tennis Facility."

Mr. Malinowski responded that item was tabled at 2nd Reading.

In Favor: Malinowski, Pugh, McBride, Livingston, Terracio, Barron, O. Walker, Mackey, English and Newton

Not Present: J. Walker

The vote in favor was unanimous.

2. ***Columbia Area Mental Health (Recommended: \$2,462,500)*** – Mr. Malinowski moved, seconded by Mr. Pugh, to fund the millage at the adjusted no mill increase, as provided by the Auditor.

In Favor: Malinowski, Pugh, McBride, Livingston, Terracio, Barron, O. Walker, Mackey, English and Newton

Not Present: J. Walker

The vote in favor was unanimous.

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3. **Public Library (Recommended: \$30,700,000)** – Mr. Malinowski moved, seconded by Mr. Pugh, to fund the millage at the adjusted no mill increase, as provided by the Auditor.

In Favor: Malinowski, Pugh, McBride, Livingston, Terracio, Barron, O. Walker, Mackey, English and Newton

Not Present: J. Walker

The vote in favor was unanimous.

4. **Riverbanks Zoo and Gardens (Recommended: \$2,625,000)** – Mr. Malinowski moved, seconded by Mr. Pugh, to fund the millage at the adjusted no mill increase, as provided by the Auditor.

In Favor: Malinowski, Pugh, McBride, Livingston, Terracio, Barron, O. Walker, Mackey, English and Newton

Not Present: J. Walker

The vote in favor was unanimous.

5. **Midlands Technical College – Operating (Recommended: \$6,993,600)** – Mr. Malinowski moved, seconded by Mr. Pugh, to fund the millage at the adjusted no mill increase, as provided by the Auditor.

In Favor: Malinowski, Pugh, McBride, Livingston, Terracio, Barron, O. Walker, Mackey, English and Newton

Not Present: J. Walker

The vote in favor was unanimous.

6. **Midlands Technical College – Capital (Recommended: \$3,630,000)** – Mr. Malinowski moved, seconded by Mr. Pugh, to fund the millage at the adjusted no mill increase, as provided by the Auditor.

In Favor: Malinowski, Pugh, McBride, Livingston, Terracio, Barron, O. Walker, Mackey, English and Newton

Not Present: J. Walker

The vote in favor was unanimous.

7. **School District One (Recommended: \$236,593,833)** – Mr. Malinowski moved, seconded by Mr. Pugh, to fund the millage at the adjusted no mill increase, as provided by the Auditor.

In Favor: Malinowski, Pugh, McBride, Livingston, Terracio, Barron, O. Walker, Mackey, English and Newton

Not Present: J. Walker

The vote in favor was unanimous.

- 8. School District Two (Recommended: \$167,105,055)** – Mr. Malinowski moved, seconded by Mr. Pugh, to fund the millage at the adjusted no mill increase, as provided by the Auditor.

In Favor: Malinowski, Pugh, McBride, Livingston, Terracio, Barron, O. Walker, Mackey, English and Newton

Not Present: J. Walker

The vote in favor was unanimous.

- 1(a) Richland County Recreation Commission (Additional amount to cover Capital Project at Tennis Facility** -- Ms. Barron moved, seconded by Ms. Terracio, to fund the Recreation Commission's Tennis Facility at \$325,000 out of the Hospitality Tax Fund.

Ms. McBride inquired if this project is eligible for Hospitality Tax funds.

Mr. Hayes responded the organization would have to submit information in Zoom Grants showing the funds will be used to promote tourism.

Mr. Malinowski noted his understanding is the Recreation Commission has approximately \$10M in fund balance.

Ms. Watkins responded the Recreation Commission is in the process of reviewing all of the fund balances. One of the things they have recognized is not having a funding mechanism for the Capital Improvement projects has been difficult in allowing them to utilize funds for projects. She noted this particular request came in through a citizen, and the Recreation Commission felt this would be an opportunity to increase tourism by utilizing this funding mechanism.

Mr. Malinowski inquired if Council has to take additional action to remove this item from the table since it was tabled at 2nd Reading.

In Favor: Malinowski, McBride, Livingston, Terracio, Barron, O. Walker, English and Newton

Opposed: Pugh and Mackey

The vote as in favor.

GRANTS

- 9. Accommodations Tax (Approval of A-Tax Committee recommendation; \$100,000)** – Ms. Newton moved, seconded by Ms. Terracio, to approve this item.

Mr. Malinowski stated it was his understanding we were going to fund the agencies at the same amount they received last year.

Mr. Hayes responded there is a motion on the motions list that will account for this matter.

Ms. Newton stated she was perplexed why we would need this item and the other motion, as they are both coming from Administration.

Mr. Hayes responded the Accommodations Tax was not able to support the full committee amount for the prior year because of declining revenue and some internal changes. Instead of the \$325,000 being fully funded out of Accommodations Tax, and many Councilmembers wanting to see the Accommodations Tax groups be fully funded, Administration put forth the idea of supplementing the Accommodations Tax funds with Hospitality Tax funds.

Mr. Malinowski requested a friendly amendment to include Item 11(a) in the motion.

Ms. Newton withdrew her motion.

[This item was approved in Item 11(a)]

- 10. Hospitality Tax (Approval of the funding level for the Ordinance Agencies: Columbia Museum of Art, Historic Columbia, Township Auditorium, and EdVenture; \$1,921,186)** – Ms. Terracio moved, seconded by Mr. O. Walker, to approve this item.

Mr. Hayes noted it is recommended to fund the ordinance agencies at their FY12 funding levels.

In Favor: Malinowski, Pugh, McBride, Livingston, Terracio, Barron, O. Walker, Mackey, English and Newton

Not Present: J. Walker

The vote in favor was unanimous.

- 11. Hospitality Tax (Approval of H-Tax Committee recommendations; \$500,000)** – Ms. McBride moved, seconded by Ms. Newton, to approve the Administrator’s recommendation.

In Favor: Pugh, McBride, Livingston, Terracio, Barron, O. Walker, Mackey, English and Newton

Opposed: Malinowski

Not Present: J. Walker

The vote was in favor.

- 11(a) Hospitality Tax (Move to award funding of Fiscal Year 2021 Accommodations Tax Awardees at the minimum of their FY21 funding level for Fiscal Year 2022, using \$100,000 of available Accommodations Tax funding and using Hospitality Tax fund balance totaling \$225,000)** – Mr. Malinowski moved, seconded by Ms. Barron, to approve this item.

In Favor: Malinowski, Pugh, McBride, Livingston, Terracio, Barron, O. Walker, Mackey and English

Opposed: Newton

Not Present: J. Walker

The vote was in favor.

- 12. Hospitality Tax (Approval of recommended funding level for Special Promotions Agencies at FY21 level; \$255,091)** – Ms. Terracio moved, seconded by Ms. Barron, to approve this item.

Ms. Terracio inquired if we were able to come to a resolution on how to more fully support the Convention Center.

Mr. Hayes responded Item 11(a) addressed the Convention Center's funding.

Mr. Brown noted he spoke with Mr. Bill Ellen about what he would be recommending to Council to address the concerns.

In Favor: Pugh, McBride, Livingston, Terracio, Barron, O. Walker, Mackey, English and Newton

Opposed: Malinowski

Not Present: J. Walker

The vote was in favor.

- 13. Hospitality Tax (Approval of SERCO – Tier 3 – funding level; \$67,895)** – Ms. Newton moved, seconded by Ms. Terracio, to approve this item.

In Favor: Pugh, McBride, Livingston, Terracio, Barron, O. Walker, Mackey, English and Newton

Opposed: Malinowski

Not Present: J. Walker

The vote was in favor.

- 14. Approval of Gateway Pocket Park/Blight Removal Project (\$250,000)** – Ms. McBride moved, seconded by Ms. Barron, to approve this item.

Mr. Livingston inquired if this was a part of the Renaissance Plan.

Ms. McBride responded in the affirmative.

In Favor: Malinowski, Pugh, McBride, Livingston, Terracio, Barron, O. Walker, Mackey, English and Newton

Not Present: J. Walker

The vote in favor was unanimous.

- 15. Approval of Historical Corridor funding level (\$372,715)** – Ms. Newton moved, seconded by Ms. Terracio, to approve this item.

Ms. McBride stated, for clarification, these funds are rolled over each year, but no funds have been expended to date. She noted, when the Historic Corridor was approved in 2019, we were required to have a plan brought back to Council in 60 days to mobilize the funds.

Mr. Brown responded he was not familiar with a timeframe being given and not followed through on.

Ms. Newton noted, it is her hope, with this approval another directive will be given to move on the Historic Corridor.

In Favor: Pugh, McBride, Livingston, Terracio, Barron, O. Walker, Mackey, English and Newton

Opposed: Malinowski

Not Present: J. Walker

The vote was in favor.

- 16. *Hospitality Tax (Approval of Famously Hot New Year – Tier 3 – funding level; \$75,000)*** – Ms. Newton moved, seconded by Ms. Terracio, to approve this item.

In Favor: Pugh, McBride, Livingston, Terracio, Barron, O. Walker, Mackey, English and Newton

Opposed: Malinowski

Not Present: J. Walker

The vote was in favor.

- 17. *Hospitality Tax (Approval of Councilmember H-Tax allocations funding level; \$906,675)*** – Ms. McBride moved, seconded by Ms. Terracio, to approve the Administrator’s recommendation and rollover any unspent funds from FY21.

Ms. Newton stated, for clarification, the motion is to approve the same funding amount as the prior fiscal year.

Mr. Livingston responded in the affirmative.

In Favor: Malinowski, Pugh, McBride, Livingston, Terracio, Barron, O. Walker, Mackey, English and Newton

Not Present: J. Walker

The vote in favor was unanimous.

- 18. *Hospitality Tax (Reserve for Future Years/Contingency funding level; \$150,000)*** – Ms. Terracio moved, seconded by Mr. Malinowski, to approve this item.

In Favor: Malinowski, Pugh, McBride, Livingston, Terracio, Barron, O. Walker, Mackey, English and Newton

Not Present: J. Walker

The vote in favor was unanimous.

- 19. *Hospitality Tax (Approval of Transfers Out funding level/Cost Allocation; \$4,487,750)*** – Ms. Terracio moved, seconded by Mr. Malinowski, to approve this item.

In Favor: Malinowski, Pugh, McBride, Livingston, Terracio, Barron, O. Walker, Mackey, English and Newton

Not Present: J. Walker

The vote in favor was unanimous.

20. **Hospitality Tax (RC Volley Ball Complex; \$3,950,000)** – This item was forwarded to committee for further vetting.
21. **Hospitality Tax (SC Kings Foundation Nexx Level Sports Center; \$9,500,000)** – This item was forwarded to committee for further vetting.
22. **Hospitality Tax (I would like to make a motion we fund the Big Red Barn out of HTax Funding)** – Ms. Barron withdrew her motion.
23. **Hospitality Tax (I would like to make a motion that any non-profit that cannot be funded out of HTax funding in FY22 Budget and Council chooses to fund be considered to be funded with relief funds)** – Ms. Barron moved, seconded by Ms. McBride, to give the Administrator the freedom to fund any of the Hospitality Tax agencies we were not able to fund out of the FY22 budget out of the American Relief Funds, if they are qualified.

Ms. Terracio stated, when we talk about non-profits that cannot be funded out of H-Tax, does that mean they do not qualify, or there is no H-Tax funding available.

Ms. Barron responded if there is no H-Tax funding available.

Ms. Mackey inquired if these organizations would come before Council for approval, or is Administration approving their funding.

Ms. Barron responded we are allowing the Administrator to look at what has already been submitted. Any recommendation would have to come back to Council for approval.

Ms. Terracio stated, from the Coronavirus Ad Hoc Committee meeting, it was her understanding the intent was to take a holistic approach to the relief funds.

Ms. Barron responded we are not looking for new organizations, but those that have already come through the vetting process.

Mr. Livingston requested to include Lump Sum allocations.

Ms. Barron accepted Mr. Livingston's request.

Mr. Malinowski stated the Administrator did not have a recommendation on the majority of the H-Tax funding requested. Therefore, he does not know why we would request the Administrator to make a recommendation on these since it appears he feels this is a decision that should be made by Council. In addition, there is no information as to whether we are going to fund them at the requested amount, or how it is decided what amount they will get. There was a committee that reviewed the applications and made recommendations, so we need to take that into consideration.

Mr. Livingston stated, for clarification, the motion is speaking only to those organizations funded with Lump Sum allocations or H-Tax funds. It would give the Administrator the

authority, if relief fund can be utilized, to use those funds instead and return the Lump Sum allocations and H-Tax funds back to the respective fund balances.

Mr. Brown suggested the following to address the intent of the motion: Move to use available COVID-19 preparation, mitigation, response and recovery financial resources to fund FY22 H-Tax and Lump Sum Council-approved groups, where eligible and applicable.

In Favor: Malinowski, Pugh, McBride, Livingston, Terracio, Barron, O. Walker, Mackey, English and Newton

Not Present: J. Walker

The vote in favor was unanimous.

24. Richland County Conservation Commission (RCCC Community Conservation Grants and Historic Preservation Grants; \$250,000) – Ms. Terracio moved, seconded by O. Walker, to approve the Administrator’s recommendation.

In Favor: Malinowski, Pugh, McBride, Livingston, Terracio, Barron, O. Walker, Mackey, English and Newton

Not Present: J. Walker

The vote in favor was unanimous.

24(a) Richland County Conservation Commission (Rollover of Conservation Grant; \$6,500) – Ms. Terracio moved, seconded by O. Walker, to approve the Administrator’s recommendation.

In Favor: Malinowski, Pugh, McBride, Livingston, Terracio, Barron, O. Walker, Mackey, English and Newton

Not Present: J. Walker

The vote in favor was unanimous.

25. Richland County Neighborhood Redevelopment (Neighborhood Improvement Match Grants; \$37,388) – Mr. O. Walker moved, seconded by Ms. Newton, to approve the Administrator’s recommendation.

In Favor: Malinowski, Pugh, McBride, Livingston, Terracio, Barron, O. Walker, Mackey, English and Newton

Not Present: J. Walker

The vote in favor was unanimous.

26. Grants (Approve grants departments are applying for FY22; \$28,212,127) – Ms. McBride moved, seconded by Mr. O. Walker, to approve the Administrator’s recommendation.

In Favor: Malinowski, Pugh, McBride, Livingston, Terracio, Barron, O. Walker, Mackey, English and Newton

Not Present: J. Walker

The vote in favor was unanimous.

GENERAL FUND

- 27. County Departments (Approve as presented in budget work sessions; \$179,413,664)** – Ms. McBride moved, seconded by Mr. O. Walker, to approve this item.

In Favor: Malinowski, Pugh, McBride, Livingston, Terracio, Barron, O. Walker, Mackey, English and Newton

Not Present: J. Walker

The vote in favor was unanimous.

- 27(a) Transfer Out (Approve as presented in Budget Work Session; \$8,517,112)** – Ms. McBride moved, seconded by Mr. O. Walker, to approve this item.

In Favor: Malinowski, Pugh, McBride, Livingston, Terracio, Barron, O. Walker, Mackey, English and Newton

Not Present: J. Walker

The vote in favor was unanimous.

27(b) Transfer Out (Motion to appropriate \$925,000 to be added to the vehicle replacement fund to enable the execution of a vehicle lease program in FY2022. These funds would be sourced from the additional State appropriation to the local government fund. Additional funding for this project will be from the vehicle replacement fund FY2022 appropriation and funds that exist in the vehicle replacement fund. – Mr. Hayes stated, it is his understanding, there is an additional \$1.2M in the local government fund that will be available to the County. Administration recommends using \$925,000 of the local government fund to assist with funding the vehicle leasing program.

Ms. Thomas noted this program will begin to fund the County's vehicle replacements in a manner that will enable us to manage the fleet more effectively, improve our fuel and safety of our employees.

Mr. O. Walker moved, seconded by Ms. Terracio, to approve this item.

Ms. Newton inquired if the use of the local government funds would be limited to this one-time.

Ms. Thomas responded, moving forward, the local government fund is being fully funded. We will be using General Fund dollars to fund this on an annual basis; however, that will ebb and flow. Once we get to a normal status, we will have an annualized budget that we would know what we would be investing in vehicles. If at any time it becomes unaffordable, we can stop this. She noted the actual increase to the local government fund is \$1.22M, so anything over the \$925,000 would go to offset the use of fund balance.

Ms. McBride inquired, if we did not have the appropriation, what would the County do with this program?

Ms. Thomas responded we would probably have to continue to purchase a limited number of vehicles, and bond the purchases.

Ms. McBride noted there have been concerns for years that we have too many vehicles, and many are not being used or provided to persons who do not really need them. She inquired why we would appropriate this amount of money, when the funds could be used in other areas.

Ms. Thomas responded, this year, we will have individuals in charge of monitoring the entire fleet. As we start to turn the vehicles and send them out, they will be sold. Because these are lease vehicles it will help us to control the number of vehicles we have. We will have the ability to evaluate whether we need to replace the vehicle. Shifting not a lease there will no longer be the option of people maintaining vehicles when we buy a new vehicle, they will have to be turned back in.

Mr. O. Walker inquired about the period of time the County will receive these funds.

Ms. Thomas responded the State Legislature is holding itself accountable. By statute, they are required to fund us at this level, but they have not done it since 2009.

Ms. Newton inquired if we will reach a point where there is a net savings and/or be net neutral.

In Favor: Malinowski, Pugh, Livingston, Terracio, Barron, O. Walker, Mackey, English and Newton

Opposed: McBride

Not Present: J. Walker

The vote was in favor.

27(c) Solid Waste Conservation District (Move to restore \$154,217 to the salaries and benefits line items associated with providing staff support for the RCSWCD staffing; with the expectation that any increase not explicitly approved by Council must be funded from another funding source provided by the RCSWCD) – Ms. Terracio stated, it was her understanding, this line item would be \$201,000 to cover 2 ½ positions.

Mr. Hayes responded a portion of those funds are for health insurance. Health insurance is not allocated on a departmental level in the General Fund.

Ms. Terracio moved, seconded by Mr. Pugh, to approve this item.

Mr. Malinowski requested the Administrator to explain why this was not in the initial budget recommendation.

Mr. Brown responded through the process, while we talk about conservation, in general, it is actually comprised of two (2) distinct different groups. In the original budget recommendation, we looked at the Conservation budget, and items that were routinely budgeted, but the expenditures were less, we took those numbers down. During the process, we discovered there was some funding that was associated with millage that is not appropriate for the Administrator to that with. There are other funds that do not involve the Conservation Commission, but involve the Conservation District. We were able to determine, potentially in 2005, Richland County began to provide funding for the Richland County Soil and Water Conservation District, which is different from the Richland County Conservation Commission. Oftentimes, when we discuss them, we talk about them together and convolutes the conversation. The recommendation before Council assumes, since the County has been providing funding since 2005, for the Soil and Water Conservation District, you want to provide that funding.

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Mr. O. Walker stated, for clarification, the Soil and Water Conservation District is not a County agency, but a State agency.

Mr. Brown responded in the affirmative. It is affiliated with the Department of Natural Resources.

Mr. O. Walker stated, for clarification, the support staff are not County employees.

Mr. Brown responded the staff are County employees that provide administrative support to the Soil and Water Conservation District.

Mr. O. Walker stated, for clarification, the funding would be allocated for 2 ½ County employees.

Mr. Brown responded in the affirmative.

Ms. McBride stated, for clarification, this is a State agency that has County employees that we are funding. She inquired who the County employees report to.

Mr. Brown responded the employees report to the County Administrator.

Ms. McBride stated, for clarification, the employees are supervised by the County, and we allow them to provide services to the Soil and Water Conservation District.

Mr. Brown responded in the affirmative.

Ms. McBride noted the Soil and Water Conservation District needs to understand these are not their employees, but are County employees.

Ms. Mackey inquired if this funding fully funds the employees' salaries.

Mr. Brown responded in the affirmative.

Ms. McBride noted there was a lot of misinformation presented during this process, and she appreciates the Administrator working to resolve the matter.

Ms. Mackey inquired if we are required by ordinance to have the 2 ½ employees, or is that a recommended amount.

Mr. Brown responded we are not required to have any employees; therefore, it is the recommended staffing.

Mr. Livingston stated, for clarification, these are not Conservation Commission employees.

Mr. Brown responded in the affirmative. For clarification, the "frontline" staff is wholly funded by the General Fund dollars.

Ms. Newton inquired about the impact of approving this funding.

Mr. Brown responded the \$100,000 associated with the Conservation Commission funding is a part of their millage, so we are simply restoring that funding. Additionally, the annual amount of \$143,988, which the County agreed to provide for the management of the parks, will go to them. The \$269,000 of unexpended funds, plus any leftover funds from the General Fund, will go back to the General Fund.

Ms. Newton inquired if we are going to be required to take additional funds from the Fund Balance.

Mr. Brown responded in the affirmative.

Ms. Newton noted there was some disagreement and lack of clarity, as it pertains to the General Fund dollars, and whether the County was able to recoup those dollars. She suggested Council review the ordinance to determine how we want to handle these dollars moving forward.

Mr. O. Walker inquired as to why we have County employees working for a State agency.

Mr. Brown responded he cannot answer that question.

Mr. O. Walker inquired, if we do not appropriate funds for the support staff, what happens to the 2 ½ employees.

Mr. Brown responded those positions would go away, so the employees would not hold those positions any longer.

In Favor: Malinowski, Pugh, McBride, Livingston, Terracio, Barron, O. Walker, Mackey, English and Newton

Not Present: J. Walker

The vote in favor was unanimous.

28. Discretionary Grant (Approve total of \$200,000 in discretionary grant committee recommendations) – Mr. O. Walker moved, seconded by Ms. Barron, to approve the Administrator’s recommendations.

In Favor: Pugh, McBride, Livingston, Terracio, Barron, O. Walker, Mackey, English and Newton

Opposed: Malinowski

Not Present: J. Walker

The vote was in favor.

29. Contractual & Statutory Grant – Central Midlands COG, City Center Partnership, LRADAC (Approve as presented in Budget Work Sessions; \$848,326) – Mr. O. Walker moved, seconded by Ms. Terracio, to approve the Administrator’s recommendation.

Ms. Newton inquired what governs the amount allocated for the City Center Partnership and LRADAC.

Mr. Hayes responded LRADAC is simply a pass through. The City Center Partnership is an agreement by the County, along with the City of Columbia, to fund them.

In Favor: Malinowski, Pugh, McBride, Livingston, Terracio, Barron, O. Walker, Mackey, English and Newton

Not Present: J. Walker

The vote in favor was unanimous.

30. Lump Sum Allocations (Base amount approved FY21; \$2,310,364) – The allocations were addressed in subsequent motions.

Ms. Newton inquired if Items 30(a), (b), (c) and (d) were approved what would be the impact on the Fund Balance.

Mr. Hayes responded these additional motions, as well as the Soil and Water Conservation District funding and Conservation Commission operating transfer out, it would bring to approximately 21.7%. The goal is to stay between 20% - 35%.

Ms. Mackey inquired if the agencies listed would fall under the previous motion for relief fund eligibility.

Mr. Livingston responded in the affirmative.

Mr. Malinowski stated, for clarification, we do not know if these agencies qualify for the relief funds.

Mr. Brown responded in the affirmative. We will need to vet them, and bring them back to Council.

Mr. Livingston inquired if the lump sum agencies will complete an application process similar to the Hospitality Tax agencies.

Mr. Hayes responded the lump sum agencies do complete an application.

Ms. Newton stated, for clarification, while it is true funds approved in the lump sum appropriation might be eligible for the relief funds, it is also true that even if they are not approved for the lump sum appropriations, they may still be eligible for the relief funds.

Mr. Brown responded in the affirmative. He noted staff will make no assumptions about what Council wants to do with the funds.

30(a). Lump Sum Allocations (Move to allocate \$75K to St. John Community Development Corporation; \$75,000) – Ms. McBride moved, seconded by Mr. Pugh, to approve this item.

In Favor: Pugh, McBride, Livingston, Terracio, Barron, O. Walker, Mackey and English

Opposed: Malinowski and Newton

Not Present: J. Walker

The vote was in favor.

28(b) Lump Sum Allocations (Move to allocate \$60K to Wiley Kennedy Foundation; \$60,000) – Ms. McBride moved, seconded by Mr. Pugh, to approve this item.

In Favor: Pugh, McBride, Livingston, Terracio, Barron, O. Walker, Mackey and English

Opposed: Malinowski and Newton

Not Present: J. Walker

The vote was in favor.

30(c) Lump Sum Allocations (Move to allocate an additional \$10K to Greenview Swim Team; \$20,000) – Ms. McBride moved, seconded by Mr. Pugh, to approve this item.

Mr. Malinowski stated he cannot agree with a group requesting a specific amount, and Council approves more than the requested amount. He noted they requested \$15,000, so he does not understand why we allocate \$20,000.

Ms. McBride responded the Greenview Swim Team actually requested \$20,000.

Mr. Hayes stated, for clarification, the entity requested \$15,000. Ms. McBride's motion is for an additional \$10,000. He noted there was a secondary request of \$20,000, which was a part of the companion document.

Mr. Malinowski inquired if this will cause an increase in taxes.

Mr. Hayes responded it will not affect the taxes because the funds are coming from Fund Balance.

In Favor: Pugh, McBride, Livingston, Terracio, Barron, O. Walker, Mackey and English

Opposed: Malinowski and Newton

Not Present: J. Walker

The vote was in favor.

30(d) Lump Sum Allocations (Move to fund the following groups at the FY21 level: Capitol Senior Center, Clemson University Extension, Columbia Urban League, Communities in School, Engenuity, Greater Columbia Community Relations, Palmetto Aids Life Support, SC HIV Aids Council, Senior Resources, Transitions Homeless Shelter; \$1,451,439) – Ms. McBride moved, seconded by Ms. Barron, to approve this item. In addition, to fund the Antioch Senior Center at \$40,000, which was their FY21 funding level.

Ms. Newton noted she would like for us to take a look at how we handle lump sum appropriations.

In Favor: Pugh, McBride, Livingston, Terracio, Barron, O. Walker, Mackey and English

Opposed: Malinowski and Newton

Not Present: J. Walker

The vote was in favor.

30(e) Lump Sum Allocations (Move to fund United Way; \$281,445) – Ms. Terracio moved, seconded by Mr. Livingston, to fund the United Way at \$136,900.

Ms. English inquired if there is a way to use relief funds to fund the United Way.

Mr. Brown responded in the affirmative.

Ms. McBride noted she recommended funding this program 2 years ago because it was a pilot program. The additional funding was to be provided by the school districts, in which the programs served. She believes the school districts need to take responsibility if they value the programs.

Mr. Livingston stated, from his perspective, it is more than a school district program because of the amount of work they do with families. He noted, because of COVID, they were not able to do what they needed to do last year.

Mr. O. Walker inquired if the funding will go toward the Resiliency Program.

Mr. Livingston responded we did not support it before. There was a request to put it back on for 3rd Reading.

Mr. O. Walker stated, it is his understanding, the United Way recently received \$10M. He noted there are other agencies that also need these funds.

Ms. Barron stated she received information from the United Way about this program. Nowhere in the proposal did they state the school district was going to assume the responsibility after the 1st year.

Ms. McBride responded she worked closely with the United Way when the program was introduced. The intent was for a 2-year pilot, and for the school district to continue funding it.

Mr. Livingston noted the request is for funding to complete the pilot program, which they were unable to do because of COVID.

Ms. Terracio requested clarification on the motion to utilize the "ARP" funding.

Mr. Brown stated the motion was specific to approved organizations. There was also an additional discussion if it would negate a group eligibility if Council did not approve them. It was noted those groups could still be eligible, but we would not make any assumptions about what the Council wanted to do. Those groups would be brought to Council for consideration.

Mr. Malinowski stated, like the County, the school districts have certain percentages they want to keep in their fund balance. When the fund balances of the school districts rival the County's fund balance, we need to review fund balances and what should be done with them. He noted one of the school districts has \$40M in fund balance, and the other one is close to \$70M. He inquired if there was an ordinance that set the fund balance limits for the County.

Ms. Hamm responded there is an ordinance that sets the fund balance limits.

In Favor: Pugh, Livingston and Barron

Opposed: Malinowski, McBride, Terracio, O. Walker, English and Newton

Abstain: Mackey (Due to serving on the United Way's Board)

Not Present: J. Walker

The motion failed.

30(f) Lump Sum Allocations (MIRCI – Mental Illness Recovery Center; \$250,000) – Ms. Terracio moved, seconded by Ms. Mackey, to approve this item.

Mr. Malinowski inquired if this is an eligible request. He noted this group received an appropriation last year, and the guidelines indicate you have to have a 1-year waiting period between grants.

Mr. Hayes responded that is for the discretionary grant program, which is separate from lump sum. The group did not submit an application for discretionary grant funding this year.

Ms. Mackey noted, due to COVID, a lot of non-profits have been effected. This non-profit does help a community that is greatly in need with homelessness and mental illness.

Ms. McBride noted this is one of those entities that could potentially qualify for the "ARP" funds. She inquired if this program is only for Richland County residents.

Mr. Hayes responded that he does not have that information.

Mr. Livingston made a substitute motion, seconded by Ms. Terracio, to approve \$150,000 for this organization.

Mr. O. Walker stated, it is his understanding, 98% of the organizations services are rendered to Richland County residents, with the remaining 2% servicing Lexington County residents.

In Favor: Malinowski, Pugh, McBride, Livingston, Terracio, Barron, O. Walker, Mackey and English

Not Present: J. Walker and Newton

The vote in favor was unanimous.

30(g) Lump Sum Allocations (Animal Mission; \$21,000) – Ms. Terracio moved, seconded by Mr. O. Walker, to approve this item.

Ms. McBride stated the County already provides approximately \$1M for animal control, so she believes the County has done more than its share to provide funding for the spay and neuter program.

Ms. Barron inquired if this organization submitted an application.

Ms. Terracio responded she believes they submitted a grant application.

Mr. Hayes responded the organization did not submit a lump sum application.

Ms. Barron inquired if submitting an application was the process to have a motion made on an organization's behalf.

Mr. Hayes responded the vast majority of the groups have previously been funded. These groups submit an annual application. There are some groups who were not previously funded, and they come by Council motions. These groups would submit an application after the fact.

Ms. Terracio stated she was under the impression this organization had received funding in the past.

Mr. Hayes responded the organization submitted an application for discretionary grant funding for FY22, but they were not awarded any funding. He noted staff does not open up lump sum to groups that were not previously awarded funding.

In Favor: Terracio

Opposed: Malinowski, Pugh, McBride, Livingston, Barron, O. Walker, Mackey and English

Not Present: J. Walker and Newton

The motion failed.

31. *Various (To allocate Lump sum funding to various groups that have historically been funded in multiple funds: \$53,000 Columbia Chamber of Commerce for BRAC; \$20,000 for Congaree River Keeper, \$42,900 Keep the Midlands Beautiful; \$53,000 River Alliance; \$168,900)* – Mr. O. Walker moved, seconded by Ms. McBride, to approve this item.

In Favor: Malinowski, Pugh, McBride, Livingston, Terracio, Barron, O. Walker, Mackey and English

Opposed: Newton

Not Present: J. Walker

The vote was in favor.

31(a) *Various (Move to Fund the River Alliance at the FY21 Level; \$53,000)* – This item was included in the previous motion.

SPECIAL REVENUE FUNDS

32. *Victim's Rights (Allocate funding to approve Victims Assistance Budget; FY21 - \$1,094,789)* – Mr. Malinowski moved, seconded by Mr. O. Walker, to approve this item.

In Favor: Malinowski, Pugh, McBride, Livingston, Terracio, Barron, O. Walker, Mackey, English and Newton

Not Present: J. Walker

The vote in favor was unanimous.

33. *Tourism Development (Allocate funding to approve Tourism Development Budget; \$1,000,000)* – Mr. Malinowski moved, seconded by Mr. O. Walker, to approve this item.

In Favor: Malinowski, Pugh, McBride, Livingston, Terracio, Barron, O. Walker, Mackey, English and Newton

Not Present: J. Walker

The vote in favor was unanimous.

34. *Temporary Alcohol Permits (Allocate funding to approve Temporary Alcohol Permits Budget; \$170,000)* – Mr. Malinowski moved, seconded by Mr. O. Walker, to approve this item.

In Favor: Malinowski, Pugh, McBride, Livingston, Terracio, Barron, O. Walker, Mackey, English and Newton

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Not Present: J. Walker

The vote in favor was unanimous.

- 35. *Emergency Telephone System (Allocate funding to approve Emergency Telephone System Budget; \$6,943,223)*** – Mr. Malinowski moved, seconded by Mr. O. Walker, to approve this item.

In Favor: Malinowski, Pugh, McBride, Livingston, Terracio, Barron, O. Walker, Mackey, English and Newton

Not Present: J. Walker

The vote in favor was unanimous.

- 36. *Fire Service (Allocate funding to approve Fire Service Budget; \$29,794,288)*** – Mr. Malinowski moved, seconded by Mr. O. Walker, to approve this item.

In Favor: Malinowski, Pugh, McBride, Livingston, Terracio, Barron, O. Walker, Mackey, English and Newton

Not Present: J. Walker

The vote in favor was unanimous.

- 37. *Stormwater Management (Allocate funding to approve Stormwater Management Budget; \$3,511,977)*** – Mr. Malinowski moved, seconded by Mr. O. Walker, to approve this item.

In Favor: Malinowski, Pugh, McBride, Livingston, Terracio, Barron, O. Walker, Mackey, English and Newton

Not Present: J. Walker

The vote in favor was unanimous.

- 38. *Conservation Commission Fund (Allocate funding to approve Conservation Commission Fund Budget; \$1,033,470)*** – Mr. O. Walker stated, for clarification, the \$1,033,470 in funding come directly from the Conservation Commission's millage.

Mr. Hayes responded the County Auditor's FY22 number is approximately \$891,500. The \$1,033,470 is a combination of the Auditor's number and the Conservation Commission's fund balance. The \$143,988 mentioned in Item 38(a) is the amount Council voted in 2018 would be allocated to manage Pinewood Lake Park, Mill Creek and Cabin Branch.

In Favor: Malinowski, Pugh, McBride, Livingston, Terracio, Barron, O. Walker, Mackey, English and Newton

Not Present: J. Walker

The vote in favor was unanimous.

- 38(a) *Conservation Commission (Move to restore \$100,000 to the Professional Services line item and approve the annual General Fund transfer of \$143,988 to manage Pinewood Lake Park, Mill Creek and Cabin Branch, as previously approved by Council; with the expectation***

that any unused General Fund dollars transferred shall be returned back to the General Fund balance at the end of each fiscal year, unless otherwise approved by Council) – Ms. Terracio stated, after discussions with the Conservation Commission, and gaining more understanding about the division of resources and staffing, there was a motion to restore \$100,000 to the Professional Services line item and transfer \$143,988 from the General Fund to manage the parks under the Conservation Commission purview. Going forward, unused General Fund dollars would be returned back to the General Fund, but the millage funds could be reserved in the Special Revenue account.

Mr. Malinowski requested clarification on the \$100,000 being restored to Professional Services.

Mr. Brown responded, in reviewing the overall budget of Conservation, the review included 2 entities, the Conservation Commission and the Soil and Water Conservation District. Until he was able to pull apart the funding associated with the 2 agencies, the original budget recommendation did not separate them. The General Fund dollars associated with the Conservation budget was viewed as a whole. Specific to the \$100,000 in Professional Services, the Conservation Commission has routinely budgeted \$279,000. In reviewing how much money had been routinely spent over the last few years, the average was close to \$46,000. Therefore, at the time of the budget recommendation, it made sense to reduce the line item. When we reduced the line item, it was not considered this was funds associated with the millage. It is his understanding, as the County Administrator, he cannot tell the Conservation Commission what to do with their millage funds. Those are items that have to be addressed by Council.

Ms. Mackey inquired if the \$143,988 commitment is memorialized in an ordinance.

Mr. Brown responded there is an approved motion for an annual contribution of \$143,988 for Pinewood Lake Park. The funding has historically been a transfer from the General Fund to the Conservation Commission.

Mr. Livingston noted previously the County provided funds to a foundation to manage Pinewood Lake Park. Since some issues arose with the process, Council requested the Conservation Commission to take over those duties and transferred funds from the General Fund to do so.

Ms. McBride inquired if it is the responsibility of the Conservation Commission to take care of Pinewood Lake Park and Mill Creek.

Mr. Livingston responded it was not originally a part of their responsibility.

Mr. Brown stated, from the Conservation Commission's perspective, they see the management of the parks as different work than conservation and preservation. In his review of Council's action, it led him to believe that Council also believed it was different work, and that is why they are not required to use the millage funds. As a part of the ordinance, the Conservation Commission is responsible for coming to Council with a plan that communicates what they are doing, which would help identify projects Council associates with conservation efforts.

Ms. Newton stated, for clarification, the Conservation Commission will now be fulfilling their responsibilities outlined in the ordinance.

Mr. Brown responded in the affirmative.

Mr. O. Walker inquired if the management funds could be allocated to another entity to manage Cabin Branch, Mill Creek and Pinewood Lake Park, if Council so chose.

Mr. Brown responded in the affirmative.

Mr. O. Walker inquired if the Conservation Commission understands they are not entitled to the \$143,988, but is part of the agreement the County has with them to manage the parks.

Mr. Brown responded the Conservation Commission did not agree with his assessment that unused funds should go back to the County. They believe the funds should go to their fund balance.

39. *Neighborhood Redevelopment Fund (Allocate funding to approve Neighborhood Redevelopment Fund Budget; \$850,792)* – Ms. Mackey moved, seconded by Mr. O. Walker, to approve this item.

In Favor: Malinowski, Pugh, McBride, Livingston, Terracio, Barron, O. Walker, Mackey, English and Newton

Not Present: J. Walker

The vote in favor was unanimous.

40. *Hospitality Tax (Allocate funding to approve Hospitality Tax Budget; \$7,400,000)* – Mr. O. Walker moved, seconded by Ms. Barron, to approve as adjusted.

In Favor: Pugh, McBride, Livingston, Terracio, Barron, O. Walker, Mackey, English and Newton

Opposed: Malinowski

Not Present: J. Walker

The vote was in favor.

41. *Accommodation Tax (Allocate funding to approve Accommodation Tax Budget; \$325,000)* – Mr. Malinowski moved, seconded by Ms. Barron, to approve this item.

In Favor: Malinowski, Pugh, McBride, Livingston, Terracio, Barron, O. Walker, Mackey, English and Newton

Not Present: J. Walker

The vote in favor was unanimous.

42. *Title IVD - Sheriff's Fund (Allocate funding to approve Title IVD - Sheriff's Fund Budget; \$55,000)* – Mr. Malinowski moved, seconded by Ms. Barron, to approve this item.

In Favor: Malinowski, Pugh, McBride, Livingston, Terracio, Barron, O. Walker, Mackey, English and Newton

Not Present: J. Walker

The vote in favor was unanimous.

43. *Road Maintenance Fee (Allocate funding to approve Road Maintenance Fee Budget; \$8,051,033)* – Mr. Malinowski moved, seconded by Ms. Barron, to approve this item.

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In Favor: Malinowski, Pugh, McBride, Livingston, Terracio, Barron, O. Walker, Mackey, English and Newton

Not Present: J. Walker

The vote in favor was unanimous.

- 44. *Public Defender (Allocate funding to approve Public Defender Budget; \$5,191,765)*** – Mr. Malinowski moved, seconded by Ms. Barron, to approve this item.

In Favor: Malinowski, Pugh, McBride, Livingston, Terracio, Barron, O. Walker, Mackey, English and Newton

Not Present: J. Walker

The vote in favor was unanimous..

- 45. *Transportation Tax (Allocate funding to approve Transportation Tax Budget; \$73,000,000)*** – Mr. Malinowski moved, seconded by Ms. Barron, to approve this item.

In Favor: Malinowski, Pugh, McBride, Livingston, Terracio, Barron, O. Walker, Mackey, English and Newton

Not Present: J. Walker

The vote in favor was unanimous.

- 46. *School Resource Officers (Allocate funding to approve School Resource Officers Budget; \$6,795,405)*** – Mr. O. Walker moved, seconded by Ms. Barron, to approve this item.

Ms. McBride inquired if the County is using public funds to pay for a resource officer for a private school.

Chief Cowan responded the Heathwood SRO is included in the funding. However, based on the recommendation of Council last year, Heathwood's cost increased to cover the amount of time the SRO is in the school. During holidays, summer, etc. the officer is in the neighborhood patrolling, which the County funds.

Ms. McBride stated, for clarification, the County is not paying for the resource officer to be at Heathwood.

Chief Cowan responded the County is not paying for the time the SRO is at Heathwood.

In Favor: Malinowski, Pugh, McBride, Livingston, Barron, O. Walker, Mackey, English and Newton

Opposed: Terracio

Not Present: J. Walker

The vote was in favor.

47. Economic Development (Allocate funding to approve Economic Development Budget; \$1,857,915) – Mr. O. Walker moved, seconded by Ms. Barron, to approve this item.

In Favor: Malinowski, Pugh, McBride, Livingston, Terracio, Barron, O. Walker, Mackey, English and Newton

Not Present: J. Walker

The vote in favor was unanimous.

DEBT SERVICE

Mr. Hayes stated these funds are used to repay the interest for funds that were received to pay for capital improvement items for entities. (County, Millage Agencies, etc.)

48. General Debt Service (\$15,335,648) – Ms. Mackey moved, seconded by Ms. McBride, to approve this item.

In Favor: Malinowski, Pugh, McBride, Livingston, Terracio, Barron, O. Walker, Mackey, English and Newton

Not Present: J. Walker

The vote in favor was unanimous.

49. Fire Service (\$549,000) – Ms. Mackey moved, seconded by Ms. McBride, to approve this item.

In Favor: Malinowski, Pugh, McBride, Livingston, Terracio, Barron, O. Walker, Mackey, English and Newton

Not Present: J. Walker

The vote in favor was unanimous.

50. Hospitality Refund 2013A B/S (\$1,486,550) – Ms. Mackey moved, seconded by Ms. McBride, to approve this item.

In Favor: Malinowski, Pugh, McBride, Livingston, Terracio, Barron, O. Walker, Mackey, English and Newton

Not Present: J. Walker

The vote in favor was unanimous.

51. RFC-IP Revenue Bond 2019 (\$1,604,590) – Ms. Mackey moved, seconded by Ms. McBride, to approve this item.

In Favor: Malinowski, Pugh, McBride, Livingston, Terracio, Barron, O. Walker, Mackey, English and Newton

Not Present: J. Walker

The vote in favor was unanimous.

- 52. *East Richland Public Svc Dist (FY21 - \$1,438,560)*** – Ms. Mackey moved, seconded by Ms. McBride, to approve this item.

In Favor: Malinowski, Pugh, McBride, Livingston, Terracio, Barron, O. Walker, Mackey, English and Newton

Not Present: J. Walker

The vote in favor was unanimous.

- 53. *Recreation Commission Debt Svc (\$3,240,125)*** – Ms. Mackey moved, seconded by Ms. McBride, to approve this item.

In Favor: Malinowski, Pugh, McBride, Livingston, Terracio, Barron, O. Walker, Mackey, English and Newton

Not Present: J. Walker

The vote in favor was unanimous.

- 54. *Riverbanks Zoo Debt Service (\$2,529,374)*** – Ms. Mackey moved, seconded by Ms. McBride, to approve this item.

In Favor: Malinowski, Pugh, McBride, Livingston, Terracio, Barron, O. Walker, Mackey, English and Newton

Not Present: J. Walker

The vote in favor was unanimous.

- 55. *School District 1 Debt Service (\$41,891,138)*** – Ms. Mackey moved, seconded by Ms. McBride, to approve this item.

In Favor: Malinowski, Pugh, McBride, Livingston, Terracio, Barron, O. Walker, Mackey, English and Newton

Not Present: J. Walker

The vote in favor was unanimous.

- 56. *School District 2 Debt Service (\$65,822,488)*** – Ms. Mackey moved, seconded by Ms. McBride, to approve this item.

In Favor: Malinowski, Pugh, McBride, Livingston, Terracio, Barron, O. Walker, Mackey, English and Newton

Not Present: J. Walker

The vote in favor was unanimous.

57. *Transportation Bonds (\$31,832,222)* – Ms. Mackey moved, seconded by Ms. McBride, to approve this item.

In Favor: Malinowski, Pugh, McBride, Livingston, Terracio, Barron, O. Walker, Mackey, English and Newton

Not Present: J. Walker

The vote in favor was unanimous.

ENTERPRISE FUNDS

58. *Solid Waste Enterprise Fund (Allocate funding to approve Solid Waste Budget; \$37,067,254)* – Mr. O. Walker moved, seconded by Ms. Terracio, to approve this item.

In Favor: Malinowski, Pugh, McBride, Livingston, Terracio, Barron, O. Walker, Mackey, English and Newton

Not Present: J. Walker

The vote in favor was unanimous.

59. *Richland County Utilities (Allocate funding to approve Richland County Utilities Budget; \$10,850,000)* – Mr. O. Walker moved, seconded by Ms. Terracio, to approve this item.

In Favor: Malinowski, Pugh, McBride, Livingston, Terracio, Barron, O. Walker, Mackey, English and Newton

Not Present: J. Walker

The vote in favor was unanimous.

60. *Hamilton-Owens Airport Operations (Allocate funding to approve Airport Budget; 577,446)* – Mr. O. Walker moved, seconded by Ms. Terracio, to approve this item.

In Favor: Malinowski, Pugh, McBride, Livingston, Terracio, Barron, O. Walker, Mackey, English and Newton

Not Present: J. Walker

The vote in favor was unanimous.

THIRD READING: ORDINANCES

An Ordinance to raise revenue, make appropriations and adopt an Annual Budget (FY22) for Richland County, South Carolina for Fiscal Year beginning July 1, 2021 and ending June 30, 2022, so as to raise revenue, make appropriations and adopt the General Fund, Millage Agencies, Special Revenue Funds, Enterprise Funds, and Debt Service Funds Budget for Richland County, South Carolina for Fiscal Year beginning July 1, 2021 and ending June 30, 2022 – Mr. O. Walker moved, seconded by Ms. Newton, to approve this item.

In Favor: Pugh, McBride, Livingston, Terracio, Barron, O. Walker, Mackey, English and Newton

Opposed: Malinowski

Not Present: J. Walker

The vote was in favor.

Ms. McBride moved, seconded by Mr. O. Walker, to reconsider this item.

In Favor: Malinowski

Opposed: Pugh, McBride, Livingston, Terracio, Barron, O. Walker, Mackey, English and Newton

Not Present: J. Walker

The motion for reconsideration failed.

4. **ADJOURNMENT** – The meeting adjourned at approximately 9:45 PM.



Richland County Council
Regular Session
June 15, 2021 – 6:00 PM
Zoom Meeting

COMMITTEE MEMBERS PRESENT: Paul Livingston Chair, Yvonne McBride, Vice-Chair, Bill Malinowski, Derrek Pugh, Allison Terracio, Joe Walker, Gretchen Barron, Overture Walker, Cheryl English and Chakisse Newton

OTHERS PRESENT: Leonardo Brown, Tamar Black, Angela Weathersby, Ashiya Myers, John Thompson, Lori Thomas, Bill Davis, Dwight Hanna, Michael Niermeier, Randy Pruitt, Kyle Holsclaw, Sandra Haynes, Stacey Hamm, Michael Byrd, Ronaldo Myers, Andrea Mathis, Dale Welch, Brian Crooks, Dante Roberts, Geo Price, Mike King, Michael Maloney, Jennifer Wladischkin, Judy Carter, nd Michelle Onley

1. **CALL TO ORDER** – Mr. Livingston called the meeting to order at approximately 6:00 PM.
2. **INVOCATION** – The Invocation was led by the Honorable Bill Malinowski
3. **PLEDGE OF ALLEGIANCE** – The Pledge of Allegiance was led by the Honorable Bill Malinowski

APPROVAL OF MINUTES

4. a. **Special Called Meeting: June 8, 2021** – Ms. McBride moved, seconded by Mr. O. Walker, to approve the minutes as distributed.

In Favor: Malinowski, Pugh, McBride, Livingston, Barron, O. Walker, Mackey, English and Newton

Opposed: Terracio

Not Present: J. Walker

The vote was in favor.

5. **ADOPTION OF AGENDA** – Mr. Pugh moved, seconded by Ms. Terracio, to adopt the agenda as published.

Ms. McBride stated Item 15(d): “Economic Development Annual Accountability Report” needs to be deferred until the July 13th Council meeting.

Ms. Newton noted she and Mr. Malinowski submitted a motion after the agenda packets were sent out.

Ms. Newton moved, seconded by Mr. Malinowski, to add the late filed motion to the agenda.

In Favor: Malinowski, Pugh, McBride, Livingston, Terracio, Barron, O. Walker, Mackey, English and Newton

Abstain: J. Walker (unable to hear the amendments to the agenda)

The vote in favor was unanimous.

**Regular Session
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REPORT OF THE ACTING COUNTY ATTORNEY FOR EXECUTIVE SESSION ITEMS

6.

- a. Personnel Matter: Clerk to Council Office: Pursuant to Sec. 30-4-70(a)(1) and (a)(2)
- b. 911 Call Center Proposal Update: Legal advice; discussion of contractual matters; and discussion of matters relating to the proposed location, expansion, or the provisions of services encouraging location or expansion of industries or other businesses in the area served by the public body: pursuant to Sec. 30-4-70(a)(2) and (a)(5)
- c. SCDOR Proposal Settlement
- d. Contractual Matter/Receipt of Legal Advice: Review of Richland County Recreation Commission MOU

Ms. McBride moved, seconded by Mr. O. Walker, to go into Executive Session.

In Favor: Pugh, McBride, Livingston, Terracio, Barron, O. Walker, Mackey, English and Newton.

Opposed: Malinowski and J. Walker

The vote was in favor.

Council went into Executive Session at approximately 6:13 PM and came out at approximately 9:23 PM

Ms. Barron moved, seconded by Ms. Newton, to come out of Executive Session.

In Favor: Malinowski, Pugh, McBride, Livingston, Terracio, Barron, O. Walker, Mackey, English and Newton

Not Present: J. Walker

The vote in favor was unanimous.

SCDOR Proposal Settlement – Mr. Livingston stated each Councilmember will cast a vote for Option #1 or Option #2.

Option #1: Pugh, McBride, Livingston, Terracio, Barron, O. Walker, Mackey, English and Newton

Option #2: Malinowski

Not Present: J. Walker

The vote was in favor of Option #1

911 Call Center Proposal Update: Legal advice; discussion of contractual matters; and discussion of matters relating to the proposed location, expansion, or the provisions of services encouraging location or expansion of industries or other businesses in the area served by the public body: pursuant to Sec. 30-4-70(a)(2) and (a)(5)
– Mr. Malinowski moved, seconded by Ms. Barron, to direct staff to immediately move forward, as expeditiously as possible, with the 911 Center, as discussed in Executive Session.

In Favor: Malinowski, Pugh, Livingston, Terracio, Barron, O. Walker, Mackey and English

Opposed: McBride, J. Walker and Newton

The vote was in favor.

7. **CITIZEN'S INPUT**

- a. For Items on the Agenda Not Requiring a Public – No comments were received for this item.

8. **CITIZEN'S INPUT**

- a. Must Pertain to Richland County Matters Not on the Agenda (Items for which a public hearing is required or a public hearing has been scheduled cannot be addressed at time.) – No comments were received for this item.

9. **REPORT OF THE COUNTY ADMINISTRATOR**

- a. Coronavirus Update – Mr. Brown stated the County is still in the low tier. We have spent approximately a third of the funds for the Emergency Rental Assistance Program.

10. **REPORT OF THE CLERK OF COUNCIL** – Ms. Mathis provided Council the dates of upcoming meetings.

11. **REPORT OF THE CHAIR**

- a. Personnel Matter: Clerk to Council Office – This item was taken up in Executive Session.

12. **APPROVAL OF CONSENT ITEMS**

- a. A1-002MA, John Swistak, PDD to RM-HD (2.6 Acres), S/E Rice Meadow Way, TMS # R20310-07-02 & 03 [THIRD READING]
- b. 21-005MA, James Charles Hester, RU to NC (2.12 Acres), 1220 Dutch Fork Road, TMS # R03303-01-01 [THIRD READING]
- c. 21-012MA, Wyman Shull, RU to RS-MD (0.144 Acres), 1111 A J Amick Road, TMS # R02414-02-32 (portion of) [THIRD READING]
- d. 21-031MA, Ryan Maltba, PDD to GC, 4561 Hardscrabble Rd., TMS # R20300-04-15 [THIRD READING]
- e. Amending the “2015 Richland County Comprehensive Plan – Putting the Pieces in Place”, by incorporating and adopting the “Rediscover Sandhills” Neighborhood Master Plan into the Plan [THIRD READING]

Ms. Newton moved, seconded by Mr. Malinowski, to approve the consent items.

In Favor: Malinowski, Pugh, McBride, Livingston, Terracio, Barron, O. Walker, Mackey, English and Newton

Not Present: J. Walker

The vote in favor was unanimous.

13. **SECOND READING ITEMS**

- a. An Ordinance Authorizing deed to the City of Columbia for certain parcels on the Three Rivers Greenway/Saluda Riverwalk: Richland TMS # 07208-03-01 and TMS # 07208-03-02 – Ms. Terracio moved, seconded by Ms. English, to approve this item.

In Favor: Pugh, McBride, Livingston, Terracio, Barron, O. Walker, Mackey, English and Newton

Opposed: Malinowski

Not Present: J. Walker

**Regular Session
June 15, 2021**

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The vote was in favor.

14. **REPORT OF DEVELOPMENT SERVICES COMMITTEE**

- a. I move to evaluate affordable housing options to include the option of establishing an Affordable Housing Trust Fund for Richland County as a benefit to the public. Housing is considered to be “affordable” when 30% or less of one’s income is spent on housing and utilities. In Richland County, nearly half of renters pay more than a third of their income on rent and utilities [TERRACIO] – Mr. Bryan Grady, SC Housing, gave a brief report from the Columbia Affordable Housing Task Force.

Mr. Malinowski inquired what financing tools the task force has come up with.

Mr. Grady responded there is a list of potential options, but none have been endorsed by the task force yet.

Ms. Terracio requested this item be placed on the June D&S Committee agenda in order to schedule a work session to discuss this matter in more detail.

15. **REPORT OF ECONOMIC DEVELOPMENT COMMITTEE**

- a. Committing to negotiate a fee-in-lieu of ad valorem taxes agreement between Richland County and Project Mo; identifying the project; and other matters related thereto – Mr. Malinowski moved, seconded by Ms. Barron, to approve this item.

In Favor: Malinowski, Pugh, McBride, Livingston, Terracio, Barron, O. Walker, Mackey, English and Newton

Not Present: J. Walker

The vote in favor was unanimous.

- b. Authorizing the execution and delivery of a fee-in-lieu of ad valorem taxes and incentive agreement by and between Richland County, South Carolina and [Project Mo] to provide for payment of a fee-in-lieu of taxes; authorizing certain infrastructure credits; and other related matters [FIRST READING] – Mr. Malinowski moved, seconded by Ms. Barron, to approve this item.

In Favor: Malinowski, Pugh, McBride, Livingston, Terracio, Barron, O. Walker, Mackey, English and Newton

Not Present: J. Walker

The vote in favor was unanimous.

- c. Approval of a contract with Coogler Construction for clearing, grubbing and grading activities on Parcel 29 at the Blythewood Business Park – Mr. Malinowski moved, seconded by Ms. Barron, to approve this item.

In Favor: Malinowski, Pugh, McBride, Livingston, Terracio, Barron, O. Walker, Mackey, English and Newton

Not Present: J. Walker

The vote in favor was unanimous.

- d. Economic Development Annual Accountability Report – This item was deferred until the July 13th Council meeting.

16. **REPORT OF RULES & APPOINTMENTS COMMITTEE**

I. NOTIFICATION OF APPOINTMENTS

- a. Hospitality Tax – 5 – Mr. Malinowski stated the committee recommended appointing Ms. Terry Davis and Ms. Kitwanda Cyrus.

In Favor: Malinowski, Pugh, McBride, Livingston, Terracio, Barron, O. Walker, Mackey, English and Newton

Not Present: J. Walker

The vote in favor was unanimous.

- b. Board of Assessment Appeals – 1 – Mr. Malinowski stated the committee recommended appointing Ms. Delores Barber.

In Favor: Malinowski, Pugh, McBride, Livingston, Terracio, Barron, O. Walker, Mackey, English and Newton

Not Present: J. Walker

The vote in favor was unanimous.

- c. Board of Zoning Appeals – 1 – Mr. Malinowski stated the committee recommended appointing Mr. Robert Reese.

In Favor: Malinowski, Pugh, McBride, Livingston, Terracio, Barron, O. Walker, Mackey, English and Newton

Not Present: J. Walker

The vote in favor was unanimous.

17. **OTHER ITEMS**

- a. FY21 – District 4 Hospitality Tax Allocations – Ms. Terracio moved, seconded by Ms. Barron, to approve this item.

In Favor: Malinowski, Pugh, McBride, Livingston, Terracio, Barron, O. Walker, Mackey, English and Newton

Not Present: J. Walker

The vote in favor was unanimous.

Mr. Malinowski moved, seconded by Ms. Newton, to reconsider this item.

Opposed: Malinowski, Pugh, McBride, Livingston, Terracio, Barron, O. Walker, Mackey, English and Newton

Not Present: J. Walker

The motion for reconsideration failed.

18. **EXECUTIVE SESSION**

- a. Personnel Matter: Clerk to Council Office: Pursuant to Sec. 30-4-70(a)(1) and (a)(2)
- b. Contractual Matter/Receipt of Legal Advice: Review of Richland County Recreation Commission MOU

**Regular Session
June 15, 2021**

-5-

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Ms. Barron moved, seconded by Ms. Mackey, to go into Executive Session.

In Favor: Malinowski, Pugh, McBride, Livingston, Terracio, Barron, O. Walker, Mackey, English and Newton

Not Present: J. Walker

The vote in favor was unanimous.

Council went into Executive Session at approximately 9:58 PM and came out at approximately 11:14 PM

Ms. Barron moved, seconded by Mr. O. Walker, to come out of Executive Session.

In Favor: Malinowski, Pugh, McBride, Livingston, Terracio, Barron, O. Walker, Mackey, English and Newton

Not Present: J. Walker

The vote in favor was unanimous.

Personnel Matter: Clerk to Council Office: Pursuant to Sec. 30-4-70(a)(1) and (a)(2) – Ms. Barron moved, seconded by Mr. O. Walker, to direct Mr. Livingston, Ms. Newton, Ms. McLean and Mr. Hanna to proceed as discussed in Executive Session.

In Favor: Malinowski, Pugh, McBride, Livingston, Barron, O. Walker, Mackey and English

Opposed: Terracio and Newton

Not Present: J. Walker

The vote was in favor.

19. MOTION PERIOD

- a. Move to defer any action on the land development code rewrite until Council has had time to thoroughly review Planning Commission recommendations and Council is satisfied that the public has had sufficient opportunities to review the LDC and provide input. It is recommended that council action be delayed until after the public has had the opportunity to provide input at in-person meetings and any other means provided to the public to provide input. "Action" refers to votes without precluding us having additional meetings and/or work sessions. [NEWTON and MALINOWSKI] – Ms. Newton stated there has been a lot of concern across Richland County, as we dealt with COVID and moved to Zoom meetings, that the constituents would like to have more input into what the County is doing with the Land Development Code. The Code has not been updated since 2005, and has an enormous impact on our quality of life. It is complicated, and we want to ensure we process the recommendations coming to us from the Planning Commission and other stakeholders. We want to take extra effort to reach out to the constituents to ensure they are as knowledgeable as possible and have an opportunity to participate in the process.

Ms. Newton moved, seconded by Mr. Malinowski, to unanimously approve the aforementioned motion.

Mr. Price stated, if it is Council's decision to defer any future readings on the Land Development Code, until you get further input from the citizens, staff would recommend defer the meeting scheduled for Thursday, June 17th. This will allow them to establish a new schedule for the Land Development Code and future map amendments.

In Favor: Malinowski, Pugh, Livingston, Terracio, Barron, O. Walker, Mackey, English and Newton

Not Present: J. Walker

**Regular Session
June 15, 2021**

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The vote in favor was unanimous.

20. **ADJOURNMENT** – The meeting adjourned at approximately 10:26 PM.



Richland County Council
Zoning Public Hearing
June 22, 2021 – 7:00 PM
Zoom Meeting
2020 Hampton Street, Columbia, SC 29201

COMMITTEE MEMBERS PRESENT: Paul Livingston, Chair; Yvonne McBride, Vice-chair, Bill Malinowski, Derrek Pugh, Allison Terracio, Gretchen Barron, Overture Walker, Jesica Mackey, Cheryl English, and Chakisse Newton

OTHERS PRESENT: Michelle Onley, Angela Weathersby, Geo Price, Dale Welch, Elizabeth McLean, Bill Davis, Leonardo Brown, Randy Pruitt, Tina Davis, Tommy DeLage, Tamar Black, Brian Crooks and Michael Maloney

II. **CALL TO ORDER** – Mr. Livingston called the meeting to order at approximately 7:00 PM.

III. **ADDITIONS/DELETIONS TO THE AGENDA** – Mr. Price noted the applicant for Case #21-011MA has requested a withdrawal.

IV. **ADOPTION OF AGENDA** – Ms. Barron moved, seconded by Ms. Terracio, to adopt the agenda as published.

In Favor: Malinowski, Pugh, McBride, Livingston, Terracio, Barron, O. Walker, Mackey, English and Newton

Not Present: J. Walker

The vote in favor was unanimous.

V. **MAP AMENDMENTS**

1. *Case # 21-011 MA*
Michael S. Houck/Susan E. Houck
RS-HD to RU (20.7 Acres)
109 Crane Branch Lane
TMS# R20200-03-39 [FIRST READING]

Mr. O. Walker moved, seconded by Ms. McBride, to accept the applicant's withdrawal request.

In Favor: Malinowski, Pugh, McBride, Livingston, Terracio, Barron, O. Walker, Mackey, English and Newton

Not Present: J. Walker

The vote in favor was unanimous.

2. *Case # 21-015 MA*
Robert C. Lee
RU to GC (.97 Acres)
511 Ross Road
TMS# R17107-03-03 [FIRST READING]

Zoning Public Hearing
June 22, 2021

Mr. Livingston opened the floor to the public hearing

The applicant, Robert C. Lee, submitted comments in favor of the re-zoning.

The floor to the public hearing was closed.

Ms. Barron moved, seconded by Mr. Pugh, to approve this item.

In Favor: Malinowski, Pugh, McBride, Livingston, Terracio, Barron, O. Walker, Mackey, English and Newton

Not Present: J. Walker

The vote in favor was unanimous.

3. *Case # 21-017 MA*

Kevin Steelman

RU to RS-E (44.64 Acres)

Old Tamah Road

TMS# R03400-02-03, 04 & 05 [FIRST READING]

Mr. Livingston opened the floor to the public hearing

The applicant, Kevin Steelman, and Michael Blackburn submitted comments in favor of the re-zoning.

The floor to the public hearing was closed.

Mr. Malinowski stated, for the record, when he inquired if the request was compatible with other development in the area, he was advised that RS-E zoning was not. However, we have three (3) different zonings that currently exist on this property, with one being RS-E. According to the February 27, 2018 Zoning Public Hearing agenda, the neighboring property had staff's conclusion for the request of RS-E. In part it read, "While the proposed rezoning is not consistent with the objectives outlined in the Comprehensive Plan for Neighborhood (Medium-Density), the proposed residential district is in character with the land use and desired development pattern recommended in the 2015 Comprehensive Plan for the Rural Future Land Use Classification." Staff's recommendation was for approval of the re-zoning. At the February 5, 2018 Planning Commission meeting, the Planning Commission agreed with staff's recommendation, and they recommended approval. Ultimately, approval was given by Council. He believes we need to be consistent in our recommendations; therefore, it appears the request is in character with the Land Use Plan.

Ms. Mackey inquired if there is an explanation for what has changed in the last two years.

Mr. Price responded Mr. Malinowski is correct. However, looking further at the Comprehensive Plan for the area, we were not consistent with the recommendations and guidelines. Thus the request was not dense enough for the zoning designations recommended for this area.

Mr. Malinowski moved, seconded by Ms. Barron, to approve this item.

In Favor: Malinowski, Pugh, McBride, Livingston, Terracio, Barron, O. Walker, Mackey, English and Newton

Not Present: J. Walker

The vote in favor was unanimous.

4. *Case # 21-018 MA*

DR Horton

*RU to RS-E (94 Acres)
Hardscrabble Road
TMS# R14600-03-17 [FIRST READING]*

Mr. Livingston opened the floor to the public hearing

Josh Rabon, on behalf of DR Horton, submitted comments in favor of the re-zoning.

Pam Wright submitted comments in opposition of the re-zoning request.

The floor to the public hearing was closed.

Ms. Barron moved, seconded by Mr. Malinowski, to approve this item.

Ms. Barron pointed out this is one of those instances where staff and the Planning Commission do not agree. However, it is stated this plot of land is not feasible for single-family homes when it is next to a subdivision. She does not know how we can say that when it is in the middle of housing. She noted she is planning to hold a meeting where the developer and the community can have conversations.

Ms. Newton requested that we pay particular attention to the areas, as we update the Land Use Plan and Comprehensive Plan, so they match the lived experience of the areas.

In Favor: Malinowski, Pugh, McBride, Livingston, Terracio, Barron, O. Walker, Mackey, English and Newton

Not Present: J. Walker

The vote in favor was unanimous.

VI **OTHER BUSINESS** – There was no other business.

VII. **ADJOURNMENT** – The meeting adjourned at approximately 7:25 PM.



Report of the County Administrator
Special Called Meeting – July 13, 2021

CORONAVIRUS UPDATE:

1. COVID 19 Statistical Data

The information in the corresponding attachments is specific to Richland County and provides an overview of the prevalence of COVID 19 in Richland County. The source of this information is the South Carolina Department of Health and Environmental Control (SCDHEC).

*Incidence Rate for current reporting period is at 57.24 per 100,000 moving Richland County’s Level of Incidence up to the Moderate Tier (51-200), for confirmed cases

*Percent Positive remains below 5% for current reporting period

45% of Richland County residents eligible to be vaccinated have completed their vaccination
160,781/353,173

42.9% of South Carolina residents eligible to be vaccinated have completed their vaccination
1,845,805/4,296,148

2. Emergency Rental Assistance Program Statistics

Approved Payments:

Richland County ERAP – RC SCP Approved Payments To Date as of 07/07/2021 AM		
LANDLORD/UTILITIES		
Rental Arrears	Future Rent	Utility Arrears
\$3,461,801.81	\$2,482,848.07	\$651,183.03
TENANTS		
Rental Arrears	Future Rent	Utility Arrears
\$302,704.11	\$227,089.34	\$0.00
OTHER HOUSING RELATED EXPENSES		
	\$0.00	
Applications Approved by SCP To Date: 1232		
Total Funds Approved To Date:		
\$7,142,619.74		

RICHLAND COUNTY IN-PERSON COUNCIL MEETINGS SAFETY PROTOCOLS

CDC Guidelines will be followed (flexibility required as guidance subject to change with short notice)

- Mask (Face Covering) required in Council Chambers:
 - CDC Factors to consider for meetings
 - Enclosed space
 - Number of attendees
 - Physical (Social) Distancing Limitations
 - Length of time of meeting
 - Mixture of vaccinated and unvaccinated attendees
- CDC safety protocol signs are visibly posted outside and throughout the building.
- All attendees required to complete temperature screening check.
- All attendees who are not members of the same household or workgroup are asked to sit in the audience gallery and distance themselves from others.
- Hybrid Zoom meeting platform installed to allow for remote participation.
 - Citizens will be able to participate in LIVE council meetings via Zoom
 - Citizens who are able to attend remotely are encouraged to
 - Department level staff will attend meetings remotely
 - Will allow more citizens to attend in-person
- All surfaces will be sanitized before the Council meets with a cleaning and disinfectant product that is designed to protect for 24 hours after application.
- Protective, temporary, shields will be placed on the Council dais, presenter podiums, and staff work tables within the Chambers.
 - Provides a face covering for individuals who are speaking frequently
- Hand Sanitizer will also be available in the Chambers
- After all meeting have been concluded in the Council Chambers, the Chambers will be deep cleaned using an electro-static treatment application.

ATTACHMENTS:

1. COVID-19 Statistical Data
2. Emergency Rental Assistance (ERA) Application Report

Number of Tests

16,846

Select Date Range
to Filter Page Values

6/22/2021

7/6/2021



Percent Positive

2.9% Attachment 1

Rate of COVID-19 Tests Performed per 10,000 population, by County



Type of COVID-19 Tests Being Performed

	Negative	Positive	Grand Total
Antibody (Serology)	114	36	150
Antigen	2,352	121	2,473
Unknown		2	2
Viral (Molecular)	13,812	409	14,221
Grand Total	16,278	568	16,846

3.5% of all COVID-19 diagnostic testing has occurred at the Public Health Laboratory

Note: This table represents volume of tests received and not distinct individuals tested. Individuals may have multiple tests.

*Unknown Test Types refer to tests with an unrecognized test type. As we continue to investigate unknown test types they will be reassigned as more information becomes available.

Moving 7 Day Average Percent Positive of COVID-19 Tests

Note: Tooltips Display Percent Positive for the current day and moving 7 day average. Percent Positive is calculated using the Test/Test method.

- Total Viral (Molecular) Tests
- Count of Positive Viral Tests
- 7d Moving Average Percent Positive



COVID-19 in South Carolina

As of 11:59 PM on 7/6/2021

Tests	Cases	Hospitalizations	Deaths
783,972	47,896	1,443	580

Two Week Cumulative Incidence Rate

The Two-Week Cumulative Incidence Rate includes new (confirmed) cases reported in the past two weeks (6/23/2021 - 7/6/2021) per 100,000 people. The rate describes recent incidence of COVID-19 infection to capture the potential burden of currently ill people who may be infectious and/or accessing healthcare.

Select a county to display county-specific information

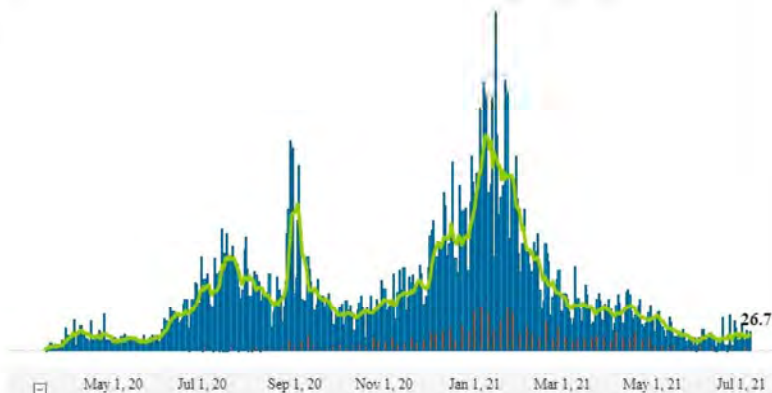
Click the county again to return to the full state map



COVID-19 Cases per Day

County Displayed: Richland

- Count of Confirmed Cases
- Count of Probable Cases
- Moving Average 7 day



7-Day Moving Average of reported COVID-19 Cases, by Public Health Region

- Midlands



Low: 0-50

Moderate: 51-200

High: >200

Recovery Estimate South Carolina

94.8%

Richland County Cases Breakdown by Category

Current Date	7/6/2021
Project Start Date	4/5/2021
Total Case Count	3585

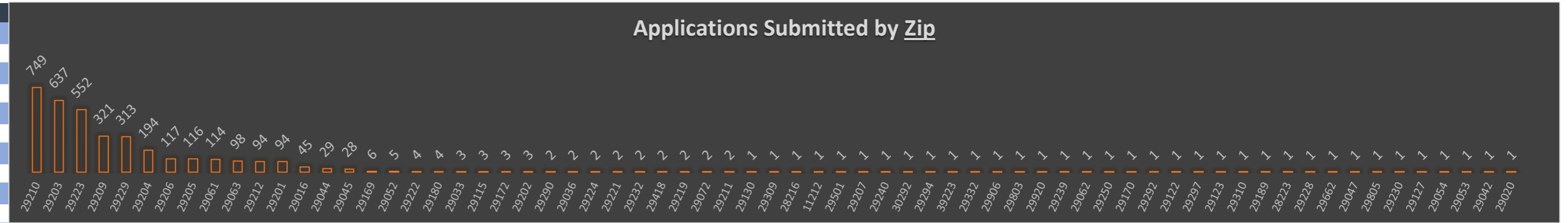
Attachment 2



Prepared by

Applications Breakdown by Zip

Top 10 Zips	Count
29210	749
29203	637
29223	552
29209	321
29229	313
29204	194
29206	117
29205	116
29061	114
29063	98

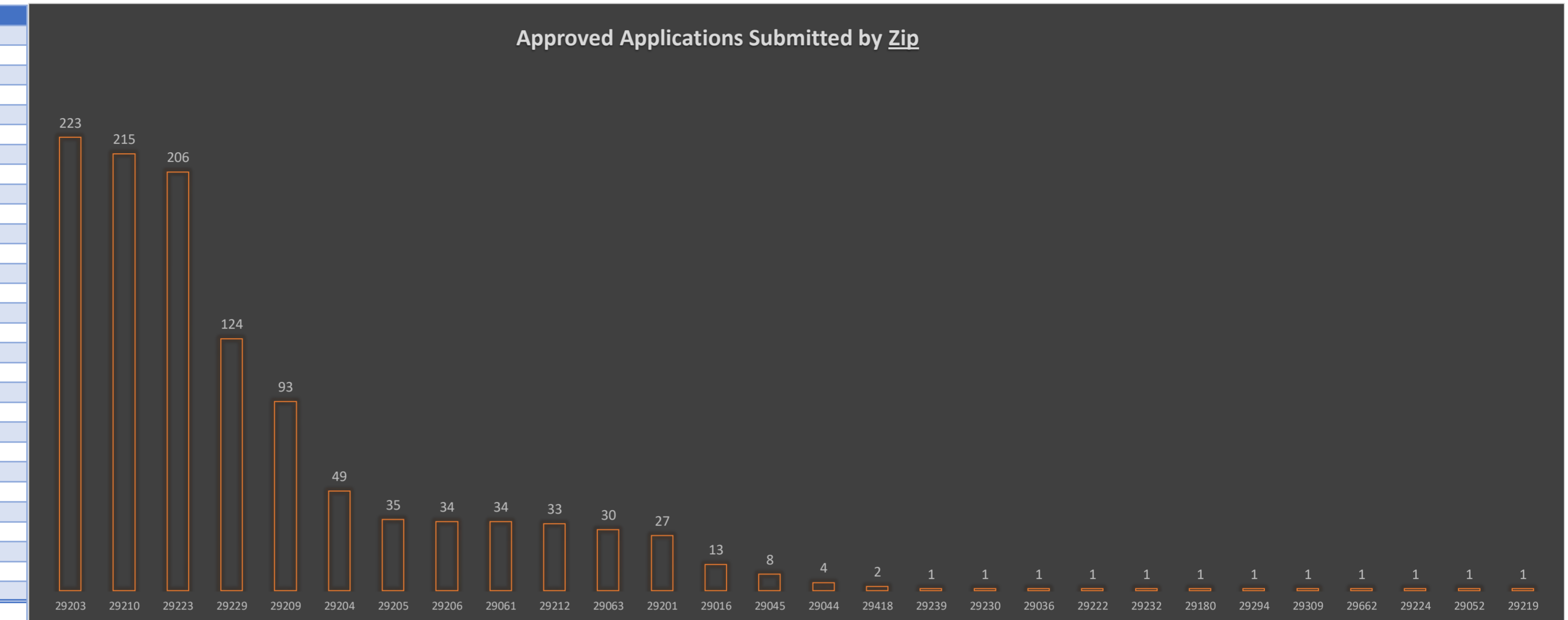


**Cases coming from 54 zip codes in total. 30 Zips only have 1 case

**Zip record not in the right format/digits/blank considered "Invalid Zip", Zip in 9 digits take first 5 digits as Zip record

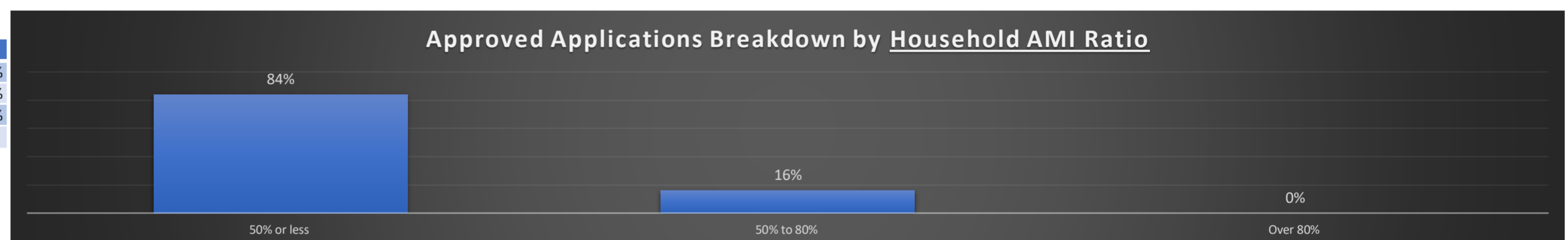
Approved Applications Breakdown by Zip

Approved Applications Zip	Count
29203	223
29210	215
29223	206
29229	124
29209	93
29204	49
29205	35
29206	34
29061	34
29212	33
29063	30
29201	27
29016	13
29045	8
29044	4
29418	2
29239	1
29230	1
29036	1
29222	1
29232	1
29180	1
29294	1
29309	1
29662	1
29224	1
29052	1
29219	1
Total	1142



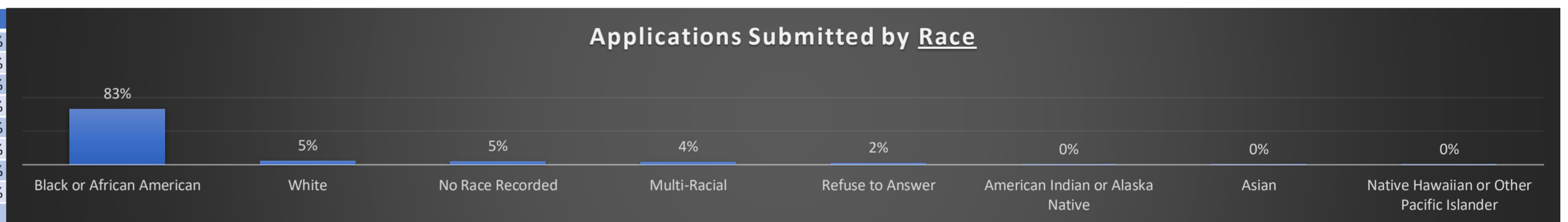
Approved Applications Breakdown by Household AMI Ratio

Household AMI level	Count	%
50% or less	959	84%
50% to 80%	183	16%
Over 80%	0	0%
Grand Total	1142	



Applications Breakdown by Race

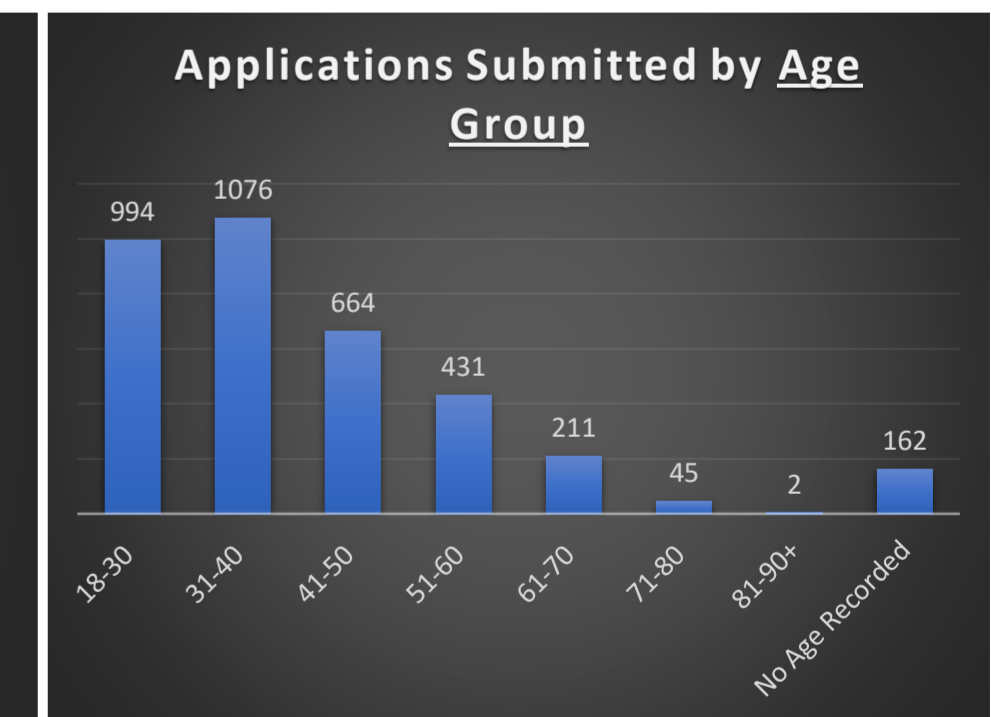
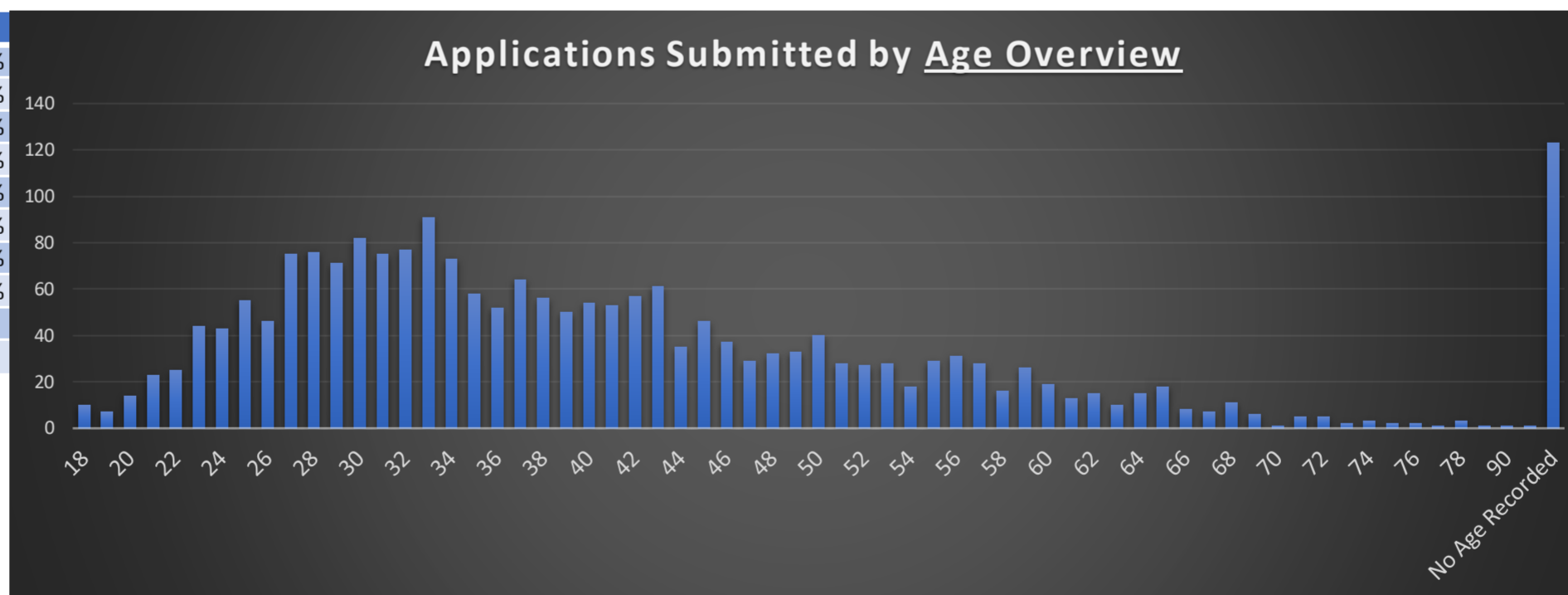
Race	Count	%
Black or African American	2983	83%
White	196	5%
No Race Recorded	167	5%
Multi-Racial	137	4%
Refuse to Answer	82	2%
American Indian or Alaska Native	12	0%
Asian	7	0%
Native Hawaiian or Other Pacific Islander	1	0%
Total Case Count	3585	



Applications Breakdown by Age

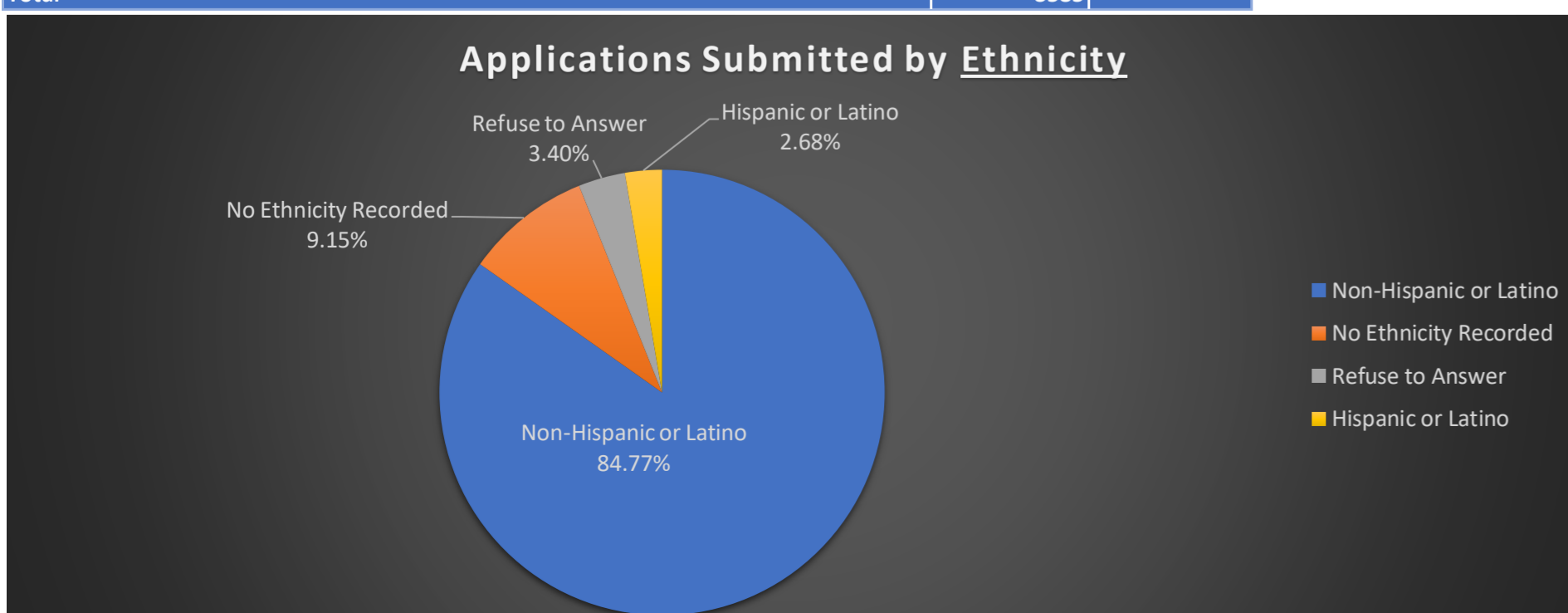
Age Group	Count	%
18-30	994	28%
31-40	1076	30%
41-50	664	19%
51-60	431	12%
61-70	211	6%
71-80	45	1%
81-90+	2	0%
No Age Recorded	162	5%
Total Case Count	3585	

**All ages under 18 years old considered "No Age Recorded"



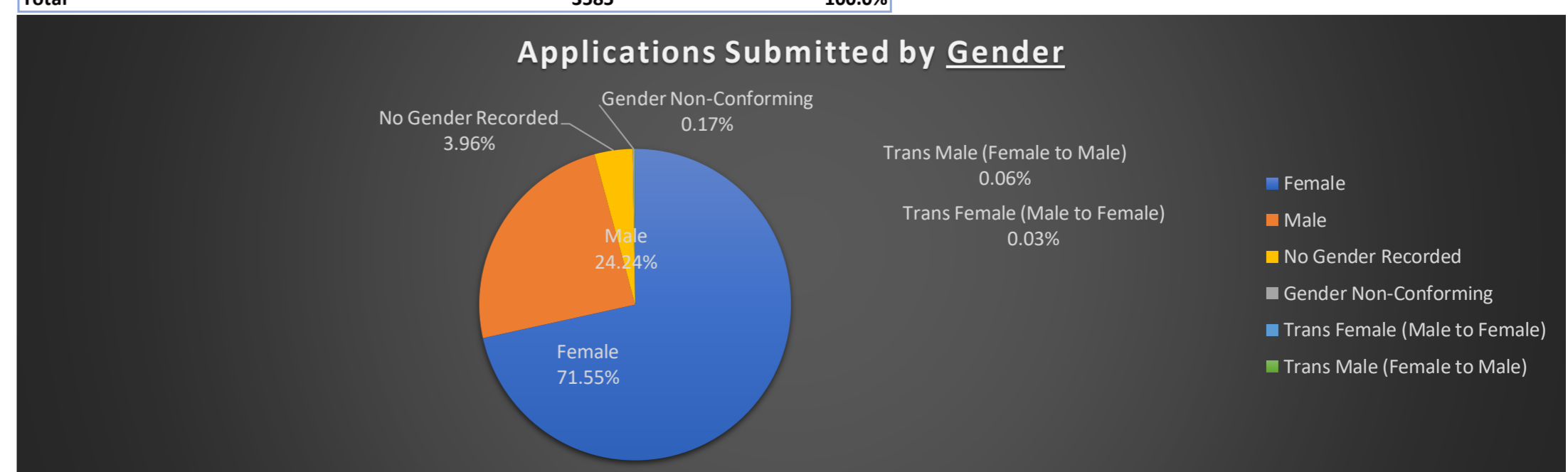
Applications Breakdown by Ethnicity

Ethnicity	Count	%
Non-Hispanic or Latino	3039	84.8%
No Ethnicity Recorded	328	9.1%
Refuse to Answer	122	3.4%
Hispanic or Latino	96	2.7%
Total	3585	



Applications Breakdown by Gender

Gender	Count	%
Female	2565	71.5%
Male	869	24.2%
No Gender Recorded	142	4.0%
Gender Non-Conforming	6	0.2%
Trans Female (Male to Female)	1	0.0%
Trans Male (Female to Male)	2	0.1%
Total	3585	100.0%



Please note - data presented in this report has been exported directly from Neighborly for all submitted cases. Some cases have not yet been reviewed

Richland County Council Request for Action

Subject:

21-015MA
Robert C. Lee
RU to GC (.97 Acres)
511 Ross Road
TMS #R17107-03-03

Notes:

First Reading: June 22, 2021
Second Reading: July 13, 2021 {Tentative}
Third Reading: July 20, 2021 {Tentative}
Public Hearing: June 22, 2021

STATE OF SOUTH CAROLINA
COUNTY COUNCIL OF RICHLAND COUNTY
ORDINANCE NO. ____-21HR

AN ORDINANCE OF THE COUNTY COUNCIL OF RICHLAND COUNTY, SOUTH CAROLINA, AMENDING THE ZONING MAP OF UNINCORPORATED RICHLAND COUNTY, SOUTH CAROLINA, TO CHANGE THE ZONING DESIGNATION FOR THE REAL PROPERTY DESCRIBED AS TMS # 17107-03-03 FROM RURAL DISTRICT (RU) TO GENERAL COMMERCIAL DISTRICT (GC); AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

Pursuant to the authority granted by the Constitution of the State of South Carolina and the General Assembly of the State of South Carolina, BE IT ENACTED BY RICHLAND COUNTY COUNCIL:

Section I. The Zoning Map of unincorporated Richland County is hereby amended to change the real property described as TMS # 17107-03-03 from Rural district (RU) to General Commercial district (GC) zoning.

Section II. Severability. If any section, subsection, or clause of this Ordinance shall be deemed to be unconstitutional, or otherwise invalid, the validity of the remaining sections, subsections, and clauses shall not be affected thereby.

Section III. Conflicting Ordinances Repealed. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Section IV. Effective Date. This ordinance shall be effective from and after _____, 2021.

RICHLAND COUNTY COUNCIL

By: _____
Paul Livingston, Chair

Attest this _____ day of
_____, 2021

Michelle M. Onley
Deputy Clerk of Council

RICHLAND COUNTY ATTORNEY'S OFFICE

Approved As To LEGAL Form Only.
No Opinion Rendered As To Content.

Public Hearing: June 22, 2021
First Reading: June 22, 2021
Second Reading: July 13, 2021
Third Reading: July 20, 2021

Richland County Council Request for Action

Subject:

21-017MA
Kevin Steelman
RU to RS-E (44.64 Acres)
Old Tamah Road
TMS #R03400-02-03, 04 & 05

Notes:

First Reading: June 22, 2021
Second Reading: July 13, 2021 {Tentative}
Third Reading: July 20, 2021 {Tentative}
Public Hearing: June 22, 2021

STATE OF SOUTH CAROLINA
COUNTY COUNCIL OF RICHLAND COUNTY
ORDINANCE NO. ____-21HR

AN ORDINANCE OF THE COUNTY COUNCIL OF RICHLAND COUNTY, SOUTH CAROLINA, AMENDING THE ZONING MAP OF UNINCORPORATED RICHLAND COUNTY, SOUTH CAROLINA, TO CHANGE THE ZONING DESIGNATION FOR THE REAL PROPERTY DESCRIBED AS TMS # 03400-02-03, 04, AND 05 FROM RURAL DISTRICT (RU) TO RESIDENTIAL SINGLE-FAMILY ESTATE DISTRICT (RS-E); AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

Pursuant to the authority granted by the Constitution of the State of South Carolina and the General Assembly of the State of South Carolina, BE IT ENACTED BY RICHLAND COUNTY COUNCIL:

Section I. The Zoning Map of unincorporated Richland County is hereby amended to change the real property described as TMS # 03400-02-03, 04, and 05 from Rural district (RU) to Residential Single-Family Estate district (RS-E) zoning.

Section II. Severability. If any section, subsection, or clause of this Ordinance shall be deemed to be unconstitutional, or otherwise invalid, the validity of the remaining sections, subsections, and clauses shall not be affected thereby.

Section III. Conflicting Ordinances Repealed. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Section IV. Effective Date. This ordinance shall be effective from and after _____, 2021.

RICHLAND COUNTY COUNCIL

By: _____
Paul Livingston, Chair

Attest this _____ day of
_____, 2021

Michelle M. Onley
Deputy Clerk of Council

RICHLAND COUNTY ATTORNEY'S OFFICE

Approved As To LEGAL Form Only.
No Opinion Rendered As To Content.

Public Hearing: June 22, 2021
First Reading: June 22, 2021
Second Reading: July 13, 2021
Third Reading: July 20, 2021

Richland County Council Request for Action

Subject:

21-018MA
DR Horton
RU to RS-E (94 Acres)
Hard Scrabble Road
TMS #R14600-03-17(p)

Notes:

First Reading: June 22, 2021
Second Reading: July 13, 2021 {Tentative}
Third Reading: July 20, 2021 {Tentative}
Public Hearing: June 22, 2021

STATE OF SOUTH CAROLINA
COUNTY COUNCIL OF RICHLAND COUNTY
ORDINANCE NO. ____-21HR

AN ORDINANCE OF THE COUNTY COUNCIL OF RICHLAND COUNTY, SOUTH CAROLINA, AMENDING THE ZONING MAP OF UNINCORPORATED RICHLAND COUNTY, SOUTH CAROLINA, TO CHANGE THE ZONING DESIGNATION FOR THE REAL PROPERTY DESCRIBED AS TMS # 14600-03-17 (PORTION) FROM RURAL DISTRICT (RU) TO RESIDENTIAL SINGLE-FAMILY ESTATE DISTRICT (RS-E); AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

Pursuant to the authority granted by the Constitution of the State of South Carolina and the General Assembly of the State of South Carolina, BE IT ENACTED BY RICHLAND COUNTY COUNCIL:

Section I. The Zoning Map of unincorporated Richland County is hereby amended to change the real property described as TMS # 14600-03-17 (PORTION) from Rural district (RU) to Residential Single-Family Estate district (RS-E) zoning.

Section II. Severability. If any section, subsection, or clause of this Ordinance shall be deemed to be unconstitutional, or otherwise invalid, the validity of the remaining sections, subsections, and clauses shall not be affected thereby.

Section III. Conflicting Ordinances Repealed. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Section IV. Effective Date. This ordinance shall be effective from and after _____, 2021.

RICHLAND COUNTY COUNCIL

By: _____
Paul Livingston, Chair

Attest this _____ day of
_____, 2021

Michelle M. Onley
Deputy Clerk of Council

RICHLAND COUNTY ATTORNEY'S OFFICE

Approved As To LEGAL Form Only.
No Opinion Rendered As To Content.

Public Hearing: June 22, 2021
First Reading: June 22, 2021
Second Reading: July 13, 2021
Third Reading: July 20, 2021

Richland County Council Request for Action

Subject:

I move to authorize the County Attorney to take any and all necessary actions, including condemnation proceedings, to acquire ownership of the roadway parcels of Aiken Hunt Circle and Oak Brook Drive that are currently not in the County's road maintenance program. These parcels are located in the Wildewood Subdivision, and the current owner has been nonresponsive to prior requests by the Department of Public Works to acquire the roadway parcels [MACKEY]

Notes:

June 22, 2021 – The D&S Committee forwarded Councilwoman Mackey's motion to Council for approval.



Agenda Briefing Addendum

Prepared by:	Michael Maloney, PE	Title:	Director
Department:	Public Works	Division:	Administration
Contributor:	Stephen Staley, PE	Title:	County Engineer
Contributor:	Richard Player	Title:	Right of Way Agent
Contributor:	Elizabeth McLean	Title:	Acting County Attorney
Date Prepared:	May 27, 2021	Meeting Date:	May 25, 2021
Approved for Consideration:	Assistant County Administrator	John M. Thompson, Ph.D., MBA, CPM	
Committee:	Development & Services		
Agenda Item:	6a. I move to authorize the County Attorney to take any and all necessary actions, including condemnation proceedings, to acquire ownership of the roadway parcels of Aiken Hunt Circle and Oak Brook Drive that are currently not in the County's road maintenance program. These parcels are located in the Wildewood Subdivision, and the current owner has been nonresponsive to prior requests by the Department of Public Works to acquire the roadway parcels. [MACKEY]		

COUNCIL INQUIRY#1:

Staff was requested to provide and be prepared to discuss the process by which roads are added to the County's road maintenance program and to ensure the process is fair and equitable.

Reply:

Staff follows County Ordinance - Chapter 21-21(b),

"Road resurfacing funds, for the resurfacing of existing paved roads, will be distributed by county council district based on that district's portion of total county paved road mileage."

"Roads will be selected for paving based on distribution/ availability of funds and priority within that council district, as determined by the condition analysis as maintained by public works."

1. First, distribute the funds based on the length within a District as compared to the entire County; then,
2. Prioritize those funded within the District based upon the condition index.

Within the past six months, Council has given staff direction to defer major improvements on incoming abandoned roads. Note that in the case of Aiken Hunt circle, no staff member has the cause of the missing ROW ownership. The roads appear to have been built to County's standards and are now surrounded by residents in homes that are over 30 years old. All County roads will be rated using the condition index as to its need for maintenance.

COUNCIL INQUIRY#2:

Staff was requested to provide a map of the community with roads listed in the motion

Reply:

Please see Attachment 1.

COUNCIL INQUIRY#3:

The Department of Public Works was directed to provide a historical reference related to the roads and its attempts to contact the owner.

Reply:

The DPW Right of Way Agent attempted to contact the owner via phone. Certified letters were mailed dated October 14, 2018 and October 23, 2020. Please see the attached correspondence (Attachment 2).

COUNCIL INQUIRY#4:

Provide a summary timeline and a list of actions necessary for condemnation.

Reply:

Per the County Attorney's Office, condemnation is a straightforward process; the County must have a valid public purpose and offer just compensation. Below are the general steps:

1. Obtain an appraisal of the subject property to determine "just compensation." We do not need to solicit these services as there is already an approved list.
2. Make an offer to the landowner of the appraised amount (just compensation). Attempt to settle.
3. If Landowner refuses settlement offer, file Condemnation action with court. Landowner has 30 days after service to contest the public purpose only. He cannot contest the dollar amount at this point.
4. If Landowner does not contest the public purpose, the County has the right at that time to take control of the subject property and begin making repairs, etc.
5. The Court will schedule a hearing to determine the proper value for just compensation and issue an order granting such as well as title to the subject property to the county.

The entire process would be lengthy as courts are very backed up right now; however, the beginning of the process which will allow the County to act shouldn't be more than 90 days, depending on the ability to get an appraisal completed.

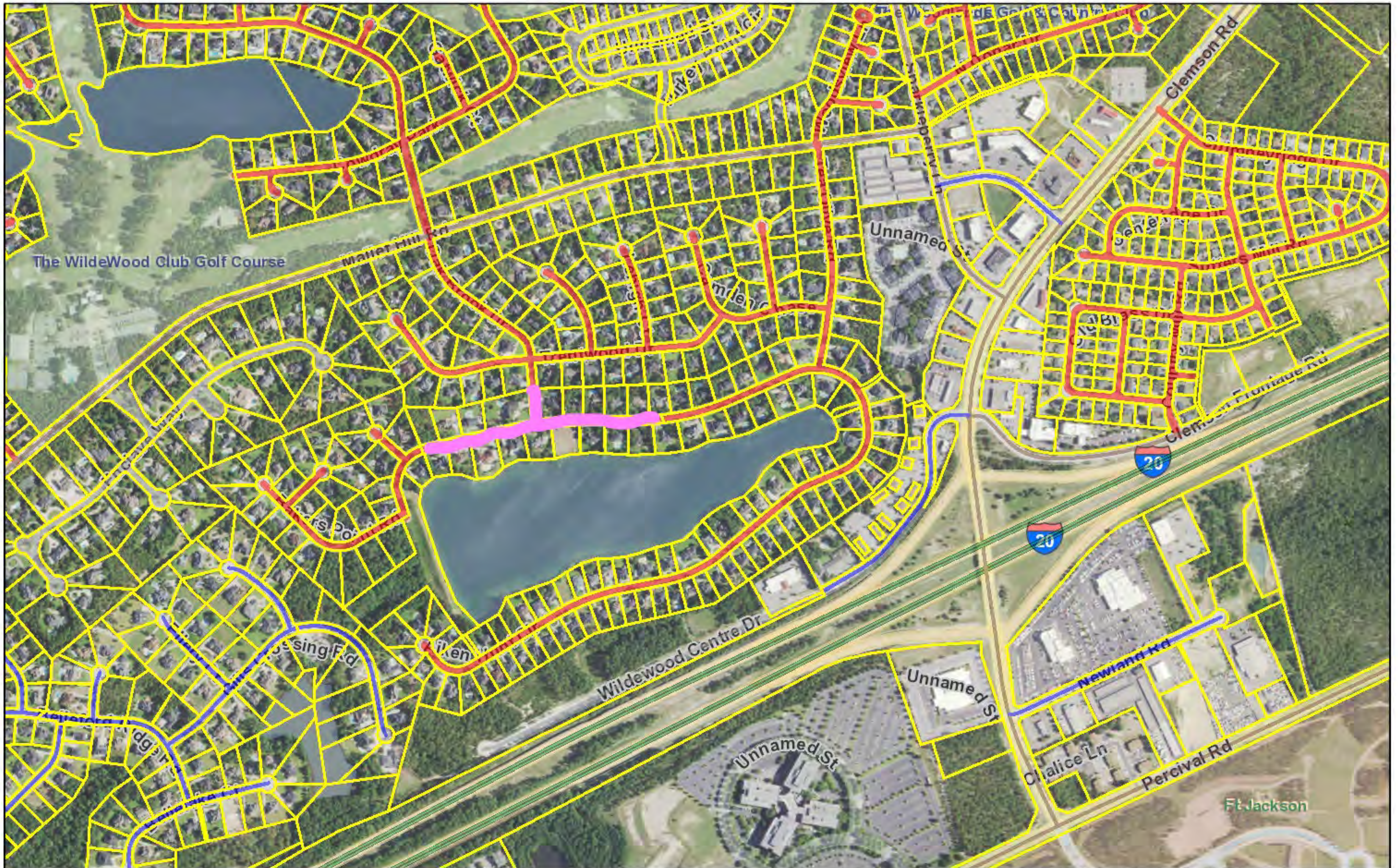
ADDITIONAL COMMENTS FOR CONSIDERATION:

None.

ATTACHMENTS:

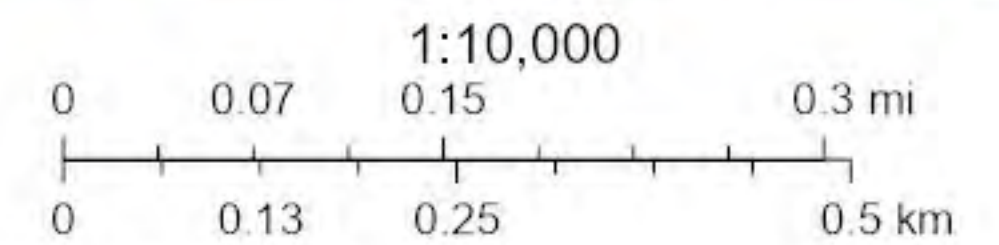
1. Map of Wildewood VII
2. Copies of Certified Correspondence

Wildewood VII



May 27, 2021

- | | | | | | | | |
|-------------------|----------------|----------|------------|------------------|---------------|----------|---------|
| Roads Maintenance | | Columbia | | Private or Other | | Proposed | |
| | County Paved | | SCDOT | | Federal | | Parcels |
| | County Unpaved | | Interstate | | Out of County | | |



Richland County, Richland County & NAIP

Richland County
South Carolina
Department of Public Works
Engineering Division
400 Powell Road
Columbia, SC 29203

*P.O. Box
3376*

Sparkleberry Associates
3511 East Federal Street
Baltimore, MD 21213

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**RICHLAND COUNTY
DEPARTMENT OF PUBLIC WORKS**

400 Powell Road
Columbia, SC 29203



Sparkleberry Associates
3511 East Federal St.
Baltimore MD.
21213

10/14/2018

Re: Aiken Hunt Cir. TM# R25604-05-01

To Whom It May Concern:

Records on file in the Assessors' Office of Richland County indicate that you or your company, own the right of way or section of right of way for roads located in Richland County as referenced above.

The issue of private ownership of these roads intended to be public was recently addressed by Richland County Council. A list of several roads that fall into this category was presented to County Council. After discussing the issue, Richland County Council is authorizing Public Works to accept the right of way for these roads on an "as is" basis. Your request for Richland County to accept these roads is on a donation basis only. No funds will be expended to purchase these parcels.

If the roads were purchased at a Richland County tax sale, the county will not reimburse you or your company for the right of way purchased. It is clearly stated in the bid packet, "know what you are bidding on".

If you would like to deed the right of way for this road or section of road to Richland County, the County will prepare the deed, obtain the necessary signatures and have the deed recorded at no cost to you.

Sincerely,


Richard Player
Richland County, Right of Way Agent



RICHLAND COUNTY GOVERNMENT
DEPARTMENT OF PUBLIC WORKS
ENGINEERING DIVISION
 400 Powell Road
 Columbia, SC 29203

CERTIFIED MAIL

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Mr. Joe Gladney
 Sparkleberry Associates
 3511 East Federal ST.
 Baltimore, MD 21213

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RICHLAND COUNTY GOVERNMENT
DEPARTMENT OF PUBLIC WORKS
ENGINEERING DIVISION
 400 Powell Road
 Columbia, SC 29203

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Mr. Joe Gladney
 Sparkleberry Associates
 3511 East Federal ST.
 Baltimore, MD 21213

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**RICHLAND COUNTY
DEPARTMENT OF PUBLIC WORKS**

400 Powell Road
Columbia, SC 29203



10/23/2020

CERTIFIED MAIL

Mr. Joe Gladney

Sparkleberry Associates

3511 East Federal St

Baltimore, MD 21213

TMS 25604-05-01 Aiken Hunt Cir.

Dear Sir;

I am writing to you today concerning Aiken Hunt Circle in Richland County Columbia, SC. We would like to discuss the road and the improvements that are badly in need of. As you know, Richland County has tried on numerous occasions to contact you by phone and by certified mail to no avail. As it stands now the responsibility of this road belongs to you, meaning any repairs done to the road should be paid by you and not the citizens of Richland County since it is a privately owned road. If we do not hear from you within 30 days of the receipt of this letter we will start repairs on the road and invoice you for the full amount of the repair. Going forward we would like to discuss other options of obtaining the road, to include Richland County taking over the road by any means legally possible including condemnation.

Thank you

Richard Player

A handwritten signature in blue ink, appearing to read "R. Player", is written over the printed name "Richard Player".

Right-Of-Way Administrator

Richland County Department of Public Works

(803) 576-2418, (803) 518-1663

CC: Stephen Staley P.E.

Richland County Engineer

Richland County Council Request for Action

Subject:

I move to name June as Pride Month in Richland County

Notes:

June 22, 2021 – The D&S Committee recommended Council name June as Pride Month in Richland County.

STATE OF SOUTH CAROLINA)
)
COUNTY OF RICHLAND)

**A RESOLUTION OF THE
RICHLAND COUNTY COUNCIL**

**A RESOLUTION RECOGNIZING JUNE AS LGBTQ+ PRIDE MONTH IN RICHLAND
COUNTY**

WHEREAS, Richland County has a diverse Lesbian, Gay, Bisexual, Transgender, and Queer (LGBTQ+) community and is committed to supporting visibility, dignity and equity for all people in the community; and

WHEREAS, many of the residents, students, county employees, and business owners within Richland County who contribute to the enrichment of our County are a part of the lesbian, gay, bisexual, transgender, queer, and questioning community; and

WHEREAS, various advancements have been made with respect to equitable treatment of lesbians, gay men, bisexual, transgendered, queer, and questioning persons throughout the nation, but there continues to be some opposition against people from this community and around the world making it important for places like Richland County to stand up and show support for our residents who are affected; and

WHEREAS, several cities across the United States, as well as the US Congress recognize and celebrate June as LGBTQ+ Pride Month; and

WHEREAS, June has become a symbolic month in which lesbians, gay men, bisexual people, transgender, queer, and supporters come together in various celebrations of pride; and

WHEREAS, South Carolina remains in 2021 one of the three states that have not yet passed an inclusive hate crime law;

NOW, THEREFORE, BE IT RESOLVED that the Richland County Council does hereby declare the month of June as LGBTQ+ Pride month in Richland County, and invites everyone to reflect on ways we all can live and work together with a commitment to mutual respect and understanding.

ADOPTED THIS the ___ day of June, 2021.

Paul Livingston, Chair
Richland County Council

Attest: _____
Michelle Onley
Interim Clerk of Council

Richland County Council Request for Action

Subject:

EMS - Ambulance Purchase

Notes:

June 22, 2021 – The A&F Committee recommended Council approve to negotiate and award the purchase of ambulance vehicles.



Agenda Briefing

Prepared by:	Michael A. Byrd	Title:	Director
Department:	Emergency Services	Division:	EMS
Date Prepared:	June 7, 2021	Meeting Date:	June 22, 2021
Legal Review	Elizabeth McLean via email	Date:	June 09, 2021
Budget Review	James Hayes via email	Date:	June 09, 2021
Finance Review	Stacey Hamm via email	Date:	June 10, 2021
Approved for consideration:	Assistant County Administrator	John M. Thompson, Ph.D., MBA, CPM	
Committee	Administration & Finance		
Subject:	Purchase of Ambulance Vehicles		

STAFF'S RECOMMENDED ACTION:

Staff recommends approval to negotiate and award the purchase of ambulances vehicles.

Request for Council Reconsideration: Yes

FIDUCIARY:

Are funds allocated in the department's current fiscal year budget?		Yes	<input checked="" type="checkbox"/>	No
If no, is a budget amendment necessary?		Yes	<input checked="" type="checkbox"/>	No

ADDITIONAL FISCAL/BUDGETARY MATTERS TO CONSIDER:

Council issued a General Obligation Bond with third reading occurring on October 20, 2020. The bond included funding for the purchase of ambulances.

Funds are available in account: GL / JL Key: 1344995000 / 13442210

COUNTY ATTORNEY'S OFFICE FEEDBACK/POSSIBLE AREA(S) OF LEGAL EXPOSURE:

None.

REGULATORY COMPLIANCE:

None applicable.

MOTION OF ORIGIN:

There is no associated Council motion of origin.

Council Member	
Meeting	
Date	

STRATEGIC & GENERATIVE DISCUSSION:

Staff seeks to obtain approval to purchase emergency response ambulance vehicles. The ambulances and chassis being replaced have been in service for over nine years, and the patient compartments have been remounted twice. They have reached the end of their life. The modular patient compartments cannot be remounted again due to the condition and damage to the structures. EMS has not purchased new ambulances in over four years. The entire EMS ambulance fleet is aging, and the newest EMS ambulance vehicles are over four years old. This purchase begins the effort to improve the ambulance fleet. New ambulances will increase the effectiveness of EMS response, reduce down-time due to maintenance issues and reduce out-of-contract maintenance costs.

After the GO Bond was issued, the Procurement Department solicited proposals to purchase five (5) ambulances with an option to purchase an additional five (5) each year for two (2) years. The proposals were evaluated based on meeting the scope of work, delivery schedule and price. There were four vendors that responded to the RFP for the project. EMS personnel along with the Richland County Procurement and Contracting Office have reviewed the proposals received, which were submitted via Bonfire and found no discrepancies. The proposals were scored and ranked. The highest ranked Offeror is: Northwestern Emergency Vehicles. The County will seek to enter into negotiations with the top ranked Offeror. If a successful contract cannot be reached, negotiations will cease, and the process will begin with the next highest Offeror.

ADDITIONAL COMMENTS FOR CONSIDERATION:

Information will be provided by Procurement under separate cover.

ATTACHMENTS:

Richland County Council Request for Action

Subject:

EMS - Fire Tanker Purchase

Notes:

June 22, 2021 – The A&F Committee recommended Council approve the purchase of a fire truck tanker for the Hopkins Station using CDBG funds.



Agenda Briefing

Prepared by:	Michael A. Byrd	Title:	Director
Department:	Emergency Services	Division:	Fire
Date Prepared:	June 7, 2021	Meeting Date:	June 22, 2021
Legal Review	Elizabeth McLean via email	Date:	June 09, 2021
Budget Review	James Hayes via email	Date:	June 15, 2021
Finance Review	Stacey Hamm via email	Date:	June 10, 2021
Approved for consideration:	Assistant County Administrator	John M. Thompson, Ph.D., MBA, CPM	
Committee	Administration & Finance		
Subject:	Purchase of Fire Truck Tanker		

STAFF’S RECOMMENDED ACTION:

Staff recommends approval of the purchase of a fire truck tanker for the Hopkins Station using CDBG funds.

Request for Council Reconsideration: Yes

FIDUCIARY:

Are funds allocated in the department’s current fiscal year budget?		Yes	<input checked="" type="checkbox"/>	No
If no, is a budget amendment necessary?		Yes	<input checked="" type="checkbox"/>	No

ADDITIONAL FISCAL/BUDGETARY MATTERS TO CONSIDER:

Funds are available from CDBG funds:

- GL/JL 1202992010/4891000.5265 (CDBG FY17)
- GL/JL 1202992010/4891300.5265 (CDBG FY18)
- GL/JL 1202992010/4891500.5265 (CDBG FY19)
- GL/JL 1202992010/4891700.5265 (CDBG FY21)

Using CDBG funds will not impact the Fire Fund or the General Fund.

COUNTY ATTORNEY’S OFFICE FEEDBACK/POSSIBLE AREA(S) OF LEGAL EXPOSURE:

None.

REGULATORY COMPLIANCE:

Non-applicable.

MOTION OF ORIGIN:

There is no associated Council motion of origin.

Council Member	
Meeting	
Date	

STRATEGIC & GENERATIVE DISCUSSION:

The purpose of this report is to obtain Council approval to purchase a new fire tanker for the County's Hopkins Fire Station. The Community Development Office notified Emergency Services there is money available from previous Community Development Block Grant (CDBG) funds for the purchase of a fire truck – tanker. No additional funds are needed. This will be the fourth truck purchased using CDBG funds. The first pumper purchased using CDBG funds is stationed at the Hopkins Station, the second pumper is stationed at the Capital View station and the third pumper is stationed at the Gadsden station.

Richland County needs to add additional pumper and tanker trucks to the fleet to meet front-line demand and reserve truck capacity. We need to increase the number of reserve trucks to maintain our current ISO Public Protection Classification. This purchase will improve our ability to respond to fire calls in the Lower Richland area. The older tanker currently in use at Hopkins will be reassigned or become a reserve truck.

Richland County contacted fire truck manufacturers to identify available ready-built trucks. Ready- built trucks are demos and stock vehicles that reduce the delivery time. The industry standard for delivery of new vehicles built to customer specifications can be over 365 days.

The only manufacturer that had a truck meeting the minimum requirements was Pierce - Spartan Fire and Emergency Apparatus. The advantage of purchasing a stock truck is that it provides a quick delivery time verses developing specifications and having a long bid and evaluation process. It can also offer a cost savings. Building this truck to custom specifications is estimated to have cost \$400,000 up to \$450,000. Each production year has higher costs for steel and other equipment. Ready-built stock trucks are available on a first come - first purchase basis so this purchase is time sensitive.

Pierce fire trucks sold by Spartan Fire and Emergency Apparatus is on the Cooperative Sourcewell Contract (#022818 – ID#805). Richland County is a member of the Cooperative Sourcewell which is a government cooperative purchasing organization who contracts purchasing solutions that are competitively solicited nationally.

Once approved, Council is asked to reconsider this item due to the time sensitive purchase. After reconsideration, no further action is required and Procurement will issue the purchase order.

ADDITIONAL COMMENTS FOR CONSIDERATION:

None.

ATTACHMENTS:

1. Quotation



SPARTAN FIRE
and Emergency Apparatus
Since 1973

QUOTATION

ESTIMATE

319 Southport Road • Roebuck, S.C. 29376
Office: 864-582-2376 • Fax: 864-582-2377 • Email: spartanfire@spartanfire.com

Customer:	Richland County	Date of Proposal:	May 19, 2021
	Sourcewell Contract #022818	F.O.B.:	Richland County
	ID #805	Estimated Delivery:	Immediate (*)
	Product: Tanker	Payment Terms:	Net Pymt at Delivery
		Salesman:	<i>Robby Fore</i>

Item	Qty.	Description	Price	Amount
1	1	2021 Pierce 2100 Gallon Tanker Built per NFPA 1901 and as per Attached Option List for Job 35436		\$308,100.00
2	1	SC Sales Tax (IMF)		\$500.00
		Options Added:		
		1. 19" Front Bumper Extension with Stainless Steel Bumper and Center Deadlay Tray with Treadplate Cover		\$4,355.00
		2. Front Bumper Turret with 2.50" Outlet plumbed to Turret		\$14,157.00
		3. Husky 3 Foam System		\$17,495.00
		4. Dump Tank Rack with Treadplate Cover		\$3,884.00
		5. Husky Aluminum 2500 Gallon Dump Tank		\$1,705.00
		6. Map Box		\$340.00
		7. Lettering and Striping		\$1,000.00
		8. Warning Light/Scene Light Contingency		\$5,000.00
		9. Two (2) Rechargeable Handlights Installed		\$570.00
		(*) Job 35436 is a Stock Unit available for immediate delivery as built. If options are requested to be added will affect delivery time frame. Please note Stock Units are subject to prior sale.		

TOTAL COST \$352,751.00

THIS QUOTATION EXPIRES AFTER SIXTY DAYS

Richland County Council Request for Action

Subject:

Department of Public Works - Stormwater NPDES Consultant

Notes:

June 22, 2021 – The A&F Committee recommended Council approve the award of the contract for National Pollutant Discharge Elimination System (NPDES) Municipal Separate Storm Sewer System (MS4) consulting services to Woolpert.



Agenda Briefing

Prepared by:	Sierra Flynn		Title:	Assistant Manager	
Department:	Finance	Division:	Procurement		
Date Prepared:	June 1, 2021	Meeting Date:	June 22, 2021		
Legal Review	Elizabeth McLean via email			Date:	June 09, 2021
Budget Review	James Hayes via email			Date:	June 09, 2021
Finance Review	Stacey Hamm via email			Date:	June 10, 2021
Approved for consideration:	Assistant County Administrator	John M. Thompson, Ph.D., MBA, CPM			
Committee	Administration & Finance				
Subject:	NPDES Consultant Contract				

STAFF'S RECOMMENDED ACTION:

Staff recommends approval from County Council to award the contract for National Pollutant Discharge Elimination System (NPDES) Municipal Separate Storm Sewer System (MS4) consulting services to Woolpert.

REQUEST FOR COUNCIL RECONSIDERATION: Yes

FIDUCIARY:

Are funds allocated in the department's current fiscal year budget?	<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>	No
If no, is a budget amendment necessary?	<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>	No

ADDITIONAL FISCAL/BUDGETARY MATTERS TO CONSIDER:

NPDES MS4 Consultant Services is funded in the Stormwater Management Division's Professional Services account (1208302200-526500). The Stormwater Management Division budgets \$282,000 for NPDES Consulting Services. The total fee for the current year scope of service is \$245,908.

COUNTY ATTORNEY'S OFFICE FEEDBACK/POSSIBLE AREA(S) OF LEGAL EXPOSURE:

None.

REGULATORY COMPLIANCE:

Discharges from the County's storm drainage network are covered by a NPDES MS4 permit issued by the SC Department of Health and Environmental Control (SCDHEC) on behalf of the Environmental Protection Agency (EPA).

MOTION OF ORIGIN:

There is no associated Council motion of origin.

Council Member	
Meeting	
Date	

STRATEGIC & GENERATIVE DISCUSSION:

The Stormwater Management Division oversees implementation of the County's NPDES MS4 permit. The County's NPDES MS4 permit was re-issued on July 1, 2016 and covers all areas located within the political boundary served by the storm drainage system owned or operated by Richland County. The NPDES Permit requires the County to continue the implementation of a comprehensive stormwater management program in compliance with NPDES Phase I and Phase II stormwater requirements for developing pollution prevention measures, stormwater treatment or removal techniques, stormwater and instream monitoring and other appropriate means to control the quality of stormwater discharged from the county's storm drainage system.

The Stormwater Division has worked with the engineering firm Woolpert since 2016 on continued development and implementation of the County's Stormwater Management Plan (SWMP). Woolpert's current contract for NPDES Consultant Services ends in June 2021. The Stormwater Management Division solicited Requests for Proposals (RFPs) to assist the Division with continued implementation of the NPDES MS4 Permit. Two proposals were submitted and evaluated. Woolpert received the high score and was recommended for approval.

The tasks associated with implementing this new scope of services for NPDES MS4 Permit Compliance includes: Water Quality Monitoring Plan Implementation Assistance, Illicit Discharge Detection and Elimination Services, Annual Report and TMDL Implementation Plan Assistance, Stormwater Drainage System Assessment, Industrial Program Assistance, and other stormwater management services as needed.

ADDITIONAL COMMENTS FOR CONSIDERATION:

None

ATTACHMENTS:

1. FY22 Scope of Services



SCOPE OF SERVICES

NPDES MS4 Compliance Services (2021-2022)

Introduction

Richland County's Phase I, MS4 Permit (3rd Cycle) was issued with an effective date of July 1, 2016. The permit describes tasks to be completed for compliance with the terms and conditions set forth in South Carolina (SC) Regulation 61-9 122.26. Woolpert has been working since June 2016 to help the county meet these requirements. Woolpert met with Richland County near the end of the 2019/2020 fiscal year to discuss the state of the county's Stormwater Management Program and how Woolpert can continue working with the county to help meet permit requirements and further strengthen the county's Stormwater Management Program. The county submitted to SCDHEC a permit renewal application in early 2021 but has not been issued the 4th cycle permit. Since a second cycle permit will not be issued in the foreseeable future the county must begin reimplementing the first cycle permit. The requested assistance has been divided into seven (7) tasks that describe work to be completed under the NPDES MS4 Compliance Services from July 2021 to June 2022.

Scope Outline:

Task 1: Water Quality Monitoring Plan Implementation Assistance

- Task 1.1 – Grab Sampling Assistance
- Task 1.2 – Technical and Field Assistance
- Task 1.3 – Quarterly Reporting and Staff Meetings

Task 2: Illicit Discharge Detection and Elimination Services

- Task 2.1 – Dry Weather Screening

Task 3: Annual Report and TMDL Implementation Plan Assistance

- Task 3.1 – Assistance with TMDL Implementation Plans
- Task 3.2 – Review of Year 5 Annual Report

Task 4: Storm Drainage System Assessment

- Task 4.1 – Project Identification
 - o Task 4.1.1 – Kickoff Meeting
 - o Task 4.1.2 – Initial Project Mapping
 - o Task 4.1.3 – Field Verification and Condition Assessment
- Task 4.2 – Project Prioritization
 - o Task 4.2.1 – Revise Prioritization Criteria
- Task 4.3 – Stormwater Capital Improvement Project Plan
 - o Task 4.3.1 – Develop a CIP Program Document

Task 5: Industrial Program Assistance

- Task 5.1 – Industrial Training
- Task 5.2 – Municipal Facility Inspections and SWPPP Review

Task 6: Other Services

- Task 6.1 – Stormwater CIP Dashboard

Task 7: Project Management

Acronyms

BMP	Best Management Practice
CIP	Capital Improvement Project
DO	Dissolved Oxygen
FC	Fecal Coliform
FEMA	Federal Emergency Management Agency
IGP	Industrial General Permit
MS4	Municipal Separate Storm Sewer System
NPDES	National Pollutant Discharge Elimination System
NTP	Notice to Proceed
SC	South Carolina
SCDHEC	South Carolina Department of Health and Environmental Control
SOP	Standard Operating Procedure
SWMP	Stormwater Management Plan
SWPPP	Stormwater Pollution Prevention Plan
TMDL	Total Maximum Daily Load

Task 1: Water Quality Monitoring Plan Implementation Assistance

Task 1.1 – Grab Sampling Assistance

Richland County operates a robust and complex monitoring program that includes various sampling methods at numerous locations for a wide range of pollutants. The program includes ambient water quality monitoring, sediment sampling, benthic community sampling, wet weather monitoring, and dissolved oxygen monitoring. Portions of the program have been collecting data since 2005. Woolpert will assist the county in the collection of grab samples at various monitoring sites within the county.

Quarterly Wet Weather Grab Sample Collection – Woolpert will monitor weather conditions and assist county staff quarterly with sampling at designated county TMDL monitoring sites. Woolpert will collect the samples and deliver them to the designated laboratory for analysis. A chain of custody form will be sent to the county to confirm the laboratory's acceptance of each grab sample collected. *Approximately 100 hours of wet weather sample collection time will be allotted for this contract period.*

TMDL Site Study Sample Collection – In addition to quarterly samples required by the permit, the county has begun collecting additional *E. coli* samples at select TMDL monitoring sites to better understand the source of pollutants within those watersheds. Woolpert will assist county staff with sampling monthly at designated county TMDL monitoring sites. Woolpert will collect the samples and deliver them to the designated laboratory for analysis. A chain of custody form will be sent to the county to confirm the laboratory's acceptance of each grab sample collected. *Approximately 160 hours of wet weather sample collection time will be allotted for this contract period.*

Task 1.1 Deliverables:

1. **Grab Sample Collection** – Collect wet weather grab samples and deliver to laboratory (260 hours total of sample collection time)
2. **Chain of Custody Forms** – Submitted for each sample delivered to laboratory

Task 1.2 – Technical and Field Assistance

The county employs various water quality monitoring instruments to aid in collecting water quality grab samples and has recently expressed interest in real-time data applications. Woolpert will provide telephone/in-person guidance on the setup, use, and maintenance of monitoring and telemetry equipment. Woolpert will also provide support services as the county employs the Aquarius Samples discrete data management software and migrates historical data into this platform.

Task 1.2 Deliverables:

1. **On-Call Service** - Up to 80 hours of guidance on monitoring instrumentation, Aquarius software, and related technical tasks

Task 1.3 – Quarterly Reporting and Staff Meetings

Quarterly Reports – Each quarter, Woolpert will review the monitoring data that has been compiled by county staff. After the monthly evaluation of the collected data is conducted, Woolpert will provide the county with quarterly monitoring summaries for stations where sampling has occurred. The analysis for all sampled parameters will be summarized in a supporting narrative that can be given to staff and posted on the county's internet webpage. It is anticipated that four (4) quarterly reports will be developed during this contract period.

Datasonde Post-Deployment Calibration Procedures – Datasonde data collected at the county's dissolved oxygen monitoring location will be imported into Aquarius Time Series data management software for brief evaluation and processing at the end of each deployment period. Preliminary processing will include analyzing short-term trends and applying data corrections based upon post-deployment calibration information to account for equipment fouling and calibration drift. Post-processed datasets will be delivered quarterly, along with quarterly monitoring reports.

Quarterly Staff Meetings – After completing the monitoring data quarterly report, Woolpert will meet with staff to discuss the results of the analysis and any identified pollutant concentrations that appear unusual or that fluctuated out of normal ranges. It is anticipated that four (4) quarterly meetings will occur during this contract period.

Task 1.3 Deliverables:

1. **Quarterly Monitoring Data Reports** - Includes one (1) report each quarter
2. **Quarterly Staff Meetings** – Four (4) meetings over the contract period, to include meeting minutes, if necessary

Task 2: Illicit Discharge Detection and Elimination Services

Per NPDES MS4 stormwater permit no. SCS400001, Richland County, is required to implement the field screening analysis program to detect the presence of illicit connections and eliminate improper discharges to the MS4. Since a third cycle permit will not be issued in the foreseeable future, the county must begin reimplementing the first cycle permit. The county must complete dry weather field screening and eliminate illicit discharges at all major outfalls screened in Year 1 of the first permit cycle. The county was divided into four screening areas comprised of different sub-watersheds to complete in the first four years of the permit cycle.

Task 2.1 – Dry Weather Screening

Woolpert will train county staff on utilizing Arc Collector to complete dry weather screening. In addition, Woolpert will assist with any dry weather screening and illicit discharge investigations on an as-needed basis and train on related processes and procedures. Any data collection Woolpert performs will be recorded in the Arc Collector database approved by the county. *Approximately 100 hours of dry weather screening and illicit discharge investigation time will be allotted for this contract period.*

Task 2.1 Deliverables:

1. **Dry Weather Screening, Illicit Tracking Investigations, and Staff Training** – Up to 100 hours for training and field assistance

NOTE:

1. This task may include project meetings. Meeting minutes will be provided, if necessary
2. If the county requests that additional areas be screened, then a fee may be transferred from other tasks at the county's request.

Task 3: Annual Report and TMDL Implementation Plan Assistance

The county must submit reports annually to SCDHEC on the status of compliance with conditions in the county's NPDES MS4 permit, including information on monitoring data collected and analyzed during the reported period. In general, the report should consist of the following sections:

- Contacts List
- SWMP Evaluation
- Summary Table
- Narrative Report discussing the SWMP elements from part II
- Monitoring Section
- Summary of SWMP and Monitoring Modifications
- Fiscal analysis of necessary expenditures to accomplish activities of the SWMP programs
- Appendices

Other sections will be necessary to meet all the annual reporting conditions in the permit. The county should thoroughly review the permit and ensure that all required sections are included in the Year 5 Annual Report.

The Year 5 Annual Report shall include the seven months following the period covered by the Year 4 Annual Report to realign the county with the reporting schedule outlined in the letter submitted to DHEC on April 11, 2017. The annual reporting period for the 5th year annual report is as follows:

Annual Report	Period Covered	Date Due
5th Annual Report (Should expired permit continue)	December 1, 2020 - June 30, 2021	November 1, 2021

Task 3.1 – Assistance with TMDL Implementation Plans

Per NPDES MS4 stormwater permit no. SCS400001, Richland County is required to prepare Total Maximum Daily Load (TMDL) implementation plans for each of the county's 13 TMDL water quality monitoring stations. The first annual report must prioritize TMDL stations identified in Appendix C of the permit, and the plans are to be submitted in groups with the second (4 stations), third (4 stations), and fourth (5 stations) annual reports. TMDL watersheds include Twenty-Five Mile Creek (FC), Spears and Kelly Creeks (FC), Cedar Creek (FC), Lower Broad River (FC), Gills Creek (FC & DO).

Woolpert will assist the county with gathering, reviewing, and assessing data and watersheds, identifying appropriate site-specific BMPs through research and field site visits, and the update and execution of TMDL implementation plans. Woolpert will also assist the county with updating their Water Quality Monitoring Plan with any recent updates and changes to their monitoring program. It is anticipated that the planning, review, and coordination of activities related to this task can be accomplished in the quarterly monitoring meetings (see Task 1.3).

Task 3.1 Deliverables:

1. **On-Call Service** – Up to 80 hours of guidance on TMDL Implementation and Monitoring Plan tasks

NOTE: On-Call Services may include project meetings. Meeting minutes will be provided, if necessary

[Task 3.2 - Review of Year 5 Annual Report](#)

Woolpert will review the Year 5 annual report that county staff prepares for submission to SCDHEC on or before November 1, 2021, for compliance with the requirements in the county's permit. Woolpert will review the annual reporting requirements in the permit and compare them with the annual report content. The review intends to ensure that all applicable requirements of the permit have been addressed and to identify areas where the county may be deficient or non-compliant with the terms of permit number SCS400001. In addition to the review, Woolpert will also assist the county with the monitoring section of the report. A general editorial review of the document noting grammar/spelling errors and identifying content where revisions may be needed will also be conducted.

A memo will be prepared to outline potential revisions and submitted to the county at a meeting (if needed) for review.

Task 3.2 Deliverables:

1. **Monitoring Section** – Section included in annual report submittal
2. **Technical Memo** – Annual report review and comments

NOTE: This task may include project meetings. Meeting minutes will be provided, if necessary

Task 4: Storm Drainage System Assessment

Richland County maintains over 300 miles of piped stormwater infrastructure as well as ditch sections and various other Best Management Practices (BMPs). As these assets deteriorate and /or as the capacity of these systems become overwhelmed it is necessary to refurbish or replace them. Creating a prioritized list of CIPs, Force Account projects, and planning projects ensures that asset condition and capacity issues are addressed in an efficient and effective manner.

In 2015, the county prepared a 25-year Roadmap prioritizing projects within a prioritization tool (Tool). Prioritization and weighting criteria were established for projects and activities in four categories; 1) Operations, 2) Stormwater Infrastructure, 3) Water Quality Improvement, and 4) Floodplain Management. This Tool has served the county well, however, program goals and initiatives have changed since that time.

This scope includes the continuation of work that was started in 2015 and is being updated to include the current status of stormwater drainage projects. The tasks to be completed include the following:

- Identifying viable potential capital improvement projects related to both water conveyance and quality treatment
- Reviewing the Tool's prioritization criteria and weighting and revising as appropriate
- Developing an approach and schedule for CIP/Force Account Project data collection, planning, design, and construction
- Developing budget level project costs
- Applying the revised Tool to identified projects
- Preparing a 5-year CIP program document

Assumptions:

- Due to the nature of the work involved in completing this task, additional fee may be used from other available sources as necessary

Task 4.1 – Project Identification

Task 4.1.1 – Kickoff Meeting

Following issuance of an official Notice to Proceed, Woolpert will facilitate a kickoff meeting with Stormwater Division staff to review the project goals and scope, establish the final project schedule, as well as discuss and gather information required for project completion.

As part of the kickoff meeting, Woolpert will discuss known stormwater/flooding problem areas throughout the County, current CIP and Force Account projects, and the watershed criticality analysis ranking with appropriate County staff. The kickoff meeting will also include a review of the 25-year Roadmap to identify and remove those projects that are no longer viable. An appendix will be included in the final Storm Drainage Assessment document.

The following information will be evaluated to the extent the data is readily available.

- Final copy of the Roadmap
- Project prioritization database and tool
- Criticality analysis and replacement planning documentation
- Any recent (started or completed since May 2015) watershed plans or studies
- List of projects completed since May 2015 (these may be contained within the project prioritization tool)
- List of CIP currently in planning or under design
- Current Effective Flood Insurance Rate Maps and Flood Insurance Study
- FEMA Repetitive Loss Data
- Complaint records for flooding
- Current CIP list (on-going and planned)
- Current inventory of stormwater system and BMPs
- Stormwater Division budget (2020 – current)

Task 4.1.1 Deliverables:

1. **Kickoff Meeting** – Attendance at the kickoff meeting and meeting minutes, if necessary (approximately a 90-minute meeting)

Task 4.1.2 – Initial Project Mapping

Woolpert will review all of the data collected during the kickoff meeting and any subsequent data-gathering efforts to identify potential stormwater conveyance and treatment projects. The list of projects may also include previously identified planning level studies that have not yet been started. Additionally, areas with known flooding or water quality issues that do not yet have an identified CIP/Force Account associated with that area will be identified.

Based on the data evaluation results, Woolpert will create an initial list of potential projects (CIP/Force Account) and project areas (Planning projects). Each project will be identified on a map along with project type and source of identification (e.g., study, complaint record, etc.). A meeting will be held with the county to review the project map and identify infrastructure for condition assessment prior to Woolpert proceeding with Task 4.1.3. Field Verification and Condition Assessment. The map will be revised and adjusted according to the outcomes of the map review meeting.

Task 4.1.2 Deliverables:

1. **List of Potential Projects**
2. **Project Map**
3. **Meeting** – Attendance at the review meeting and meeting minutes, if necessary (approximately a 60 minute meeting)

Task 4.1.3 – Field Verification and Condition Assessment

Once the county has approved the project map, field visits will be conducted at most critical projects and project areas to gather additional data needed in preparing concept ideas for CIP, Force Account, and Planning projects. This may include information regarding upstream and downstream hydraulic structures, general stream bank condition, overall watershed characteristics, buildings and other infrastructure at risk, etc.

Condition of assets is a critical component of identifying an assets business risk (priority). Woolpert will train County staff to perform a condition assessment on each of the existing structures during the field visit. This assessment will be performed using the draft Richland County Condition Assessment Standard Operating Procedures (SOP) for piped and natural infrastructure. Because these SOPs have not yet been fully verified through a pilot program, potential modifications will be identified based on the results of this data collection effort. All proposed modifications will be discussed with the county prior to developing a final SOP.

Woolpert will partner with County staff to perform the condition assessment. It is anticipated that one Woolpert senior field technician will partner with a maximum of two County staff members to perform the assessment, until County staff is comfortable implementing the Condition Assessment SOP.

Assumptions:

- A maximum of 40 crew hours will be spent performing condition assessment and project area review

Task 4.1.3 Deliverables:

1. **Condition rating for all identified CIP refurbishing or replacing existing assets**
2. **Revised Condition Assessment SOPs**

Task 4.2 – Project Prioritization

Task 4.2.1 – Revise Prioritization Criteria

The Roadmap established a prioritization process for identified projects and activities. Prioritization criteria were identified and weighted for application to projects. Over time, it has become apparent that the criteria and weightings no longer support the overall program goals. *Further, the criteria for infrastructure projects does not consider existing infrastructure condition.*

The Roadmap contains 18 metrics divided into six primary categories with each primary category containing three associated metrics that are considered in scoring. Below are the current six categories and their associated weighting.

1. Improves Stormwater Drainage: 60
2. Improves Customer Services: 50
3. Improves Floodplain Management: 40
4. Improves Water Quality: 40
5. Improves Fiscal Responsibility: 30
6. Improves Workforce: 20

Woolpert will meet with staff to review and redefine the prioritization and weighting criteria. Considerations like asset condition will be reviewed for applicability as either a separate criteria or modifier of existing criteria. It is anticipated that the prioritization criteria meeting will last approximately two (2) hours.

The new criterion will then be applied to the CIP, Force Account, and Planning projects identified in Task 2, Initial Project Mapping. The project prioritization will be submitted to the county for review and comment. The list will be revised as appropriate based on comments from the county.

Assumptions:

- The Tool has open code and is in working condition

Task 4.2.1 Deliverables:

1. **Meeting** - Attendance at the review meeting and meeting minutes, if necessary (approximately a 2-hour meeting)
2. **Updated Prioritization Tool with New Projects**

Task 4.3 – Storm Drainage System Assessment Report

Task 4.3.1 – Develop a Storm Drainage Assessment Report

The Storm Drainage Assessment Report should be succinct to facilitate ease of use and understanding. The plan will contain a brief introduction and description of the project identification and evaluation process and Project Cutsheets similar to those in the 25-year Roadmap.

Project Description - Each project will contain a brief description of the project, area, and purpose.

Cost Data - Budget level costs will be calculated for each project, including design, permitting, and construction costs. Land costs will not be included.

Implementation Schedule - A phased approach to implementation will also be developed. An implementation schedule will be created to balance the need for additional project identification, planning level studies, design, and construction. The schedule will consider the priority of each project while attempting to have projects in process for each phase of implementation. In other words, for each budget year there should be project areas under evaluation, project areas under study, and projects in the design, bidding, and construction phases. This helps ensure an effective flow of projects across budget years and across watershed and political boundaries. The existing watershed criticality analysis will be utilized to schedule additional watersheds for condition assessment and project identification.

Woolpert will meet with the county to review the initial phasing plan. Comments from this meeting will be used to adjust the plan appropriately.

Funding Source - Potential funding sources will be identified for each project. For example, some projects may be suited for Hazard Mitigation Grant Funding, while others may be eligible for South Carolina Section 319 grants.

Assumptions:

- The Roadmap Cutsheet Template will be used with some modifications to accommodate the needs of this project

Task 4.2.1 Deliverables:

1. **Meeting** - Attendance at the review meeting and meeting minutes, if necessary (approximately a 60-minute meeting)
2. **Prioritized Storm Drainage Assessment Plan** - containing a brief introduction and description of the project identification and evaluation process and Project Cutsheets similar to those in the Roadmap

Task 5: Industrial Program Assistance

The county is required to implement the industrial general permit (IGP) at all facilities with stormwater discharges associated with industrial activity. Since the start of the county's existing permit Woolpert has assisted with various industrial-related tasks including training, inspections, and protocols. Woolpert will continue to assist county staff with activities associated with industrial permit requirements.

Task 5.1 – Industrial Training

On an annual basis, Woolpert has assisted with training county staff on IGP requirements. Woolpert will hold a presentation that includes background on the IGP, details on Stormwater Pollution Prevention Plan (SWPPP) development, facility inspections and monitoring, as well as other IGP related tasks.

Task 5.1 Deliverables:

1. **IGP Training** – Virtual or in-person training presentation on the IGP

Task 5.2 – Municipal Facility Inspections and SWPPP Review

Woolpert will perform inspections on County and public works facilities, including County camps (i.e. Eastover, Ballentine, and Blythewood) to ensure permitted facilities are meeting requirements. Inspections will determine potential sources of polluted runoff and the well-being of stormwater controls and conveyance systems at each facility. Woolpert will also be checking for the implementation of good housekeeping practices to avoid spills and prevent stormwater pollution. Woolpert will use the county's designated inspection form to complete each inspection. As a part of the inspections, Woolpert will review each facility's SWPPP to ensure it includes all contents required by the IGP. If a SWPPP does not exist, Woolpert will work with the county to develop a SWPPP for that facility.

Task 5.2 Deliverables:

1. **Facility Inspection Forms** – Four (4) completed inspection forms for the County Public Works facility and County Camps (Eastover, Ballentine, and Blythewood)
2. **Revised SWPPPs** – Revised version of each inspected facility's SWPPP or a completed SWPPP if one does not exist.

Task 6: Other Services

During the project term tasks related to the implementation of the county's Stormwater Management Program, and not identified in this scope of services, may be requested by the county. Fee estimates and schedules for completing these tasks will be developed as they are assigned.

Task 6.1 – Stormwater CIP Dashboard

Included in this task is the development of a stormwater CIP dashboard. Woolpert will utilize the county's Esri platform to develop an ArcGIS dashboard to help make decisions, visualize trends, monitor status in real time, and inform the public. The dashboard will display proposed stormwater CIPs the county plans to implement. The dashboard will display general information about stormwater projects including, but not limited to: project description, objectives, timeline, council district, cost, design consultant/construction firm, and public outreach information and meetings.

Woolpert will first meet with County staff to determine what information should be displayed on the project dashboard. Once this is determined a database including all relevant project information will be developed in coordination with County staff. Upon completion the database will be sent to the County for review. Woolpert will then develop a dashboard template and facilitate a meeting with county staff to review proposed project information and make any necessary requested revisions. If necessary, Woolpert will coordinate with county GIS staff to acquire relevant project data and address any publishing concerns.

Task 6.1 Deliverables:

1. **Stormwater CIP Dashboard**- CIP dashboard published to the County's website

NOTE: Depending on the complexity and the estimated time to complete requested tasks, fee may be transferred from other tasks to accommodate costs

Task 7: Project Management

This project will require routine project management needs such as monthly progress meetings, project setup, scheduling, client correspondence, team management, scope development, and invoicing. This task also includes sub-consultant management and the development of progress reports if requested by the county. Other tasks may arise during the contract period, and Woolpert will address these tasks on a needed basis as requested by the county. This task also includes one additional client meeting, if needed.

Task 9 Deliverables:

1. **Monthly Invoices**
2. **Progress Reports** (One for each invoice)
3. **Monthly Progress Meetings**, with meeting minutes provided, as requested

Fee Estimate / Project Schedule

Task	Fee	Fee Subtotals
Task 1: Water Quality Monitoring Plan Implementation Assistance		
Task 1.1 – Grab Sampling Assistance	\$30,260	\$67,620
Task 1.2 – Technical and Field Assistance	\$6,300	
Task 1.3 – Quarterly Reporting and Staff Meetings	\$31,060	
Task 2: Illicit Discharge Detection and Elimination Services		
Task 2.1 – Dry Weather Screening	\$9,440	\$9,440
Task 3: Annual Report and TMDL Implementation Plan Assistance		
Task 3.1 – Assistance with TMDL Implementation Plans	\$10,850	\$18,140
Task 3.2 – Review of Year 4 Annual Report	\$7,290	
Task 4: Storm Drainage System Assessment		
Task 4.1.1 – Kickoff Meeting	\$1,573	\$31,238
Task 4.1.2 – Initial Project Mapping	\$6,875	
Task 4.1.3 – Field Verification and Condition Assessment	\$9,690	
Task 4.2.1 - Revise Prioritization Criteria	\$3,670	
Task 4.3.1 – Develop a Storm Drainage Assessment Report	\$9,430	
Task 4.3.2 – Develop a Storm Drainage Assessment Report	\$9,430	
Task 5: Industrial Program Assistance		
Task 5.1 – Industrial Training	\$7,320	\$22,170
Task 5.2 – Municipal Facility Inspections and SWPPP Review	\$14,850	
Task 6: Other Services		
On Call Consulting Services	\$35,880	\$54,980
Task 6.1 – Stormwater CIP Dashboard	\$19,100	
Task 7: Project Management		
General Project Management Duties	\$37,870	\$37,870
Reimbursable Expense:	\$4,450	\$4,450
Total Fee:		\$245,908

Note: This includes labor/material expenses including routine travel expenses, such as mileage and/or Woolpert truck rental charges as needed. It is anticipated that the work will span over the course of 1 year from the notice to proceed (NTP).

Richland County Council Request for Action

Subject:

Department of Public Works - Compound Parking Lot Restoration

Notes:

June 22, 2021 – The A&F Committee recommended Council approve the award of a contract for engineering services for the DPW Compound Parking Lot Restoration Project to Michael Baker International.



Agenda Briefing

Prepared by:	Jennifer Wladischkin	Title:	Procurement Manager
Department:	Finance	Division:	Procurement
Department:	Public Works	Davison:	Engineering
Date Prepared:	June 2, 2021	Meeting Date:	June 22, 2021
Legal Review	Elizabeth McLean via email	Date:	June 14, 2021
Budget Review	James Hayes via email	Date:	June 14, 2021
Finance Review	Stacey Hamm via email	Date:	June 10, 2021
Approved for consideration:	Assistant County Administrator	John M. Thompson, Ph.D., MBA, CPM	
Committee	Administration & Finance		
Subject:	Approval of award of Engineering Services; DPW Compound Parking Lot Restoration		

STAFF'S RECOMMENDED ACTION:

Staff recommends approval of the award of a contract for engineering services for the DPW Compound Parking Lot Restoration Project to Michael Baker International.

REQUEST FOR COUNCIL RECONSIDERATION: Yes

FIDUCIARY:

Are funds allocated in the department's current fiscal year budget?	<input checked="" type="checkbox"/>	Yes		No
If no, is a budget amendment necessary?		Yes		No

ADDITIONAL FISCAL/BUDGETARY MATTERS TO CONSIDER:

This project will be paid for through the Road Maintenance Fund. These funds are in the current operating budget 1216302000.530700 and are encumbered on requisition R2101062.

COUNTY ATTORNEY'S OFFICE FEEDBACK/POSSIBLE AREA(S) OF LEGAL EXPOSURE:

None.

REGULATORY COMPLIANCE:

None.

MOTION OF ORIGIN:

There is no associated Council motion of origin.

Council Member	
Meeting	
Date	

STRATEGIC & GENERATIVE DISCUSSION:

This project is to provide Engineering Services for the restoration and improvement of the Department of Public Works (DPW) Main Compound located at 400 Powell Road (see attached Site Map). This project will consist of pavement restoration of the approximate 25,000 SF parking lot and driveways, design of an additional entrance off of Powell Road separating vehicles being serviced at First Vehicle Services from DPW administration traffic, design of two (2) state of the art security gates for both entrances, and finally restripe the parking areas to be more efficient and therefore gaining additional parking spaces. Ancillary services will include field survey of the existing property, geotechnical evaluations and recommendations for repair of failing pavement areas, and also pavement designs for the new pavement.

Request for Proposals RC-408-P-2021 was issued and there were three (3) responses. An evaluation team scored each submittal and Michael Baker International was the highest ranked offeror.

ADDITIONAL COMMENTS FOR CONSIDERATION:

None

ATTACHMENTS:

1. Site Exhibit



Richland County, SC

Legend

Roads	SCDOT	Parcels
Other	Interstate	
County Paved	Proposed	
County Unpaved	None	
Private / Other	Residential Complex	

Richland County Public Works
400 Powell Rd
Map Page: 34D3

1 inch = 175 feet



DISCLAIMER: This is a product of the Richland County Public Works Department. The data depicted here have been developed with extensive cooperation from other county departments, as well as other federal, state and local governments agencies. Reasonable efforts have been made to ensure the accuracy of this map. Richland County expressly disclaims responsibility for damages or liability that may arise from the use of this map.

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 Richland County Public Works
 400 Powell Rd.
 Columbia, SC 29203



Richland County Council Request for Action

Subject:

Alvin S. Glenn Detention Center - HVAC Maintenance

Notes:

June 22, 2021 – The A&F Committee recommended Council to approve the HVAC (Heating, Ventilation, and Air Conditioning systems) Maintenance Contract at the Detention Center, in the amount of \$210,216.00. Scope package includes all services and equipment to be covered in maintenance contract.

Agenda Briefing



Prepared by:	Ronaldo D Myers	Title:	Director
Department:	Alvin S. Glenn Detention Center	Division:	
Date Prepared:	May 24, 2021	Meeting Date:	June 22, 2021
Legal Review	Elizabeth McLean via email	Date:	June 14, 2021
Budget Review	James Hayes via email	Date:	June 09, 2021
Finance Review	Stacey Hamm via email	Date:	June 10, 2021
Approved for consideration:	Assistant County Administrator	John M. Thompson, Ph.D., MBA, CPM	
Committee	Administration & Finance		
Subject:	Contract for Alvin S. Glenn Detention Center-HVAC Maintenance		

STAFF’S RECOMMENDED ACTION:

County Council is requested to approve the HVAC (Heating, Ventilation, and Air Conditioning systems) Maintenance Contract at the Detention Center, in the amount of \$210,216.00. Scope package includes all services and equipment to be covered in maintenance contract.

Request for Council Reconsideration: Yes

FIDUCIARY:

Are funds allocated in the department’s current fiscal year budget?	<input checked="" type="checkbox"/>	Yes		No
If no, is a budget amendment necessary?		Yes		No

ADDITIONAL FISCAL/BUDGETARY MATTERS TO CONSIDER:

The funds were requested in biannual budget and is part of the ASGDC previous budgets in 1100210000.522600.

COUNTY ATTORNEY’S OFFICE FEEDBACK/POSSIBLE AREA(S) OF LEGAL EXPOSURE:

None

REGULATORY COMPLIANCE:

Non-applicable.

MOTION OF ORIGIN:

There is no associated Council motion of origin.

Council Member	
Meeting	
Date	

STRATEGIC & GENERATIVE DISCUSSION:

In January 2021 Procurement conducted Solicitation # RC-398-B-2021, "ALVIN S. GLENN DETENTION CENTER-HVAC MAINTENANCE" which was publicly advertised.

There was (1) respondent to the Request for Bid. Upon review, WB Guarmin was deemed the lowest, responsive, responsible bidder on this project.

A maintenance contract have been in place previously since the facility opened in 1995.

The contractor selection is based on experience in Industrial systems HVAC, and costs relating to labor rates and material markups combined. WB Guarmin also has service history with correctional facilities, including the detention center.

All services, including materials and equipment, will be in accordance with current OSHA and National Building Code regulations for I3 Institutional facilities, and will remain in compliance with current and revisions to regulations as they are posted. The contract provider will be certified and maintain certification for OSHA, Fire and Building Code regulations, as they pertain to Air Control and Monitoring systems, and keep the Detention Center in compliance with all OSHA, Fire Marshal and South Carolina Department of Corrections Compliance, Standards and Inspections.

WB Guarmin will provide the following equipment and services:

- Quality Assurance
All work shall be performed in strict accordance with the manufacturer's written instructions.
- Test and Inspect:
- Predictive Maintenance
- Repair And Replace
- Emergency Calls
- Continuous Emergency Service
24 hours per day, seven days per week, federal holidays included.

ADDITIONAL COMMENTS FOR CONSIDERATION:

None.

ATTACHMENTS:

1. HVAC Bid Tabulation Sheets

RC-398-B-2021, ALVIN S. GLENN DETENTION CENTER-HVAC MAINTENANCE**COMPANY: W.B. Guimarin & Co.**

Item Number	Item	Quantity Required	Unit Price	Total
HVAC (1)				
#1-1	MONTHLY MAINTENANCE FOR 12 Months, Equivalent 1 YEAR	12	17518	\$210,216.00

Richland County Council Request for Action

Subject:

Community Planning & Development - CDBG/CV FY21 Action Plan Substantial Amendment

Notes:

June 22, 2021 – The A&F Committee recommended Council approve the substantial amendment to FY 20-21 Annual Action Plan budget and projects for the Community Development Block Grant (CDBG-CV) federal funds.



Agenda Briefing

Prepared by:	Sara Scheirer	Title:	Grants & Community Development Manager		
Department:	Community Planning & Development	Division:	Community Development		
Date Prepared:	June 08, 2021	Meeting Date:	June 22, 2021		
Legal Review	Elizabeth McLean via email	Date:	June 10, 2021		
Budget Review	James Hayes via email	Date:	June 10, 2021		
Finance Review	Stacey Hamm via email	Date:	June 11, 2021		
Approved for consideration:	County Administrator	Leonardo Brown, MBA, CPM			
Committee	Administration & Finance				
Subject:	2020-2021 Action Plan Substantial Amendment (CDBG- CV Funds)				

STAFF’S RECOMMENDED ACTION:

Staff recommends approval of the substantial amendment to FY 20-21 Annual Action Plan budget and projects for the Community Development Block Grant (CDBG-CV) federal funds.

Request for Council Reconsideration: Yes

FIDUCIARY:

Are funds allocated in the department’s current fiscal year budget?		Yes	<input checked="" type="checkbox"/>	No
If no, is a budget amendment necessary?	<input checked="" type="checkbox"/>	Yes		No

ADDITIONAL FISCAL/BUDGETARY MATTERS TO CONSIDER:

The County will need to expend 80% of these funds by the end of the third program year. Because we are amending the FY20-21 AAP, this means that funds need to be expended by the end of FY22-23.

COUNTY ATTORNEY’S OFFICE FEEDBACK/POSSIBLE AREA(S) OF LEGAL EXPOSURE:

None.

REGULATORY COMPLIANCE:

Non-applicable.

MOTION OF ORIGIN:

There is no associated Council motion of origin.

Council Member	
Meeting	
Date	

STRATEGIC & GENERATIVE DISCUSSION:

On March 27, 2020, the CARES Act was signed into law. HUD has notified the County that we are eligible to receive \$2,197,908 in CDBG-CV funds to undertake activities that prepare, prevent, or respond to the local community impacts of the coronavirus. An amendment to the 2020-2021 Action Plan is necessary to add CDBG-CV funded activities.

At the April 21, 2020 meeting of County Council, the Council approved the utilization of \$2.8 million of CDBG funding, inclusive of FY 2020-2021 and CDBG-CV funds, as allowed by the Federal government, to aid in the County's response to COVID-19, and directed the County Administrator and his staff to draft and/or amend the necessary Action Plans to detail the use of these funds for approval by Council and HUD. In addition to County Council approval of this AAP amendment, a 5 day public comment period is required prior to submitting to HUD on August 16, 2021.

From April 27 until June 30, 2020, Richland County opened applications in response to the Coronavirus to help address the economic downturn caused by COVID-19. Richland County allocated \$750,000 in financial support to small businesses and nonprofits in Richland County, as well as \$250,000 in senior funds. To date, \$944k has been expended and we intend to reimburse the County with a portion of this funding as reflected in the proposed budget below.

This request affects essential programs/projects that prevent, prepare for, and respond to, Coronavirus. These projects impact the Richland County community's ability to successfully move past the pandemic. If denied, the County will lose the opportunity to obtain the CDBG-CV funds due to time constraints, therefore losing the opportunity to be reimbursed for formerly implemented programs as well as losing the funding to implement future CV specific programs.

ADDITIONAL COMMENTS FOR CONSIDERATION:

ATTACHMENTS:

1. Proposed Budget
2. County Council Minutes (April 21, 2020)
3. HUD Award Letters

FY 20-21 CDBG-CV BUDGET		
<i>Program/Project</i>	<i>Amount</i>	<i>Comment</i>
Economic Development Grants	\$300,000	
Economic Development Grants (County Reimbursement for Small Business Grants)	\$464,124	Total submitted to HUD for Economic Development Grants is \$764,124
Public Service Grants	\$500,000	
Public Service Grants (County Reimbursement for Senior and Non-Profit Grants)	\$480,000	Total submitted to HUD for Public Service Grants is \$980,000
Program Administration Costs	\$439,581	Cannot exceed 20%
TOTAL BUDGET	\$2,197,908	
CV-1 ALLOCATION	\$957,993	
CV-3 ALLOCATION	\$1,239,915	
EXCESS	\$14,203	

Ms. Newton stated, for clarification, the amount for the community-based grant program is \$250,000.

Ms. Powell responded that is correct.

Ms. Newton moved, seconded by Ms. McBride, to reconsider this item.

In Favor: Malinowski

Opposed: Dickerson, McBride, Livingston, Terracio, Kennedy, Manning, Jackson, Myers and Newton

Abstain: Walker

The motion for reconsideration failed.

- b. COVID-19 Recovery Consultant – Mr. Brown stated during the committee meeting we presented a recovery consultant, and staff's recommendation was to engage TetraTech to assist the County.

Ms. Powell stated the committee's recommendation was to engage TetraTech through December 31st.

Ms. McBride noted the response and recovery strategy does not include a public health strategy. Therefore, we are still without a public strategy as to how Richland County will move to address COVID-19. We have not addressed testing, social service needs, etc. She is concerned that this particular consultant does not have the expertise, or it is not included in the contract, and if we are going to look at those efforts with another contractor.

Mr. Livingston suggested including that item on the next Coronavirus Ad Hoc Committee agenda.

In Favor: Malinowski, Dickerson, McBride, Livingston, Terracio, Walker, Kennedy, Jackson, Myers and Newton

Opposed: Manning

The vote was in favor.

Ms. Dickerson moved, seconded by Ms. D. Myers, to reconsider this item.

Opposed: Malinowski, Dickerson, McBride, Livingston, Terracio, Walker, Kennedy, Manning, Jackson, Myers and Newton

The motion for reconsideration failed.

- c. Updated CDBG Allocation – Ms. Powell stated the recommendation of the committee was to allocate \$2.8M of CDBG for COVID response, on behalf of Richland County. She stated the funding is a combination of uncommitted balances from 2019/2020 CDBG funds, as well as the CDBG-CV funds of approximately \$1M from the Cares Act.

Ms. Dickerson inquired if any of these funds can be utilized to assist with testing.

Ms. Powell responded under the allowable uses for COVID-19 response there is things like constructing a facility for testing, diagnostic and treatment. In order to use these funds, the staff would have to compile an update to the Action Plan for Council's approval.

In Favor: Malinowski, Dickerson, McBride, Livingston, Terracio, Walker, Kennedy, Jackson, Myers and Newton

The vote in favor was unanimous.

Ms. Dickerson moved, seconded by Ms. D. Myers, to reconsider this item.

Opposed: Malinowski, Dickerson, McBride, Livingston, Terracio, Walker, Kennedy, Manning, Jackson, Myers and Newton

The motion for reconsideration failed.

17. OTHER ITEMS

- a. Comprehensive Road Maintenance Program with Subdivision Abandoned Paved Road Relief – Mr. Maloney stated this is the effort to get started on a plan that will take approximately 8 months to complete. In the agenda briefing document, there is a schedule. One of the longest lead time issues, in the schedule, is obtaining County right-of-way on the roads. Step one would be to utilize County staff for survey documentation, as well as the County's Legal Department and Register of Deeds to begin the land transfer of the right-of-ways. Once that is done, we would begin to do routine maintenance where we are hearing about large potholes, and other issues on those roads. We would be using County staff for that as well. Once the entire plan is complete, and we have identified all the roads in the County that need various levels of maintenance, we would develop a 5-year capital plan that would include these roads, as well as all County roads that need improvement. The roads will be prioritized on the basis of traffic, Council districts, distribution and wear and tear. We would not be expending any funds, other than the routine maintenance on the abandoned roads, until we have the entire capital plan completed.

Ms. D. Myers stated she believes this has come before us twice before, and she thought this was supposed to be a part of a more comprehensive plan, as a part of the larger roads plan across the County. It was her understanding that we would not be just dealing with roads in subdivisions, but that we would be dealing with a comprehensive plan for how to get Richland County's roads paved, and how to allocate funds across the needs of the County. She understands this is not asking for money today. It is asking for the right for planning to go forward, but she is concerned that means we will be planning these roads in a vacuum from the rest of the roads. She stated this was supposed to be a part of a workshop.

Dr. Thompson responded this is supposed to be a part of work session. The work session was being scheduled, but because of COVID-19, and our focus on that, we have not had an opportunity to have that work session. Director Maloney is willing and able to facilitate a discussion, but because this item was before you previously we did not want to stall this item any longer.

Ms. D. Myers moved, seconded by Ms. Dickerson, to defer this item to the larger plan.

In Favor: Dickerson, McBride, Myers and Newton

Opposed: Malinowski, Livingston, Terracio, Walker, Kennedy, Manning and Jackson



ASSISTANT SECRETARY FOR
COMMUNITY PLANNING AND DEVELOPMENT

U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
WASHINGTON, DC 20410-7000

April 2, 2020

The Honorable Paul Livingston
Chair, County Council of Richland County
2020 Hampton Street
P.O. Box 192
Columbia, SC 29201

Dear Chair, County Council Livingston:

I am pleased to inform you of a special allocation to your jurisdiction of Community Development Block Grant funds to be used to prevent, prepare for, and respond to the coronavirus (COVID-19). This allocation was authorized by the Coronavirus Aid, Relief, and Economic Security Act (CARES Act), Public Law 116-136, which was signed by President Trump on March 27, 2020, to respond to the growing effects of this historic public health crisis.

The CARES Act made available \$5 billion in Community Development Block Grant Coronavirus (CDBG-CV) funds. Of this amount, the Department is immediately allocating \$2 billion based on the fiscal year 2020 CDBG formula. The remaining \$3 billion shall be allocated based on needs using best available data, in the following tranches: \$1 billion shall be allocated to States and insular areas within 45 days of enactment of the Cares Act, and \$2 billion shall be distributed to states and local governments at the discretion of the Secretary. Up to \$10 million will be set aside for technical assistance. Given the immediate needs faced by our communities, the Department has announced the first allocation of funds. Your jurisdiction's allocation is \$957,993.

The CARES Act adds additional flexibility for both the CDBG-CV grant and, in some cases, for the annual FY2020 CDBG grants in these unprecedented times. The public comment period is reduced to not less than 5 days, grantees may use virtual public hearings when necessary for public health reasons, the public services cap is suspended during the emergency, and States and local governments may reimburse costs of eligible activities incurred for pandemic response regardless of the date.

In addition, the CARES Act authorizes the Secretary to grant waivers and alternative requirements of statutes and regulations the Secretary administers in connection with the use of CDBG-CV funds and fiscal year 2019 and 2020 CDBG funds (except for requirements related to fair housing, nondiscrimination, labor standards, and the environment). Waivers and alternative requirements can be granted when necessary to expedite and facilitate the use of funds to prevent, prepare for, and respond to coronavirus.

The Department is developing a notice that will further describes the CARES Act's provisions, a Quick Guide to the CARES Act flexibilities and other provisions, and other resources

to enable swift implementation of CDBG-CV grants. As these become available, they will be posted on HUD's website and distributed to grantees. The Department will also support grantees with technical assistance.

As you develop your plan for the use of these grant funds, we encourage you to consider approaches that prioritize the unique needs of low- and moderate-income persons and the development of partnerships between all levels of government and the private for-profit and non-profit sectors. You should coordinate with state and local health authorities before undertaking any activity to support state or local pandemic response. CDBG-CV grants will be subject to oversight, reporting, and requirements that each grantee have adequate procedures to prevent the duplication of benefits. HUD will provide guidance and technical assistance on DOB and regarding prevention of fraud, waste, and abuse and documenting the impact of this program for beneficiaries.

The Office of Community Planning and Development (CPD) is looking forward to working with you to successfully meet the urgent and complex challenges faced by our communities. If you or any member of your staff has questions, please contact your local CPD Field Office Director or CPDQuestionsAnswered@hud.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "John Gibbs", written in a cursive style.

John Gibbs
Acting Assistant Secretary
for Community Planning and Development
U.S. Department of Housing and Urban Development



U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
WASHINGTON, DC 20410-7000

ASSISTANT SECRETARY FOR
COMMUNITY PLANNING AND DEVELOPMENT

September 11, 2020

The Honorable Paul Livingston
Chair, County Council of Richland County
2020 Hampton Street
P.O. Box 192
Columbia, SC 29201

Dear Chair, County Council Livingston:

I am pleased to inform you of a special allocation to your jurisdiction of Community Development Block Grant funds to be used to prevent, prepare for, and respond to the coronavirus (COVID-19). This allocation was authorized by the Coronavirus Aid, Relief, and Economic Security Act (CARES Act), Public Law 116-136, which was signed by President Trump on March 27, 2020, to respond to the growing effects of this historic public health crisis.

The CARES Act made available \$5 billion in Community Development Block Grant Coronavirus (CDBG-CV) funds. Of this amount, the Department immediately allocated \$2 billion on March 27, 2020, the same day President Trump signed the Act, based on the fiscal year 2020 CDBG formula; this constituted the first round of CDBG-CV funds. Next, \$1 billion was required by the Act to be allocated to States and insular areas within 45 days of enactment of the Act; HUD accomplished this on May 11, 2020, and this constituted the second round of CDBG-CV funds. Finally, the remaining \$2 billion in CDBG-CV funds was required by the Act to be allocated to states and local governments at the discretion of the Secretary on a rolling basis; HUD accomplished this on September 11, 2020, and this constituted the third round of CDBG-CV funds. Additionally, up to \$10 million will be set aside for technical assistance.

Accordingly, this letter informs you that your jurisdiction's allocation for the third round is \$1,239,915. Your cumulative amount for all allocation rounds is \$2,197,908.

The CARES Act adds additional flexibility for both the CDBG-CV grant and, in some cases, for the annual FY2019 and FY2020 CDBG grants in these unprecedented times. The public comment period is reduced to not less than 5 days, grantees may use virtual public hearings when necessary for public health reasons, the public services cap is suspended during the emergency, and States and local governments may reimburse costs of eligible activities incurred for pandemic response regardless of the date.

In addition, the CARES Act authorizes the HUD Secretary to grant waivers and alternative requirements of statutes and regulations the HUD Secretary administers in connection with the use of CDBG-CV funds and fiscal year 2019 and 2020 CDBG funds (except for requirements related to fair housing, nondiscrimination, labor standards, and the environment). Waivers and alternative

requirements can be granted when necessary to expedite and facilitate the use of funds to prevent, prepare for, and respond to coronavirus.

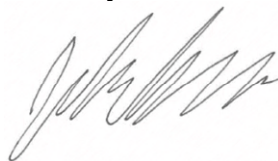
The CDBG CARES Act Federal Register Notice (FR-6218-N-01) was released on August 10, 2020. The notice describes the allocations and grant procedures applicable to the CDBG-CV grants. It also describes the program flexibilities, waivers, and alternative requirements that apply to the CDBG-CV grants as well as the fiscal year 2019 and 2020 CDBG grants. As further such flexibilities become available, they will be posted on HUD's website and distributed to grantees. The Department will also support grantees with technical assistance.

As you develop your plan for the use of these grant funds, we encourage you to consider approaches that prioritize the unique needs of low- and moderate-income persons and the development of partnerships between all levels of government and the private for-profit and non-profit sectors. You should coordinate with state and local health authorities before undertaking any activity to support state or local pandemic response. CDBG-CV grants will be subject to oversight, reporting, and the requirement that each grantee have adequate procedures to prevent the duplication of benefits (DOB). HUD will provide guidance and technical assistance on DOB, the prevention of fraud, waste, and abuse, and on documenting the impact of this program for beneficiaries.

Reminder, all CPD Grantees must ensure they maintain active Dun and Bradstreet Numbering System (DUNS) numbers in the System for Award Management (SAM) system. Entities must have an active and unexpired DUNS before execution of grant agreements to avoid delays in the obligation of funds- which will delay your ability to drawdown funds in the Integrated Disbursement & Information System (IDIS). Grantees are required to maintain an active SAMs registration by re-activating their DUNS number annually in the SAM system for the entire drawdown period of their grants. DUNS numbers can be registered and renewed each year at the following website: <https://www.sam.gov/SAM/>.

The Office of Community Planning and Development (CPD) is looking forward to working with you to successfully meet the urgent and complex challenges faced by our communities. If you or any member of your staff has questions, please contact your local CPD Field Office Director or CPDQuestionsAnswered@hud.gov.

Sincerely,



John Gibbs
Acting Assistant Secretary
for Community Planning and Development
U.S. Department of Housing and Urban Development

Richland County Council Request for Action

Subject:

Community Planning & Development – 2021-2022 Annual Action Plan

Notes:

June 22, 2021 – The A&F Committee recommended Council approve the FY 21-22 Annual Action Plan budget and projects for the Community Development Block Grant (CDBG) and HOME Investment Partnership (HOME) federal funds.



Agenda Briefing Addendum

Prepared by:	Sara Scheirer	Title:	Manager
Department:	Community Planning & Development	Division:	Community Development
Date Prepared:	June 24, 2021	Meeting Date:	June 22, 2021
Approved for Consideration:	County Administrator	Leonardo Brown, MBA, CPM	
Committee:	Administration & Finance		
Agenda Item:	Item 4g: Community Planning & Development – 2021-2022 Annual Action Plan		

COUNCIL INQUIRY #1:

Committee member McBride requested a report of the expenditures, funding sources, and their associated programs in the Community Development & Planning department.

Reply:

Please see the attached most recent Consolidated Annual Performance and Evaluation Report (CAPER), which is the year-end report and is an evaluation of the progress made in carrying out the community development programs and activities identified in the Annual Action Plan (AAP). Also attached are the grant expenditures for each current grant funding source, CDBG, HOME, and CDBG-DR.

ATTACHMENTS:

1. CAPER
2. CDBG/HOME Expenditures
3. CDBG-DR Expenditures

CR-05 - Goals and Outcomes

Progress the jurisdiction has made in carrying out its strategic plan and its action plan. 91.520(a)

This could be an overview that includes major initiatives and highlights that were proposed and executed throughout the program year.

Richland County Community Planning & Development made progress within the operating year despite the severe impacts of the COVID-19 pandemic. In particular, the CDBG assessment addressed priorities and objectives identified in the FY 19 - 20 Action Plan and gives special attention to the highest prioritized activities. The effects of the pandemic caused delays in construction activities primarily related to delays in acquiring the necessary construction materials, such as lumber, and contributed to shortages in staff positions and staff work time due to the closure of the County offices and a County-imposed, limited hiring freeze.

CDBG accomplished initiatives include:

*The Broad River Road Commercial Facade Improvement Program served to help commercial businesses improve the exterior appearance of their buildings, storefronts, and signage. The program was developed as a way to retain and attract local businesses, strengthen the commercial corridor, increase utilization of existing businesses, restore economic vitality, and enhance property values. Eligibility for the program consisted of commercial businesses fronting Broad River Road from the I-20 interchange to St. Andrews Road. Various improvement activities were eligible under the program and generally consisted of exterior signage, painting, parking lot improvements, outdoor lighting, security, and general building repairs. The program was able to serve a total of 23 businesses, and a total of \$281,665.39 was drawn down out of the \$366,000 committed to this project.

*Epworth's Children's Home met its goal of providing residential services to youth transitioning to independence by upgrading one of its housing facilities that benefitted 75 youth. A total of \$95,828.16 was expended and drawn down.

*Girl Scouts of the Midlands assisted 203 low-to-moderate income female youth to help improve their communities and to build the skills to develop and maintain health relationships through participation in program activities. A total of \$19,263.84 was expended and drawn down.

*Home Works of America repaired 15 owner-occupied homes for elderly, disabled and veteran status homeowners. A total of \$47,144.66 was drawn down out of the \$48,000 committed to this project.

*The COMET added 4 Bus Stop Shelters to Lower Richland and added access for disabled persons where not easily accessible. A total of \$34,700 was expended and drawn down.

*The Operation One Touch Program provided 16 low-to-moderate income families with rehabilitation/renovation of their homes. A total of \$81,216.77 was expended and drawn down.

HOME accomplished initiatives include:

*A total of 28 LMI homebuyers took advantage of the County's Homeownership Assistance Program (RCHAP).

Fair Housing Goals and Outcomes

The partnership with the Columbia Housing Authority (CHA) to Affirmatively Further Fair Housing continued in YR 19/20 and the joint Assessment of Fair Housing (AFH) approved by HUD in YR 2017 is ongoing. There are eight specific goals and several strategies implemented to achieve those goals. Under CR-05, the numbers reported include the accomplishments of both CHA and the County. Education and outreach about the Civil Rights Act, financial literacy, and development of new affordable housing opportunities are among the outcomes reported. In addition, the County continued to assist the Revivification Program and provided CDBG funding to local businesses serving low-to-moderate income areas of the County.

Comparison of the proposed versus actual outcomes for each outcome measure submitted with the consolidated plan and explain, if applicable, why progress was not made toward meeting goals and objectives. 91.520(g)

Categories, priority levels, funding sources and amounts, outcomes/objectives, goal outcome indicators, units of measure, targets, actual outcomes/outputs, and percentage completed for each of the grantee's program year goals.

Goal	Category	Source / Amount	Indicator	Unit of Measure	Expected – Strategic Plan	Actual – Strategic Plan	Percent Complete	Expected – Program Year	Actual – Program Year	Percent Complete
Affordable rental housing	Affordable Housing	CDBG: \$ / HOME: \$ / Entitlement: \$245449 / HOME Match: \$68958	Rental units constructed	Household Housing Unit	6	0	0.00%	4	0	0.00%
Affordable rental housing	Affordable Housing	CDBG: \$ / HOME: \$ / Entitlement: \$245449 / HOME Match: \$68958	Rental units rehabilitated	Household Housing Unit	6	0	0.00%	2	0	0.00%
AFH Goal: Educate individuals about fair housing	Fair Housing	Entitlement: \$1	Public service activities other than Low/Moderate Income Housing Benefit	Persons Assisted	4	0	0.00%			
AFH Goal: Educate individuals about fair housing	Fair Housing	Entitlement: \$1	Other	Other	20	0	0.00%	500	0	0.00%
AFH Goal: Create affordability in diverse areas	Affordable Housing Fair Housing	Entitlement: \$1	Rental units constructed	Household Housing Unit	20	0	0.00%			

AFH Goal: Create affordability in diverse areas	Affordable Housing Fair Housing	Entitlement: \$1	Rental units rehabilitated	Household Housing Unit	0	0		4	0	0.00%
AFH Goal: Create affordability in diverse areas	Affordable Housing Fair Housing	Entitlement: \$1	Other	Other	500	0	0.00%			
AFH Goal: Create partnerships for development	Affordable Housing Public Housing Homeless Non-Housing Community Development Fair Housing	Entitlement: \$350000	Public Facility or Infrastructure Activities for Low/Moderate Income Housing Benefit	Households Assisted	24	0	0.00%	1	0	0.00%
AFH Goal: Create partnerships for development	Affordable Housing Public Housing Homeless Non-Housing Community Development Fair Housing	Entitlement: \$350000	Rental units constructed	Household Housing Unit	1000	0	0.00%			

AFH Goal: Create partnerships for development	Affordable Housing Public Housing Homeless Non-Housing Community Development Fair Housing	Entitlement: \$350000	Other	Other	0	0		1	0	0.00%
AFH Goal: Expand fair housing outreach/enforcement	Fair Housing	Entitlement: \$5000	Other	Other	1	0	0.00%	2	0	0.00%
AFH Goal: Increase discrimination complaint rate	Fair Housing		Other	Other	50	0	0.00%			
AFH Goal: Promote equitable access to credit	Fair Housing		Other	Other	100	0	0.00%			
AFH Goal: Provide financial literacy education	Homeless Fair Housing	Entitlement: \$1	Homelessness Prevention	Persons Assisted	2500	0	0.00%			
AFH Goal: Provide financial literacy education	Homeless Fair Housing	Entitlement: \$1	Other	Other	2500	0	0.00%	500	0	0.00%
AFH Goal: Review/revise local land use policies	Fair Housing		Other	Other	1	0	0.00%			

Disaster Recovery	Disaster Recovery	CDBG-DR: \$ / Entitlement: \$30770000	Homeowner Housing Rehabilitated	Household Housing Unit	200	170	85.00%	120	0	0.00%
Disaster Recovery	Disaster Recovery	CDBG-DR: \$ / Entitlement: \$30770000	Other	Other	0	0		2	0	0.00%
Homebuyer program	Affordable Housing	CDBG: \$ / HOME: \$ / HOME Match: \$46023	Homeowner Housing Added	Household Housing Unit	0	9		0	0	
Homebuyer program	Affordable Housing	CDBG: \$ / HOME: \$ / HOME Match: \$46023	Direct Financial Assistance to Homebuyers	Households Assisted	100	0	0.00%	35	28	80.00%
Owner-occupied housing rehabilitation	Affordable Housing	CDBG: \$ / HOME: \$ / HOME Match: \$169145	Homeowner Housing Rehabilitated	Household Housing Unit	9	8	88.89%	14	16	114.29%
Provide assistance to homeless/other special needs	Homeless Non-Homeless Special Needs	CDBG: \$	Public service activities other than Low/Moderate Income Housing Benefit	Persons Assisted	0	10		0	0	

Provide assistance to homeless/other special needs	Homeless Non-Homeless Special Needs	CDBG: \$	Homeowner Housing Rehabilitated	Household Housing Unit	0	0		0	0	
Provide assistance to homeless/other special needs	Homeless Non-Homeless Special Needs	CDBG: \$	Overnight/Emergency Shelter/Transitional Housing Beds added	Beds	20	0	0.00%	8	0	0.00%
Provide assistance to homeless/other special needs	Homeless Non-Homeless Special Needs	CDBG: \$	Other	Other	0	0		15	75	500.00%
Public facilities and infrastructure		CDBG: \$	Public Facility or Infrastructure Activities other than Low/Moderate Income Housing Benefit	Persons Assisted	24	5530	23,041.67%	500	0	0.00%
Public facilities and infrastructure		CDBG: \$	Other	Other	2	0	0.00%			
Public services	Public Service	CDBG: \$	Public service activities other than Low/Moderate Income Housing Benefit	Persons Assisted	200	0	0.00%			
Public services	Public Service	CDBG: \$	Other	Other	45	0	0.00%			

Revivification and neighborhood master planning	Affordable Housing Non-Housing Community Development	CDBG: \$	Facade treatment/business building rehabilitation	Business	25	23	92.00%	16	23	143.75%
Revivification and neighborhood master planning	Affordable Housing Non-Housing Community Development	CDBG: \$	Buildings Demolished	Buildings	10	0	0.00%			

Table 1 - Accomplishments – Program Year & Strategic Plan to Date

Assess how the jurisdiction’s use of funds, particularly CDBG, addresses the priorities and specific objectives identified in the plan, giving special attention to the highest priority activities identified.

This is the third year of implementation of the 2017-2021 Consolidated Plan. The number one priority for Richland County is to improve the quality and availability of decent, safe and affordable housing within livable neighborhoods. This year the County focused on its broad goals that extend across the County. However, the funding priority for this year was to provide safe and decent living environments. HUD CDBG funds was used toward revitalization activities in master planned areas where needed. Public service projects scattered throughout the County included leveraging funds toward access to public transit and acquisition and rehabilitation of housing units for very low and low-income homeless individuals and families. Under the County Revivification Programs, the County assisted 23 local businesses to improve the exterior appearance

of their buildings, storefronts, and signage. This project was completed but funds were not completely drawn down during this funding year.

A total of \$1,078,492.81 CDBG was drawn this reporting year. Funding priorities for this year addressed the quality of life for the underserved.

Projects funded this year were:

- Broad River Road Commercial Facade Improvement Program - Small Businesses
- COMET - Public facilities
- Home Works of America - Low-income Homeowners
- Epworth Children's Home - At Risk Youth
- Girl Scouts of America - Low-income Youth
- Affordable rental housing development (CHDO 15% Set Aside)
- Richland County Homeownership Assistance Program (RCHAP) Homebuyer Program
- Operation One Touch owner occupied repair program
- Richland Rebuilds for owner occupied units that are beyond repair

CR-10 - Racial and Ethnic composition of families assisted

Describe the families assisted (including the racial and ethnic status of families assisted).

91.520(a)

	CDBG	HOME
White	40	0
Black or African American	559	10
Asian	0	0
American Indian or American Native	0	0
Native Hawaiian or Other Pacific Islander	1	0
Total	600	10
Hispanic	0	0
Not Hispanic	56	0

Table 2 – Table of assistance to racial and ethnic populations by source of funds

Narrative

The above table notes the CDBG and HOME numbers to reflect the number of households.

CDBG funds were utilized for housing and non-housing services during FY2019. However, Richland County serves more races than allowed. The Not Hispanic are persons of other multi-racial. According to the HUD PR23 report, a total of LMI persons received benefits through housing and public services.

With HOME funds, approximately 100% receiving benefit of the HOME program identified as African American.

The Fair Housing initiatives targeted the protected classes.

CR-15 - Resources and Investments 91.520(a)

Identify the resources made available

Source of Funds	Source	Resources Made Available	Amount Expended During Program Year
CDBG	public - federal	1,519,657	1,078,493
HOME	public - federal	844,914	372,858
Other	public - federal	169,145	
Other	public - local	169,145	

Table 3 - Resources Made Available

Narrative

Narrative

The above report outlines the 2019 Program Year allocations, expenditures, programs/activities, progress and accomplishments for Richland County's Community Development Block Grant and the HOME programs. This report also includes a section on the overall program outcomes. The program year covers the period of October 1, 2019 through September 30, 2020. Attachment 5 shows the geographic locations of the following project areas:

1. Neighborhood Revitalization
2. Operation One Touch
3. Public Services
4. Homeownership Assistance

Identify the geographic distribution and location of investments

Target Area	Planned Percentage of Allocation	Actual Percentage of Allocation	Narrative Description
Broad River Corridor	16		Broad River Facade Project
Broadriver Heights Neighborhood	0		
Candlewood	0		
County-wide	67		OOT/RCHAP
CRANE CREEK	0		
Decker Boulevard / Woodfield Park	0		
Lower Richland	11		Custom Fire Engine Truck
Olympia	0		

Southeast Richland Neighborhoods	0		
Spring Hill	0		
Trenholm Acres/New Castle	6		

Table 4 – Identify the geographic distribution and location of investments

Narrative

The geographic table above signifies the location data for the distribution of CDBG funding plus the cost of administration and contracting. The funds were disseminated to projects throughout Richland County. The National Objective of assisting LMI areas or individuals represented 80% of people served.

Leveraging

Explain how federal funds leveraged additional resources (private, state and local funds), including a description of how matching requirements were satisfied, as well as how any publicly owned land or property located within the jurisdiction that were used to address the needs identified in the plan.

The CAPER exhibits obligations that sub-recipients assumed for community revitalization, housing and other services under the County's urban entitlement award. The County fully accepts these obligations as stewards of the HUD grants to meet its housing, economic development and community revitalization efforts. Therefore, sub-recipients are expected to bring along and commit to seeking other funds and resources; private and non-federal resources through monetary donations, volunteers and sweat equity requirements.

Richland County Community Development Division worked in partnership with other divisions as well as with community partners, SC Uplift, Community Assistance Provider (CAP) and Columbia Housing Authority now known as Columbia Housing, in joint collaborations for greater impact in affordable housing development and community education and outreach.

The redevelopment of the former Columbia Mobile Home Park, known today as Shakespeare Crossing is a multi-phased project that is coming to fruition over time. The year of 2017-2018, a total of \$150,000 was expended completing Phase III. In year 2018-2019, the sub-recipient received \$348,448 to complete construction of utilities. Subsequently, the sub-recipient also received \$535,515 from State Housing to construct the first four of twenty-four rental units. In year 2019-2020, for the final phase of the project, the County committed \$135,000 for the sub-recipient to construct a community center and awarded CHDO funds of \$528,114 to the sub-recipient to construct the remaining units. The sub-recipient received \$458,500 in conventional financing and committed \$110,856 of its own funds. The effects of the COVID-19 pandemic significantly impacted the completion of the final phase of the project due to the shortage of and expenses related to lumber and construction materials. To date, roughly \$2,420,000 has been secured for this project.

The Community Development Division collaborated with the Planning Services Division and the Neighborhood Improvement Program (NIP) of the County to help local businesses improve the exterior appearance of their buildings, storefronts, and signage through the Broad River Road Commercial Façade Improvement Project. A total of \$366,000.00 in CDBG funding was committed and completion had a great impact on retaining and attracting local businesses, strengthening the commercial corridor, increasing utilization of existing businesses, restoring economic vitality, enhancing property values, and serving individuals in a low-to-moderate

income area. Although, not figured in terms of dollars, Richland County Departments such as Public Works, Information Technology, Finance, Procurement, Public Information and Legal provided in-kind professional services to CDBG, HOME and other needed areas.

In addition, income is generated by loan payments received from CHDOs. Currently four CHDOs are repaying HOME funds loaned for the development of affordable housing.

Lastly, income is generated through the RCHAP Program with each applicant paying a \$50 application fee that generates a leveraging source.

Fiscal Year Summary – HOME Match	
1. Excess match from prior Federal fiscal year	96,569
2. Match contributed during current Federal fiscal year	167,345
3. Total match available for current Federal fiscal year (Line 1 plus Line 2)	263,914
4. Match liability for current Federal fiscal year	173,674
5. Excess match carried over to next Federal fiscal year (Line 3 minus Line 4)	90,240

Table 5 – Fiscal Year Summary - HOME Match Report

Match Contribution for the Federal Fiscal Year								
Project No. or Other ID	Date of Contribution	Cash (non-Federal sources)	Foregone Taxes, Fees, Charges	Appraised Land/Real Property	Required Infrastructure	Site Preparation, Construction Materials, Donated labor	Bond Financing	Total Match
904	10/31/2019	166,448	0	0	0	0	0	166,448
923	10/31/2019	7,226	0	0	0	0	0	7,226

Table 6 – Match Contribution for the Federal Fiscal Year

HOME MBE/WBE report

Program Income – Enter the program amounts for the reporting period				
Balance on hand at begin-ning of reporting period \$	Amount received during reporting period \$	Total amount expended during reporting period \$	Amount expended for TBRA \$	Balance on hand at end of reporting period \$
0	135,411	60,000	0	75,411

Table 7 – Program Income

Minority Business Enterprises and Women Business Enterprises – Indicate the number and dollar value of contracts for HOME projects completed during the reporting period						
	Total	Minority Business Enterprises				White Non-Hispanic
		Alaskan Native or American Indian	Asian or Pacific Islander	Black Non-Hispanic	Hispanic	
Contracts						
Dollar Amount	0	0	0	0	0	0
Number	0	0	0	0	0	0
Sub-Contracts						
Number	0	0	0	0	0	0
Dollar Amount	0	0	0	0	0	0
	Total	Women Business Enterprises	Male			
Contracts						
Dollar Amount	0	0	0			
Number	0	0	0			
Sub-Contracts						
Number	0	0	0			
Dollar Amount	0	0	0			

Table 8 - Minority Business and Women Business Enterprises

Minority Owners of Rental Property – Indicate the number of HOME assisted rental property owners and the total amount of HOME funds in these rental properties assisted						
	Total	Minority Property Owners				White Non-Hispanic
		Alaskan Native or American Indian	Asian or Pacific Islander	Black Non-Hispanic	Hispanic	
Number	0	0	0	0	0	0
Dollar Amount	0	0	0	0	0	0

Table 9 – Minority Owners of Rental Property

Relocation and Real Property Acquisition – Indicate the number of persons displaced, the cost of relocation payments, the number of parcels acquired, and the cost of acquisition						
Parcels Acquired		0		0		
Businesses Displaced		0		0		
Nonprofit Organizations Displaced		0		0		
Households Temporarily Relocated, not Displaced		0		0		
Households Displaced	Total	Minority Property Enterprises				White Non-Hispanic
		Alaskan Native or American Indian	Asian or Pacific Islander	Black Non-Hispanic	Hispanic	
Number	0	0	0	0	0	0
Cost	0	0	0	0	0	0

Table 10 – Relocation and Real Property Acquisition

CR-20 - Affordable Housing 91.520(b)

Evaluation of the jurisdiction's progress in providing affordable housing, including the number and types of families served, the number of extremely low-income, low-income, moderate-income, and middle-income persons served.

	One-Year Goal	Actual
Number of Homeless households to be provided affordable housing units	8	0
Number of Non-Homeless households to be provided affordable housing units	55	75
Number of Special-Needs households to be provided affordable housing units	0	0
Total	63	75

Table 11 – Number of Households

	One-Year Goal	Actual
Number of households supported through Rental Assistance	0	0
Number of households supported through The Production of New Units	1	37
Number of households supported through Rehab of Existing Units	59	38
Number of households supported through Acquisition of Existing Units	3	0
Total	63	75

Table 12 – Number of Households Supported

Discuss the difference between goals and outcomes and problems encountered in meeting these goals.

Richland County's intended outcomes of our programs are to benefit low-moderate income persons, aid in the elimination of slum or blight in low-to-moderate income census tracts and/or to address an urgent need. This year is the third year of implementing the Consolidated Plan where there are twelve central programs and activities that are intended to help to accomplish our goals in these areas. The goals set forth in 2019/2020 and reported, addressed housing concerns that impact affordability, livability and sustainability. The most productive area was sustainability. The Richland County

Homeowner Assistance Program assisted 28 LMI households to purchase homes. Richland Rebuilds is another program that the County has which is designed to rebuild homes. The single family homes must have deteriorated beyond repair and the resident must be facing possible homelessness. Due to the COVID-19 pandemic, the rebuild program was halted, but will resume in 2020/2021 to provide safe homes. The Operation One Touch Program provided rehabs to a number of special needs to include the elderly and/or disabled households. The repairs included HVAC replacement, roofing replacement, windows and bathroom replacement.

Home Works expended \$47,144.66 to complete 15 homes for low-income persons who are elderly, disabled and of veteran status. While the contract goal for Home Works was 50 homes, the goal was set based on the total homes that Home Works would complete through all available funding sources, not just CDBG funds. Through all available funding sources, including CDBG funds, Home Works completed 174 homes and exceeded its contract goal.

The County also accomplished its target goal to provide housing to homeless and special needs persons. Homeless No More expended \$7,143.18 for the provision of transitional housing and Epworth's Childrens Home expended \$95,828.16 to upgrade one of its residential facilities that houses 75 youths.

The 2019-2020 Action Plan Goals for affordable housing of 63 total households were set based on CDBG-DR program goals. The program exceeded this goal by repairing or rebuilding a total of 75 homes.

Discuss how these outcomes will impact future annual action plans.

Due to the current housing market and homeownership trends, this year the County invested in both affordable homeownership and rental developments. Richland County continued with the strategy of housing very low income families by requiring first rental be made available only to households that are at 60% and below LMI and we target households that are 50% and below for the Richland Rebuilds. Housing needs continue to be extremely great in unincorporated areas of Richland County and clearly indicate that quality of life is negatively impacted by affordability, availability and sustainability. Through partnerships with CHDOs and other housing providers, we have been able to serve more people. These proven efforts are beneficial in aiding the County by increasing its capacity to create decent, safe and affordable housing.

The Richland County Homeownership Assistance Program (RCHAP) goal was to provide 35 families with down payment/closing costs, but only 28 families were able to take advantage of the opportunity to purchase a home. This program allows for new homebuyers to obtain not only a new home but also the opportunity to work towards building wealth and assets. Homeownership tends to build up pride, as well as give an investment that grows with appreciation.

The outcome for the Operation One Touch program provided our citizens an opportunity to save their homes which had been in severe state of deterioration. The goal was to provide rehabilitation to 14 LMI

families. However, Operation One Touch was able to provide a total of 16 LMI families with a safe and healthy living environment for they had no other way to restore to their home.

The County will look to continue its success of the Operation One Touch and RCHAP programs and expand upon these efforts in future annual plans.

Include the number of extremely low-income, low-income, and moderate-income persons served by each activity where information on income by family size is required to determine the eligibility of the activity.

Number of Households Served	CDBG Actual	HOME Actual
Extremely Low-income	3	1
Low-income	1	7
Moderate-income	0	2
Total	4	10

Table 13 – Number of Households Served

Narrative Information

Richland County Homeownership Assistance Program (RCHAP)

The down payment assistance program was funded using HOME program income, HOME Funds and match funds. All of the down payment assistance given through this program is given in the form of a Deferred Forgivable Loan. This type of loan is forgiven on a pro-rata basis over a five-year period as long as the homeowner continues to own and live in the house as their primary residence.

Twenty-eight (28) LMI persons benefited from these first time purchases. All families purchased a home throughout the unincorporated areas of Richland County.

Richland County host an orientation on monthly bases to help individuals and families understand the basic program guidelines and procedures. During orientation, more than 50 participants are given a handbook and an application.

CR-25 - Homeless and Other Special Needs 91.220(d, e); 91.320(d, e); 91.520(c)
Evaluate the jurisdiction’s progress in meeting its specific objectives for reducing and ending homelessness through:

Reaching out to homeless persons (especially unsheltered persons) and assessing their individual needs

As of January 2019, South Carolina had an estimated **4,172** experiencing homelessness on any given day, as reported by Continuums of Care to the U.S. Department of Housing and Urban Development (HUD). Of that Total, **854** were family households, **462** were Veterans, **216** were unaccompanied young adults (aged 18-24), and **942** were individuals experiencing chronic homelessness.

Annually, Richland County expends a portion of its HOME and CDBG funds to address the housing needs of its most vulnerable citizens, to include those that are at risk and facing homelessness. In FY 2019-2020, Richland County provided onegrants totaling \$100,000 to a homeless service provider. The County also invested \$528,114.00 for the development of affordable rental units aimed at serving households that were 60% and below AMI. This ongoing effort through CHDO housing developers.

In addition, the County nurtured its relationship with Midlands Area Consortium for Homeless (MACH) by offering support and by attending meetings, interacting with its membership and through volunteer services. The County relies immensely on the input of MACH members to identify where our resources can be of greater benefit to help reduce homelessness. MACH serves as the primary vehicle for the distribution of information about housing programs and services offered by the County. Through MACH we are connected with what is happening within the homeless community and as a result we are able to be more responsive to community needs.

https://files.hudexchange.info/reports/published/CoC_PopSub_State_SC_2019.pdf

Addressing the emergency shelter and transitional housing needs of homeless persons

During this reporting year Richland County provided CDBG funding to two housing programs that serve transitional and emergency shelter needs. Giving consideration to PIT data, YR 2019-2020, Richland County Community Development provided financial support to Epworth Children’s Home to assist with housing up to 30 unaccompanied youth who were at risk of homelessness due to aging out of the foster care system. This is the fourth year of funding to this agency where intended use was the restoration of cottages that now serve as independent living shelter for 18-24 year olds. These unaccompanied you are pursuing educational and employment opportunities among other unmet needs. Richland County also drew down \$7,143.18 in CDBG to Homeless No More for FY 2019-2020. Homeless No More is a homeless service provider that administers transitional housing through St. Lawrence Place located at

2400 Waites Road in the City of Columbia. Homeless No More provides 30 two-bedroom units to qualifying families in need of emergency assistance. Families temporarily housed through Homeless No More pay subsidized rents. Each of these agencies provide case management and life skills classes intended to lead clientele to independence.

Helping low-income individuals and families avoid becoming homeless, especially extremely low-income individuals and families and those who are: likely to become homeless after being discharged from publicly funded institutions and systems of care (such as health care facilities, mental health facilities, foster care and other youth facilities, and corrections programs and institutions); and, receiving assistance from public or private agencies that address housing, health, social services, employment, education, or youth needs

The Midlands Area Consortium for the Homeless (MACH) is an organization that manages the Continuum of Care (CoC) for 50 partner members representing fourteen counties located in central part of South Carolina to include Richland County. MACH was established to serve as the local body for each member. Richland County, as the collaborative resource to provide a bridge between the homeless and the at large community that assist individuals and families to obtain stable housing, employment and education to become self-sufficient. Richland County Community Development remains committed and active in MACH by supporting annual initiatives; by attending meetings, paying membership dues and as a local municipality, reviews CoC applications for certification. MACH has been helping individuals obtain stable housing and employment and education necessary to become self-sufficient. Homeless No More is a housing agency member of MACH and a benefactor of County CDBG funds. Epworth Children's HOME also a benefactor of County CDBG funds relies on County funds specifically for the Independent Living Program, the only program of its kind in the State. The focus is to help 18-24 year olds transition from Foster Care Program into the adult world. The success of this program is a major factor in helping to prevent homelessness, unemployment and potential crime in Richland County.

Helping homeless persons (especially chronically homeless individuals and families, families with children, veterans and their families, and unaccompanied youth) make the transition to permanent housing and independent living, including shortening the period of time that individuals and families experience homelessness, facilitating access for homeless individuals and families to affordable housing units, and preventing individuals and families who were recently homeless from becoming homeless again

Richland County provides CDBG funding to Epworth Children's Home to support the independent living Program (ILP). This program is an expansion of traditional residential care. Unaccompanied youth that graduate from foster care and traditional residential care and need an alternative to living independently, can remain at Epworth and live in cottage style housing if enrolled in college or maintain employment but cannot yet afford living independently. The ILP provides a resident with the

opportunity for career exploration as well as seeking higher education. The program is available for youth ages 18-24 years and it helps young adults from experiencing homelessness.

CR-30 - Public Housing 91.220(h); 91.320(j)

Actions taken to address the needs of public housing

While Richland County does not operate any public housing units directly nor receive federal funding to do so, it is customary for the County to receive the Annual and Five-Year Plans of the Columbia Housing Authority (CHA) to determine consistency with Richland County's Consolidated and Annual Action Plans and to maintain a working relationship. In addition Richland County and CHA collaborated and submitted a joint 2017-2021 Assessment of Fair Housing plan and efforts to address the impediments identified are ongoing.

There is one PHA located within Richland County. Columbia Housing Authority (CHA), that technically falls within the City of Columbia's municipality limits. Columbia Housing Authority (CHA) receives direct funding from HUD and other resources. However, Richland County was is in partnership with CHA in two areas during this reporting year: Direct partner of the Assessment of Fair Housing (AFH) document and RCHAP Partner for required Housing Counseling component.

Actions taken to encourage public housing residents to become more involved in management and participate in homeownership

Richland County continued its partnership with the local Columbia Housing Authority (CHA). Richland County Homeowner Assistance Program (RCHAP) applicants are required to complete homebuyer education, credit counseling and home maintenance courses to qualify for up to \$10,000.00 in down payment and closing cost. RCHAP applicants are approved by the County to participate in the Public Housing Agency (PHA), 12 hour training program or to an online course that requires a test.

Actions taken to provide assistance to troubled PHAs

N/A - Columbia Housing Authority is not on the list of troubled PHAs.

CR-35 - Other Actions 91.220(j)-(k); 91.320(i)-(j)

Actions taken to remove or ameliorate the negative effects of public policies that serve as barriers to affordable housing such as land use controls, tax policies affecting land, zoning ordinances, building codes, fees and charges, growth limitations, and policies affecting the return on residential investment. 91.220 (j); 91.320 (i)

In 2018, Community Development became a division under Community Planning and Development Department and by doing so the goals and objectives of the Consolidated Plan will become more prominent and will receive greater attention and oversight. The County has a robust 2015 Comprehensive Plan with the County's Future Land Use Map called Plan Together, which works in concordance with the City of Columbia's Planning Department. While the Comprehensive Plan is due for review in 2020, this year, the County completed the Consolidated Draft for the Land Development Code Chapter 26 Rewrite. Additionally, regulations/restrictions were added to the Land Development Code for drinking establishments.

The zoning ordinances and land development regulations are the primary means of implementing a community's vision for where and how the County grows. The purpose of the rewrites and upcoming review is to develop 21st Century regulations that:

- Reflect the county's Comprehensive Plan;
- Are user-friendly;
- Align with contemporary zoning best practices;
- Protect and enhance the character of existing neighborhoods;
- Protect natural areas and the environment; and
- Support transit, biking, and pedestrian travel modes.

The Planning Development Services Division review all applications for land development including site plans, subdivision and planned development approvals for compliance with County Land Development.

Actions taken to address obstacles to meeting underserved needs. 91.220(k); 91.320(j)

The following sections of 2017-2021 Consolidated Plan and subsequent FY19-20 Annual Action Plan provide a basis for identifying underserved needs and the obstacles to meeting these needs in Richland County:

- Allocation priorities for the FY 2019-2020 annual action plan are: Rehabilitation of existing affordable owner-occupied housing units Public improvements and infrastructure Homeless/Continuum of Care (CoC) services that benefit unaccompanied youth and other special needs homeless populations Council-approved eligible master planned area

improvements Production of affordable housing units Homeownership assistance Collaboration with community partners to coordinate development activities Public services These priorities were selected on the basis of the assessment of housing needs and housing market analysis responses obtained through the public engagement process conducted for the 2017-2021 Consolidated Plan. Key findings include: Insufficient affordable housing available for low- and very-low income residents. Insufficient services for homeless and other special needs populations Unsafe and blighted housing and commercial areas throughout the county. Inadequate roads and other infrastructure Public service projects were selected on the basis of a competitive application process. Other funding priorities include support for ongoing revitalization efforts in neighborhood master planning areas and a county-wide revivification strategy adopted this year. HOME funds are distributed among programs for housing rehabilitation, homeowner assistance and CHDO new construction/rehabilitation of affordable housing. These strategies for expanding the affordable housing stock are consistent with the priorities of county residents reached through public participation process for the 2017-2021 Consolidated Plan. The primary obstacle to addressing underserved needs is budgetary. The action plan allocates federal funds strategically to leverage local and state funds for the greatest impact but housing and public service needs far exceed available funds.

Actions taken to reduce lead-based paint hazards. 91.220(k); 91.320(j)

During the 2019 Program year all houses in the Operation One Touch Program were all tested by an EPA certified Lead Risk Assessor. If lead based paints hazards were identified, we would have controlled them using acceptable HUD/EPA protocol for paint stabilization, interim controls, or abatement methods. Richland County staff has incorporated full compliance of all applicable lead-based paint regulations into the housing policies and procedure manuals. All units assisted with CDBG or HOME funds must comply with the regulation implementing Title X of the 1992 Housing and Community Development Act.

Actions taken to reduce the number of poverty-level families. 91.220(k); 91.320(j)

As the lead agency in the implementation of the Consolidated Plan, Richland County coordinated efforts among its partner organizations to help meet the goals outlined in this Annual Action Plan. Community partners in this effort included neighborhood associations, residents, faith-based organizations, businesses, health and human services agencies, private developers, lenders and non-profit service providers.

To further address the alleviation of poverty, the County continued its economic development efforts and its partnership with the Central South Carolina Alliance to recruit new businesses and industries to

Richland County, as well as retain existing businesses and industries and encourage their expansion. In addition, the Richland County Economic Development Department sought to do the same from the County level. The creation of economic opportunities is not an isolated solution to alleviating poverty. Richland County is continually working with community partners to identify educational, life skills and training needs and provide opportunities for self-empowerment. This will enable LMI residents to become and continue to be self-sufficient and economically independent. The department also hosted post homeownership workshops and partnered with others to provide financial literacy in the community. These workshops addressed topics including budgeting, investment, wills and probates, and IRS tax preparation.

Actions taken to develop institutional structure. 91.220(k); 91.320(j)

Richland County works closely with many community partners, federal and state agencies, non-profit organizations, for-profit organizations and neighboring jurisdictions in the formulation and implementation of its Consolidated Plan. These partnerships strengthened the planning process and ensured successful implementation of the Plan. Each partner in the process played a critical role in the success of the program and brought expertise in a variety of issues and a unique perspective to the table. Communication and collaboration are key aspects of a successful institutional structure and in the successful implementation of the County's housing and community development strategies. Richland County coordinated with Lexington County, the City of Columbia, the State Housing Authority, the Columbia Housing Authority, United Way of the Midlands, local municipalities and neighboring jurisdictions on matters related to housing and community development needs. As the County partners with our community social service agencies such as Girl Scouts of America and Epworth Children's Home, we are strengthening our fiscal and altruistic connection.

Actions taken to enhance coordination between public and private housing and social service agencies. 91.220(k); 91.320(j)

The mission of Community Development embodies fair and equal access to decent, safe and affordable housing and the County integrates this mission in the day to day business of the Community Development Division.

The Columbia Housing Authority and the SC Human Affairs Commission were key assets to the County in addressing impediments to fair housing identified in the 2011 Analysis of Impediments to Fair Housing. This trans-agency partnership and commitment continued as the County continues to implement the HUD approved 2017-2021 Assessment of Fair Housing (AFH). This document serves as a guide and planning tool along with the 5 YR Consolidated Plan (2017-2021). The AFH document is a joint document between Richland County and CHA where the collaboration extended over a five month period and the outcomes and shared goals were adopted by both agencies. While there are several planned goals, the over-arching outcome is to create up to 1,000 units of affordable housing by 2021.

The new AFH integrated assessment tool is an opportunity to improve future collaborations with CHA and other agencies. Through this partnership, Civil Rights: It Still Matters was formed in an effort to join forces with other participating jurisdictions such as the City of Columbia and Lexington County to coordinate our fair housing education and outreach efforts under a single theme and focus. A CRISM Committee was formed YR 2017-18 maintains a diverse group of people representing more than a dozen local agencies across multiple industries. This Committee collaborated throughout this year and members provided support of member events and accomplishments. Also, Lexington and Richland succeeded in completing a Fair Housing Bill Board Campaign.

Identify actions taken to overcome the effects of any impediments identified in the jurisdictions analysis of impediments to fair housing choice. 91.520(a)

The mission of Community Development embodies fair and equal access to decent, safe and affordable housing and the County integrates this mission in the day-to-day business of the Community Development Division.

The Columbia Housing Authority joined the County as a partner and worked side by side to complete the HUD approved 2019-2021 Assessment of Fair Housing (AFH). This document replaced the Impediments to Fair Housing document and Columbia Housing Authority became a key asset to the County in addressing impediments to fair housing choices. The AFH continues to serve as a guide and planning tool along with the Five Year Consolidated Plan. With shared goals adopted by both Richland County and the Columbia Housing Authority under the AFH, intensified the efforts and resulted in greater impact on addressing the persistence of impediment of housing choices. The issues identified and are the premise for the goals outlined within the AFH and the goals that we focused on during FY 2019-2020 CAPER reporting period were: **1) to increase visibility and awareness to Title VIII of the Civil rights Act of 1968 as amended; 2) to increase the number of quality affordable housing units; and 3) to provide financial literacy education.**

CR-40 - Monitoring 91.220 and 91.230

Describe the standards and procedures used to monitor activities carried out in furtherance of the plan and used to ensure long-term compliance with requirements of the programs involved, including minority business outreach and the comprehensive planning requirements

HOME projects are monitored in the following manner: Throughout the affordability period, CHDOs are audited via desk monitoring routinely throughout the year. Current projects are also subject to weekly site visits, depending on the timeline, if the project is in need of assistance with meeting the deliverables. Projects that are under a two year service contract have a more comprehensive, onsite audit after project completion and closeout. CHDO project monitoring take place annually. Monitoring are scheduled in writing and after the audit review a report is sent to the owner for response and subsequent audit close-out. The Project Coordinator also conducts workshops periodically for technical assistance and updates. Attendance has the incentive of CHDOs receiving bonus points on submitted RFP responses. Lastly, annual inspections reports of all CHDO units are submitted to the project manager for County files.

The housing rehabilitation programs are monitored by assigned staff from a more schematic and fiscal level. An annual Contractors Workshop is held with various County staff to include Procurement, Residential Inspections, etc. to provide a level of standard and to convey operation, processes and procedures. When needed, periodic written communications are disseminated and conference meetings are held when cost and work show discrepancies within the scope of services. This step is taken to alleviate unnecessary cost burdens to the County. For County's RCHAP - down payment assistance, Operation One Touch or Richland Rebuild programs, annual reviews of files take place to stay updated on Satisfaction of Lien. Letters are mailed annually and verified to certify that occupancy requirements are met and homes remain primary residences. In addition, the in-house inspector provides regular inspection needs for all CDBG, HOME and CDBG-DR programs including all residential units and also infrastructure projects while projects are underway and until construction or rehabilitation is 100% completed. For RCHAP units, inspector performs pre-closing inspections to ensure the new homeowners home choice is 100% functional and verifies that all major systems are working properly.

CDBG Funded Projects:

The monitoring of expenditures and progress reporting is a valuable tool that aids in establishing the framework to develop and implement meaningful and appropriate levels of technical assistance. Sub-recipients after award announcement but prior to executed contracts have pre-execution conference meetings to establish expectations and answer questions of the contractor that receives the award. Contracts lists performance measures. Once the sub-recipients are underway with projected outcomes,

the Project Coordinator oversees work and ensures written reports are received and reviewed prior to payments are issued. Projects are also subject to monthly on-site visits, depending on the timeline, if the project is in need of assistance of meeting its deliverables. For larger scale construction projects such as streetscape or building of a barrier wall, the division's inspector completes weekly inspections as well. Additionally, on-site monitoring visits are held and need to be listed into a standing written monitoring schedule.

Citizen Participation Plan 91.105(d); 91.115(d)

Describe the efforts to provide citizens with reasonable notice and an opportunity to comment on performance reports.

Citizen Participation-Hispanic Community

Richland County continues its outreach and citizen involvement to include the non-English speaking citizen's. Community Development maintains its relationship with the National Association of Hispanic Real-estate Professionals. This group host monthly meetings and is open to receiving information to share with their constituency. Members of this group participated in RCHAP Orientations and attended the Realtors/Lenders Workshop. In addition, we are active members of Alianza. Alianza is represented by professional that provide programs and services specifically to non-English speaking people. These groups are among the first to receive announcements and have become a part of the Community Development network. In addition, this year, we extended our outreach to the disabled population. Richland County produced a public relations program centered on people with disabilities. Members of this community participated in interviews, photo opportunities and also attended and participated in the Annual Action Plan Public Hearing.

Notice of the virtual public hearing for this performance report was provided online at richlandcountysc.gov under the "News" section and in local news media beginning March 21, 2021. The notice provided an opportunity for citizens to request an invitation to submit comments, participate in the virtual public hearing, and view the public hearing online through the Richland County YouTube channel. Residents were encouraged to provide public comments by mail or e-mail. Citizens who requested an invitation were provided a copy of the performance report and the report can be viewed online by visiting www.richlandcountysc.gov, navigating to Community Development, and then to the Housing & Urban Development webpage. The public hearing was recorded.

Seven individuals, including three members of the public and four staff, participated in the public hearing. One citizen provided comments via email. The comments included questions regarding the homebuyer assistance program, the Operation One Touch Program, use of CDBG funds for rehabilitation of private homes, the map of Federal Funded projects, the nature of accomplishments included in the report for housing-related activities, Fair Housing Section 3, the County's efforts to award HOME funds

to CHDOs, and publication of the notice for the virtual public hearing. Other comments surrounded the inclusion of community partners, projects, figures, and fair housing achievements.

CR-45 - CDBG 91.520(c)

Specify the nature of, and reasons for, any changes in the jurisdiction's program objectives and indications of how the jurisdiction would change its programs as a result of its experiences.

Richland County does not have an existing section 108 loan.

Does this Jurisdiction have any open Brownfields Economic Development Initiative (BEDI) grants?

No

[BEDI grantees] Describe accomplishments and program outcomes during the last year.

CR-50 - HOME 91.520(d)

Include the results of on-site inspections of affordable rental housing assisted under the program to determine compliance with housing codes and other applicable regulations

Please list those projects that should have been inspected on-site this program year based upon the schedule in §92.504(d). Indicate which of these were inspected and a summary of issues that were detected during the inspection. For those that were not inspected, please indicate the reason and how you will remedy the situation.

In accordance with HOME Program regulations, all HOME funded rental projects are subject to an annual on-site monitoring; as such all properties currently under affordability requirements were monitored. This practice exceeds the rental inspection requirements as identified at 24 CFR 92.504(d). Richland County continues to require annual inspections by the CHDO owner for all rental units acquired with HOME subsidy. Twenty (20) HOME funded rental units were inspected during the 2019-20 CAPER reporting period. Rental inspections include the completion of a checklist of features that are inspected to insure functionality and condition. During the inspection review period Richland County also requires an occupancy report that details the occupant is long-term and verifies occupants household size, race and income. The reports collectively assure that units remain maintained, suitable for occupancy and remain in compliance with Housing Quality Standards and income occupancy standards. Additionally, Richland County staff performs random inspections of the exterior of each unit. When concerns related to condition of the exterior, the issues are conveyed to the CHDO/owner via an e-mail or phone call. The random inspections are purposed to determine the quality of maintenance pertaining to landscape, environmental conditions and safety. The attached table list HOME rental units owned by CHDOs that require annual inspections. This list also includes findings and actions taken if needed. In this practice of review of annual inspection reports and performing random inspections, Richland County is protecting the HOME investment to assure that the HOME assisted units do not fall into disrepair and program income received by the CHDO is used to provide regular upkeep and maintenance.

Provide an assessment of the jurisdiction's affirmative marketing actions for HOME units.

92.351(b)

monitoring and annual reporting period. HOME awards are made to CHDO non-profit affordable housing developers and CHDO owners of rental units are subject to HUD regulations including fair rental policies and procedures and practices. Each CHDO is required to submit an affirmative marketing plan with all Request for Funding that is compatible with HOME regulatory requirements. These Affirmative Marketing Standards are outlined in the Richland County operating and procedures manual. The plans must include marketing strategies and practices that include broad outreach measures and visible accessible and consistent application practices. It is the County's practice to monitor CHDOs annually through the period of affordability. Richland County Community Development assess CHDO's capacity and performance. In addition, Richland County provides technical assistance for owners and property

management representatives. This will ensure that HOME regulations and the affordability period requirements are acknowledged.

Refer to IDIS reports to describe the amount and use of program income for projects, including the number of projects and owner and tenant characteristics

As of the end of YR 2019-2020 Richland County has available a total of \$135,410.92 in program income to expend. These funds are generated from RCHAP and from loan payments received from CHDO affordable housing developers. The intended use of PI is to reinvest in the development of affordable rental or homeownership units. Richland County standard procedure is to require first occupants of units developed with HOME CHDO-Reserve funds be households that are 60% and below AMI. Program Income was not committed YR 2019-2020 but there are plans to invest a portion or all to the development of rental housing at Shakespeare Crossing where the end result will be 24, of 2-3 bedroom units intended to serve as workforce housing.

Describe other actions taken to foster and maintain affordable housing. 91.220(k) (STATES ONLY: Including the coordination of LIHTC with the development of affordable housing). 91.320(j)

N/A

Attachment

PR-26 Financial Summary Report

	Office of Community Planning and Development	DATE: 04-06-21
	U.S. Department of Housing and Urban Development	TIME: 16:12
	Integrated Disbursement and Information System	PAGE: 1
	PR26 - CDBG Financial Summary Report	
	Program Year 2019	

HIGHLAND COUNTY, SC

PART I: SUMMARY OF CDBG RESOURCES:	
01 UNEXPENDED CDBG FUNDS AT END OF PREVIOUS PROGRAM YEAR	1,263,534.12
02 ENTITLEMENT GRANT	1,519,657.00
03 SURPLUS URBAN RENEWAL	0.00
04 SECTION 108 GUARANTEED LOAN FUNDS	0.00
05 CURRENT YEAR PROGRAM INCOME	0.00
05a CURRENT YEAR SECTION 108 PROGRAM INCOME (FOR SI TYPE)	0.00
06 FUNDS RETURNED TO THE LINE-OF-CREDIT	0.00
06a FUNDS RETURNED TO THE LOCAL CDBG ACCOUNT	0.00
07 ADJUSTMENT TO COMPUTE TOTAL AVAILABLE	0.00
08 TOTAL AVAILABLE (SUM, LINES 01-07)	2,783,191.12
PART II: SUMMARY OF CDBG EXPENDITURES:	
09 DISBURSEMENTS OTHER THAN SECTION 108 REPAYMENTS AND PLANNING/ADMINISTRATION	805,195.74
10 ADJUSTMENT TO COMPUTE TOTAL AMOUNT SUBJECT TO LOW/MOD BENEFIT	0.00
11 AMOUNT SUBJECT TO LOW/MOD BENEFIT (LINE 09 + LINE 10)	805,195.74
12 DISBURSED IN IDIS FOR PLANNING/ADMINISTRATION	273,297.07
13 DISBURSED IN IDIS FOR SECTION 108 REPAYMENTS	0.00
14 ADJUSTMENT TO COMPUTE TOTAL EXPENDITURES	0.00
15 TOTAL EXPENDITURES (SUM, LINES 11-14)	1,078,492.81
16 UNEXPENDED BALANCE (LINE 08 - LINE 15)	1,704,698.31
PART III: LOW/MOD BENEFIT THIS REPORTING PERIOD:	
17 EXPENDED FOR LOW/MOD HOUSING IN SPECIAL AREAS	0.00
18 EXPENDED FOR LOW/MOD MULTI-UNIT HOUSING	0.00
19 DISBURSED FOR OTHER LOW/MOD ACTIVITIES	805,195.74
20 ADJUSTMENT TO COMPUTE TOTAL LOW/MOD CREDIT	0.00
21 TOTAL LOW/MOD CREDIT (SUM, LINES 17-20)	805,195.74
22 PERCENT LOW/MOD CREDIT (LINE 21/LINE 11)	100.00%
LOW/MOD BENEFIT FOR MULTI-YEAR CERTIFICATIONS:	
23 PROGRAM YEARS(PY) COVERED IN CERTIFICATION	PY: PY: PY:
24 CUMULATIVE NET EXPENDITURES SUBJECT TO LOW/MOD BENEFIT CALCULATION	0.00
25 CUMULATIVE EXPENDITURES BENEFITING LOW/MOD PERSONS	0.00
26 PERCENT BENEFIT TO LOW/MOD PERSONS (LINE 25/LINE 24)	0.00%
PART IV: PUBLIC SERVICE (PS) CAP CALCULATIONS:	
27 DISBURSED IN IDIS FOR PUBLIC SERVICES	19,634.32
28 PS UNLIQUIDATED OBLIGATIONS AT END OF CURRENT PROGRAM YEAR	52,003.98
29 PS UNLIQUIDATED OBLIGATIONS AT END OF PREVIOUS PROGRAM YEAR	13,561.23
30 ADJUSTMENT TO COMPUTE TOTAL PS OBLIGATIONS	0.00
31 TOTAL PS OBLIGATIONS (LINE 27 + LINE 28 - LINE 29 + LINE 30)	88,077.07
32 ENTITLEMENT GRANT	1,519,657.00
33 PRIOR YEAR PROGRAM INCOME	0.00
34 ADJUSTMENT TO COMPUTE TOTAL SUBJECT TO PS CAP	0.00
35 TOTAL SUBJECT TO PS CAP (SUM, LINES 32-34)	1,519,657.00
36 PERCENT FUNDS OBLIGATED FOR PS ACTIVITIES (LINE 31/LINE 35)	3.82%



PART V: PLANNING AND ADMINISTRATION (PA) CAP

37 DISBURSED IN IDIS FOR PLANNING/ADMINISTRATION	273,297.07
38 PA UNLIQUIDATED OBLIGATIONS AT END OF CURRENT PROGRAM YEAR	26,533.93
39 PA UNLIQUIDATED OBLIGATIONS AT END OF PREVIOUS PROGRAM YEAR	23,180.45
40 ADJUSTMENT TO COMPUTE TOTAL PA OBLIGATIONS	0.00
41 TOTAL PA OBLIGATIONS (LINE 37 + LINE 38 - LINE 39 +LINE 40)	276,650.55
42 ENTITLEMENT GRANT	1,519,657.00
43 CURRENT YEAR PROGRAM INCOME	0.00
44 ADJUSTMENT TO COMPUTE TOTAL SUBJECT TO PA CAP	0.00
45 TOTAL SUBJECT TO PA CAP (SUM, LINES 42-44)	1,519,657.00
46 PERCENT FUNDS OBLIGATED FOR PA ACTIVITIES (LINE 41/LINE 45)	18.20%



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LINE 17 DETAIL: ACTIVITIES TO CONSIDER IN DETERMINING THE AMOUNT TO ENTER ON LINE 17
 Report returned no data.

LINE 18 DETAIL: ACTIVITIES TO CONSIDER IN DETERMINING THE AMOUNT TO ENTER ON LINE 18
 Report returned no data.

LINE 19 DETAIL: ACTIVITIES INCLUDED IN THE COMPUTATION OF LINE 19

Plan Year	IDIS Project	IDIS Activity	Voucher Number	Activity Name	Matrix Code	National Objective	Drawn Amount
2018	17	892	6343078	Homeless No Moss/Live Oak	03C	LMC	\$7,143.18
2018	15	904	6343078	Shakespeare Crossing Infrastructure	03C	Matrix Code	\$7,143.18
					03K	LMA	\$56,763.87
2018	5	923	6318184	Percival Road Mobile Home Park	03K	Matrix Code	\$56,763.87
					04	LMA	\$244,900.00
					04	Matrix Code	\$244,900.00
2018	2	891	6309054	Girl Scouts - Mountains to Midlands	05D	LMC	\$1,072.38
2018	2	891	6343078	Girl Scouts - Mountains to Midlands	05D	LMC	\$4,466.21
2018	2	891	6343302	Girl Scouts - Mountains to Midlands	05D	LMC	\$1,934.75
2019	3	952	6358416	Girl Scouts - Mountains to Midlands	05D	LMC	\$4,355.57
2019	3	952	6365080	Girl Scouts - Mountains to Midlands	05D	LMC	\$3,329.30
2019	3	952	6384702	Girl Scouts - Mountains to Midlands	05D	LMC	\$2,532.58
2019	3	952	6391980	Girl Scouts - Mountains to Midlands	05D	LMC	\$1,943.52
					05D	Matrix Code	\$19,634.32
2018	7	906	6309054	Operation One Touch-3009 Haverford Circle-PTS-CD#4	14A	LMH	\$11,620.00
2018	7	907	6343078	Operation One Touch-214 Aster Circle-PTS-CD#10	14A	LMH	\$12,075.27
2018	7	929	6318184	Operation One Touch-4316 Shore Crest-DT	14A	LMH	\$500.00
2018	7	929	6343302	Operation One Touch-4316 Shore Crest-DT	14A	LMH	\$8,330.04
2018	7	930	6318184	Operation One Touch-4632 Robney Dr-DT	14A	LMH	\$500.00
2018	7	930	6358416	Operation One Touch-4632 Robney Dr-DT	14A	LMH	\$12,702.48
2018	7	931	6318184	Operation One Touch-116 Crane Creek Dr-DT	14A	LMH	\$500.00
2018	7	931	6358321	Operation One Touch-116 Crane Creek Dr-DT	14A	LMH	\$10,650.00
2018	7	937	6318184	109-American Ave-DT	14A	LMH	\$500.00
2018	7	937	6358416	109-American Ave-DT	14A	LMH	\$12,634.31
2018	7	938	6318184	Operation One Touch-220 Kildare-DT	14A	LMH	\$500.00
2018	7	938	6343302	Operation One Touch-220 Kildare-DT	14A	LMH	\$5,820.00
2018	7	939	6318184	OOT-322 Lakeridge Pkway-DT	14A	LMH	\$500.00
2018	7	939	6343302	OOT-322 Lakeridge Pkway-DT	14A	LMH	\$5,534.34
2018	7	940	6318184	OOT-1702 Faraway Dr-DT	14A	LMH	\$500.00
2018	7	940	6343302	OOT-1702 Faraway Dr-DT	14A	LMH	\$5,150.00
2018	8	936	6318184	OOT-133 Sunnydale-DT	14A	LMH	\$500.00
2018	8	936	6343302	OOT-133 Sunnydale-DT	14A	LMH	\$11,400.00
2019	5	957	6365080	OOT-1421 Zeigler Rd-DT	14A	LMH	\$500.00
2019	5	957	6365131	OOT-1421 Zeigler Rd-DT	14A	LMH	\$7,491.77



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Plan Year	IDIS Project	IDIS Activity	Voucher Number	Activity Name	Matrix Code	National Objective	Drawn Amount
2019	5	956	6365080	OOT-5164 Calin Creek Rd-DT	14A	LMH	\$500.00
2019	5	959	6365080	OOT-506 Humble Dr-D1	14A	LMH	\$500.00
2019	5	959	6365131	OOT-505 Humble Dr-DT	14A	LMH	\$11,600.00
2019	5	960	6365080	OOT-524 Splendora Dr-DT	14A	LMH	\$500.00
2019	5	960	6365131	OOT-524 Splendora Dr-DT	14A	LMH	\$6,650.00
2019	5	961	6365080	OOT-15 Lindale Ct-DT	14A	LMH	\$500.00
2019	5	969	6365080	OOT-Operation Orië Touren-DT	14A	LMH	\$33,125.00
2019	5	969	6365131	OOT-Operation Orië Touren-DT	14A	LMH	\$5,450.00
2019	13	949	6365131	Owner Occupied Repair	14A	LMH	\$6,117.36
					14A	Matrix Code	\$173,050.57
2019	1	966	6343340	Broad River Facade	14E	LMA	\$6,000.00
2019	1	966	6384702	Broad River Facade	14E	LMA	\$92,160.00
2019	1	966	6391980	Broad River Facade	14E	LMA	\$71,320.00
2019	1	966	6392116	Broad River Facade	14E	LMA	\$76,116.00
					14E	Matrix Code	\$245,616.00
2017	14	866	6309054	Project Delivery Housing Project Coordinator	14H	LMH	\$3,856.88
2017	14	866	6318184	Project Delivery Housing Project Coordinator	14H	LMH	\$3,756.06
2017	14	873	6309054	Project Delivery CD Coordinator	14H	LMH	\$2,625.76
2018	8	948	6358317	Project Delivery CD Coordinator	14H	LMH	\$2,565.75
2018	8	948	6358321	Project Delivery CD Coordinator	14H	LMH	\$2,650.53
2018	8	946	6358323	Project Delivery CD Coordinator	14H	LMH	\$2,565.60
2018	8	946	6358416	Project Delivery CD Coordinator	14H	LMH	\$2,583.96
2018	8	946	6365080	Project Delivery CD Coordinator	14H	LMH	\$2,602.07
2018	8	946	6365131	Project Delivery CD Coordinator	14H	LMH	\$2,602.22
2018	8	948	6384702	Project Delivery CD Coordinator	14H	LMH	\$2,602.07
2018	8	948	6391980	Project Delivery CD Coordinator	14H	LMH	\$3,740.88
2018	8	948	6392116	Project Delivery CD Coordinator	14H	LMH	\$7,575.93
2019	9	935	6309054	Project Delivery Housing Inspector	14H	LMH	\$2,819.20
2019	9	935	6318184	Project Delivery Housing Inspector	14H	LMH	\$2,756.43
2019	9	935	6343078	Project Delivery Housing Inspector	14H	LMH	\$2,213.84
2019	9	935	6343302	Project Delivery Housing Inspector	14H	LMH	\$1,378.24
2019	9	935	6358416	Project Delivery Housing Inspector	14H	LMH	\$1,564.46
2019	9	935	6365080	Project Delivery Housing Inspector	14H	LMH	\$1,378.24
2019	9	935	6365131	Project Delivery Housing Inspector	14H	LMH	\$1,378.24
2019	9	935	6384702	Project Delivery Housing Inspector	14H	LMH	\$1,597.76
2019	9	935	6391980	Project Delivery Housing Inspector	14H	LMH	\$1,880.85
2019	9	935	6392116	Project Delivery Housing Inspector	14H	LMH	\$1,377.96
					14H	Matrix Code	\$58,064.80
Total							\$805,195.74

LINE 27 DETAIL: ACTIVITIES INCLUDED IN THE COMPUTATION OF LINE 27



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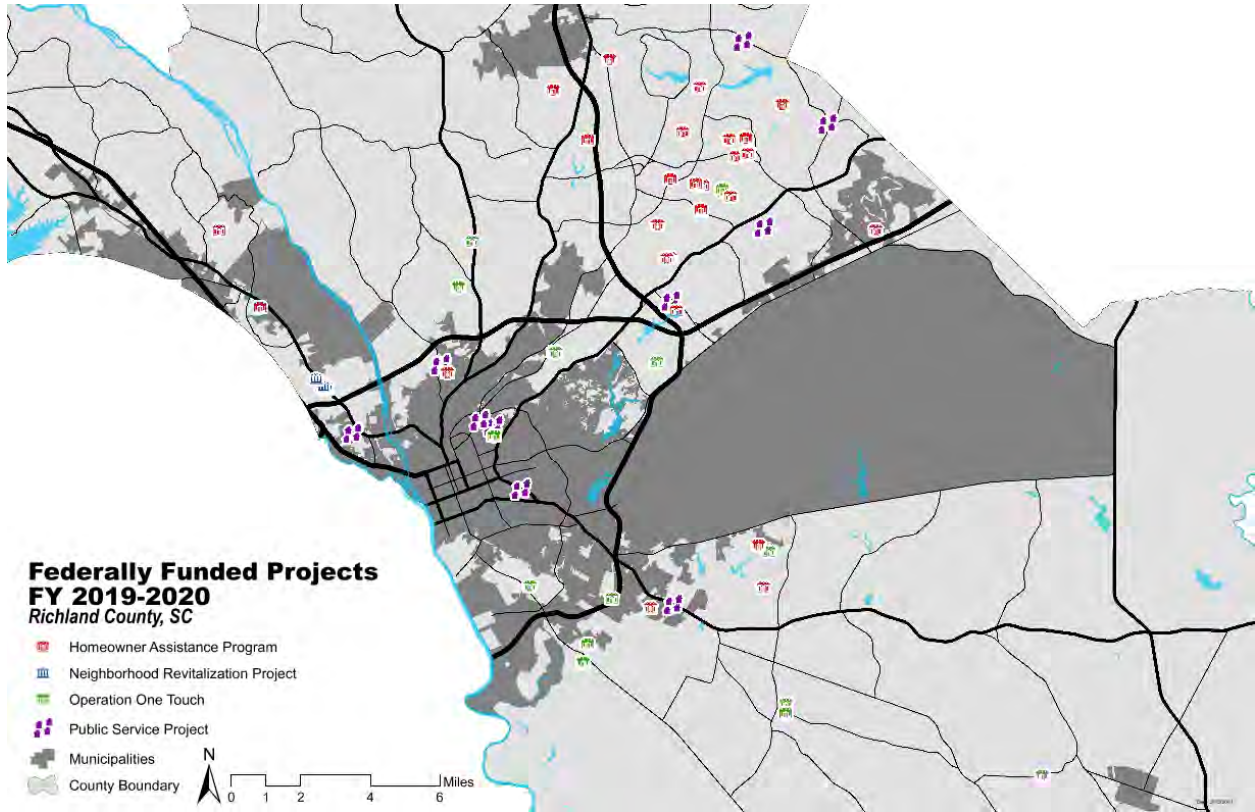
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Plan Year	IDIS Project	IDIS Activity	Voucher Number	Activity to prevent, prepare for, and respond to Coronavirus	Activity Name	Grant Number	Fund Type	Matrix Code	National Objective	Drawn Amount
2018	2	891	6309054	No	Girl Scouts - Mountains to Midlands	B14UC450005	EN	05D	LMC	\$1,072.28
2018	2	891	6343078	No	Girl Scouts - Mountains to Midlands	B14UC450005	EN	05b	LMC	\$4,466.21
2018	2	891	6343302	No	Girl Scouts - Mountains to Midlands	B14UC450005	EN	05D	LMC	\$1,894.75
2019	3	952	6358416	No	Girl Scouts - Mountains to Midlands	B19UC450005	EN	05D	LMC	\$4,355.57
2019	3	952	6365080	No	Girl Scouts - Mountains to Midlands	B19UC450005	EN	05D	LMC	\$3,329.30
2019	3	952	6384702	No	Girl Scouts - Mountains to Midlands	B19UC450005	EN	05D	LMC	\$2,532.59
2019	3	952	6391880	No	Girl Scouts - Mountains to Midlands	B19UC450005	EN	05D	LMC	\$1,943.52
									Matrix Code	\$19,634.32
				No	Activity to prevent, prepare for, and respond to Coronavirus					\$19,634.32
Total										\$19,634.32

LINE 37 DETAIL: ACTIVITIES INCLUDED IN THE COMPUTATION OF LINE 37

Plan Year	IDIS Project	IDIS Activity	Voucher Number	Activity Name	Matrix Code	National Objective	Drawn Amount
2019	10	971	6358409	CDBG Administration	21A		\$174,349.68
2019	10	971	6358416	CDBG Administration	21A		\$13,857.26
2019	10	971	6365080	CDBG Administration	21A		\$13,842.30
2019	10	971	6365131	CDBG Administration	21A		\$2,971.27
2019	10	971	6384702	CDBG Administration	21A		\$13,556.84
2019	10	971	6391880	CDBG Administration	21A		\$19,956.15
2019	10	971	6392116	CDBG Administration	21A		\$34,763.57
						Matrix Code	\$273,297.07
Total							\$273,297.07

Federally Funded Projects - FY19-20



HOME 91.520 Affordable Rental Housing

CR-50 HOME 91.520 Affordable Rental Housing Assisted YR 2019 -2020			
Rental Property Address	Project Name/CIIDO	Date Of Inspection	Comments
716 Crane Church Rd	Crane Creek - CAP	6/3/2019	Install concrete front walkway, fixed running toilet in hallway
		9/9/2019	Repaired plumbing under house and replaced flooring in kitchen through hallway
		2/10/2020	replaced bathtub and repaired running toilet
1409 Faraway Dr.	Greater Woodfield - CAP	6/3/2019	Replaced bathroom faucet and kitchen sink faucet.
		2/1/2020	Repaired leak under bathroom sink and re-caulked.
1921 Morningglo Ln	Greater Woodfield - CAP	6/3/2019	Replaced bathtub surround and fixed leak under bathroom sink
		9/11/2019	Trim tree at rear of house and repair lock on master bedroom door
		2/1/2020	Replaced garbage disposal

1626 Zion Ave A	Arthurtown/CAP	6/3/2019 9/9/2019	Replaced unit letters outside front of home, Trim trees back alongside of property. Dishwasher needed to be replaced. replaced it
1626 Zion Ave B	Arthurtown/CAP	6/3/2019 9/9/2019 2/11/2020	Replaced unit number outside front of home, trim trees back alongside of property, repaired outside gate to side of unit Replaced toilet and parts inside of toilet. Serviced HVAC System Replaced ceiling fan in living room and serviced HVAC system.
1905 East Boundary Rd, 29223	Greater Woodfield/Uplift	12/11/2019	No Entry
1906 Nearview, 29223	Greater Woodfield/Uplift	12/11/2019	LR ceiling fan loose, maintenance repaired on site.
829 Durham St, 29203	Ridgewood/Uplift	12/11/2019	Cabinet molding came down, maintenance repaired on site.

5245 Ridgeway St, 29203	Ridgewood/Uplift	12/11/2019	Leak in bath ceiling, contractor repaired 12/15/2019
409 Saddlefield, 29203	Crane Creek/SC Uplift	12/11/2019	PHK was found, bath room floor damaged, Contractor repaired.
117 Saddlefield, 29203	Crane Creek/Uplift	12/11/2019	Window blinds in LR missing, tenant responsibility
3613 Judy St 29223	Treholm Acres	12/11/2019	No Findings, resident requested a washer machine prong.
272 Alexander Pointe	Hopkins/Santee Lynches	02/12/2020	Change air filter, smoke detectors and fire extinguisher good, the toilet will not stop running
120 Alexander Pointe	Hopkins/Santee Lynches	10-24-2019	Changed batteries in smoke detector and changed air filter
7630 Shiran St Columbia 29209	Lower Richland/Benedict CDC	8/12/2020	Installed installations throughout unit
		3/3/2020	Repaired Kitchen Faucet
		12/19/2019	Repaired Heat & Air System
304 Greybark, Dr. Columbia, 29209	Lower Richland /Benedict CDC	9/14/2020	Replaced Bathroom Commode
		3/3/2020	Repaired kitchen Faucet

		12/2/2019	Found no issues Found no issues
5131 Woodbrier St Columbia 29203	Ridgewood/Benedict CDC	8/12/2020 3/4/2020 12/2/2019	Heat & Air Unit Serviced Repaired leak on roof and ceiling in living room & kitchen Found no issues Repaired plumbing issue in bathroom
5114 (A&B) Julius Dixon Tr. Columbia 29203	Ridgewood/Benedict CDC	8/12/2020 3/4/2020 12/2/2019	Service Heat & Air Unit Replaced vent returns Replaced/repared ceiling fans in living room (A&B) Unit A need wall repairs and paint (not normal wear and tear) No issues found in unit B No issues found in unit B Unit A need carpet cleaned
120 Sloan Road, 29223	Sloan Place 16 units, 29223	11/15/2019 9/16/2020	Building C received new filters Pest Control
120 Sloan Road, 29223	Sloan Place 16 units, 29223	11/15/2019	Building C received new filters

		9/16/2020	Pest Control
120 Sloan Road, 29223	Sloan Place 16 units, 29223	11/15/2019	Building C received new filters
		9/16/2020	Pest Control

KEY	DESCRIPTION	OBJECT	DESCRIPTION	BUDGET	ACTUAL	ENCUMBRANCE	BALANCE
4891700	CDBG FY 2020-2021	511100	Salaries and Wages	170,017.36	-	-	170,017.36
4891700	CDBG FY 2020-2021	511600	Longevity Pay	2,000.00	-	-	2,000.00
4891700	CDBG FY 2020-2021	512200	FICA Employer's Share	16,000.00	-	-	16,000.00
4891700	CDBG FY 2020-2021	512300	Worker's Compensation	1,000.00	-	-	1,000.00
4891700	CDBG FY 2020-2021	513100	SC Regular Retirement	35,000.00	-	-	35,000.00
4891700	CDBG FY 2020-2021	513300	Health Insurance Employer's	37,500.00	-	-	37,500.00
4891700	CDBG FY 2020-2021	513600	Vision Insurance	200.00	-	-	200.00
4891700	CDBG FY 2020-2021	513700	Dental Insurance - Employers	3,000.00	-	-	3,000.00
4891700	CDBG FY 2020-2021	513800	Life Insurance - Employer	500.00	-	-	500.00
4891700	CDBG FY 2020-2021	521000	Office Supplies	4,000.00	-	-	4,000.00
4891700	CDBG FY 2020-2021	521300	Copy Machines	2,000.00	-	-	2,000.00
4891700	CDBG FY 2020-2021	521400	Membership and Dues	3,500.00	-	-	3,500.00
4891700	CDBG FY 2020-2021	521600	Oil & Lubricants	1,500.00	-	-	1,500.00
4891700	CDBG FY 2020-2021	521700	Repairs - Vehicles	1,000.00	-	-	1,000.00
4891700	CDBG FY 2020-2021	521900	Automotive - NonContract	1,500.00	-	-	1,500.00
4891700	CDBG FY 2020-2021	522100	Telephone Service	200.00	-	-	200.00
4891700	CDBG FY 2020-2021	524100	Uniforms and Equipment	1,000.00	-	-	1,000.00
4891700	CDBG FY 2020-2021	526100	Advertising	12,955.64	7,429.61	-	5,526.03
4891700	CDBG FY 2020-2021	526200	Beepers/Cell Phones/Pagers	3,000.00	-	-	3,000.00
4891700	CDBG FY 2020-2021	526400	Employee Training	3,000.00	-	-	3,000.00
4891700	CDBG FY 2020-2021	526500	Professional Services	35,000.00	-	-	35,000.00
4891700	CDBG FY 2020-2021	526501	Temporary Employment Agency	122,104.00	-	50,000.00	72,104.00
4891700	CDBG FY 2020-2021	526705	Housing Revitalization	225,000.00	-	-	225,000.00
4891700	CDBG FY 2020-2021	527600	Lump Sum Appropriations	244,275.00	50,388.45	-	193,886.55
4891700	CDBG FY 2020-2021	529501	Computer Software	2,500.00	-	-	2,500.00
4891700	CDBG FY 2020-2021	532200	Construction	700,000.00	-	-	700,000.00
4891700	CDBG FY 2020-2021	547100	Program Maintenance & Licens	500.00	-	-	500.00
			Expenditure Total:	1,628,252.00	57,818.06	50,000.00	1,520,433.94

KEY	DESCRIPTION	OBJECT	DESCRIPTION	BUDGET	ACTUAL	ENCUMBRANCE	BALANCE
4891800	Home FY 2020-2021	511100	Salaries and Wages	43,083.00	-	-	43,083.00
4891800	Home FY 2020-2021	512200	FICA Employer's Share	4,000.00	-	-	4,000.00
4891800	Home FY 2020-2021	513100	SC Regular Retirement	7,000.00	-	-	7,000.00
4891800	Home FY 2020-2021	513300	Health Insurance Employer's	9,000.00	-	-	9,000.00
4891800	Home FY 2020-2021	513600	Vision Insurance	50.00	-	-	50.00
4891800	Home FY 2020-2021	513700	Dental Insurance - Employers	1,000.00	-	-	1,000.00
4891800	Home FY 2020-2021	513800	Life Insurance - Employer	70.00	-	-	70.00
4891800	Home FY 2020-2021	521000	Office Supplies	1,000.00	24.99	-	975.01
4891800	Home FY 2020-2021	521400	Membership and Dues	1,000.00	-	-	1,000.00
4891800	Home FY 2020-2021	526400	Employee Training	1,000.00	-	-	1,000.00
4891800	Home FY 2020-2021	526501	Temporary Employment Agency	8,202.00	-	99,999.00	(91,797.00)
4891800	Home FY 2020-2021	526705	Housing Revitalization	360,017.00	-	-	360,017.00
4891800	Home FY 2020-2021	526707	CHDO Homeownership Development	118,634.00	-	-	118,634.00
4891800	Home FY 2020-2021	526711	RCHAP Funding	200,000.00	74,000.00	-	126,000.00
			Expenditure Total:	754,056.00	74,024.99	99,999.00	580,032.01

Richland County Council Request for Action

Subject:

Community Planning & Development – Saint Bernard Project

Notes:

June 22, 2021 – The A&F Committee recommended Council approve the Professional Services Contract between Richland County Government and The St. Bernard Project, Inc. for owner-occupied Rebuild and Rehabilitation services.



Agenda Briefing Addendum

Prepared by:	Sara Scheirer	Title:	Manager
Department:	Community Planning & Development	Division:	Community Development
Date Prepared:	June 24, 2021	Meeting Date:	June 22, 2021
Approved for Consideration:	County Administrator	Leonardo Brown, MBA, CPM	
Committee:	Administration & Finance		
Agenda Item:	Item 4h: Community Planning & Development –Saint Bernard Project		

COUNCIL INQUIRY #1:

Committee Chair Malinowski requested a list of those homes to be rebuilt/rehabilitated, if such a list was available.

Reply:

After further clarification with the staff member formerly responsible for these programs internally, it was determined that we do not have a list.

The homeowners will submit their application to the Saint Bernard Project (SBP) to determine if they are eligible for rehabilitation or rebuild. SBP will verify income limits for the number of people living in the household and also make sure the home is in an unincorporated area of Richland County. The above referenced staff member is currently still working projects internally until SBP takes over the program. From her understanding in the meeting that she and Director Voignier had with SBP prior to my employment with the County, before SBP moves forward with any projects, the County will have to give our initial approval. Our inspector will still go out to sites to verify that work is in compliance as well.

ATTACHMENTS:

None.

Richland County Council Request for Action

Subject:

An Ordinance Authorizing deed to the City of Columbia for certain parcels on the Three Rivers Greenway/Saluda Riverwalk; Richland County TMS # 0720-03-01 and TMS # 07208-03-02

Notes:

First Reading: June 8, 2021

Second Reading: June 15, 2021

Third Reading: July 13, 2011 {Tentative}

Public Hearing: July 13, 2021 {Tentative}

STATE OF SOUTH CAROLINA
COUNTY COUNCIL FOR RICHLAND COUNTY
ORDINANCE NO. _____-21HR

AN ORDINANCE AUTHORIZING DEED TO THE CITY OF COLUMBIA FOR CERTAIN PARCELS ON THE THREE RIVERS GREENWAY/SALUDA RIVERWALK; RICHLAND COUNTY TMS #07208-03-01 AND TMS #07208-03-02.

Pursuant to the authority granted by the Constitution of the State of South Carolina and the General Assembly of the State of South Carolina, BE IT ENACTED BY RICHLAND COUNTY COUNCIL:

SECTION I. The County of Richland and its employees and agents are hereby authorized to grant a deed to The City of Columbia for parcels on the Three Rivers Greenway/Saluda Riverwalk; TMS #07208-03-01 AND TMS #07208-03-02; as specifically described in the attached Title To Real Estate.

SECTION II. Severability. If any section, subsection, or clause of this ordinance shall be deemed unconstitutional or otherwise invalid, the validity of the remaining sections, subsections, and clauses shall not be affected thereby.

SECTION III. Conflicting Ordinances. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION IV. Effective Date. This ordinance shall be enforced from and after _____.

RICHLAND COUNTY COUNCIL

By: _____
Paul Livingston, Chair

Attest this _____ day of _____, 2021.

Andrea Mathis
Clerk of Council

First Reading:
Second Reading:
Public Hearing:
Third Reading:

Richland County Council Request for Action

Subject:

Authorizing the execution and delivery of a fee-in-lieu of ad valorem taxes and incentive agreement by and between Richland County, South Carolina and [Project Mo] to provide for payment of a fee-in-lieu of taxes; authorizing certain infrastructure credits; and other related matters

Notes:

First Reading: June 15, 2021

Second Reading: July 13, 2021 {Tentative}

Third Reading:

Public Hearing:

STATE OF SOUTH CAROLINA
COUNTY COUNCIL FOR RICHLAND COUNTY
ORDINANCE NO. _____

AUTHORIZING THE EXECUTION AND DELIVERY OF A FEE-IN-LIEU OF AD VALOREM TAXES AND INCENTIVE AGREEMENT BY AND BETWEEN RICHLAND COUNTY, SOUTH CAROLINA AND PROJECT MO TO PROVIDE FOR PAYMENT OF A FEE-IN-LIEU OF TAXES; AUTHORIZING CERTAIN INFRASTRUCTURE CREDITS; AND OTHER RELATED MATTERS.

WHEREAS, Richland County, South Carolina (“County”), acting by and through its County Council (“County Council”) is authorized pursuant to the provisions of Title 12, Chapter 44, Code of Laws of South Carolina, 1976, as amended (“FILOT Act”), to encourage manufacturing and commercial enterprises to locate in the State of South Carolina (“South Carolina” or “State”) or to encourage manufacturing and commercial enterprises now located in the State to expand their investments and thus make use of and employ the manpower, products, and other resources of the State by entering into an agreement with a sponsor, as defined in the FILOT Act, that provides for the payment of a fee-in-lieu of *ad valorem* tax (“FILOT Payments”), with respect to economic development property, as defined in the FILOT Act;

WHEREAS, pursuant to Article VIII, Section 13 of the South Carolina Constitution and Title 4, Section 1, Code of Laws of South Carolina, 1976, as amended (collectively, “MCIP Act”), the County is authorized to jointly develop multicounty parks with counties having contiguous borders with the County and, in the County’s discretion, include property within the boundaries of such multicounty parks. Under the authority provided in the MCIP Act, the County has created a multicounty park with Fairfield County, South Carolina more particularly known as the I-77 Corridor Regional Industrial Park (“Park”);

WHEREAS, pursuant to the FILOT and MCIP Acts, the County is authorized to provide credits (“Infrastructure Credits”) against FILOT Payments derived from economic development property to pay costs of designing, acquiring, constructing, improving or expanding (i) infrastructure serving a project or the County and (ii) improved and unimproved real estate and personal property used in the operation of a commercial enterprise or manufacturing facility (“Infrastructure”);

WHEREAS, Project Mo, (“Sponsor”), desires to relocate its manufacturing facility in the County (“Project”) consisting of taxable investment in real and personal property of not less than \$3,030,000.00 and the creation of thirteen (13) full-time jobs; and

WHEREAS, at the request of the Sponsor and as an inducement to locate the Project in the County, the County desires to enter into a Fee-in-Lieu of *Ad Valorem* Taxes and Incentive Agreement with the Sponsor, as sponsor, the final form of which is attached as Exhibit A (“Fee Agreement”), pursuant to which the County will provide certain incentives to the Sponsor with respect to the Project, including (1) providing for FILOT Payments, to be calculated as set forth in the Fee Agreement, with respect to the portion of the Project which constitutes economic development property; (2) locating the Project in the Park to the extent not already included therein; and (3) providing Infrastructure Credits and other incentives, as described in the Fee Agreement, to assist in paying the costs of certain Infrastructure.

NOW THEREFORE, BE IT ORDAINED, by the County Council as follows:

Section 1. Statutory Findings. Based on information supplied to the County by the Sponsor, County Council evaluated the Project based on relevant criteria including, the purposes the Project is to accomplish, the anticipated dollar amount and nature of the investment, employment to be created, and the anticipated costs and benefits to the County, and hereby finds:

(a) The Project is anticipated to benefit the general public welfare of the County by providing services, employment, recreation, or other public benefits not otherwise adequately provided locally;

(b) The Project gives rise to no pecuniary liability of the County or incorporated municipality or a charge against its general credit or taxing power;

(c) The purposes to be accomplished by the Project are proper governmental and public purposes and the benefits of the Project are greater than the costs.

Section 2. *Approval of Incentives; Authorization to Execute and Deliver Fee Agreement.* The incentives as described in this Ordinance (“Ordinance”), and as more particularly set forth in the Fee Agreement, with respect to the Project are hereby approved. The form, terms and provisions of the Fee Agreement that is before this meeting are approved and all of the Fee Agreement’s terms and conditions are incorporated in this Ordinance by reference. The Chair of County Council (“Chair”) is authorized and directed to execute the Fee Agreement in the name of and on behalf of the County, subject to the approval of any revisions or changes as are not materially adverse to the County by the County Administrator and counsel to the County, and the Clerk to County Council is hereby authorized and directed to attest the Fee Agreement and to deliver the Fee Agreement to the Sponsor.

Section 3. *Inclusion within the Park.* The expansion of the Park boundaries to include the Project is authorized and approved. The Chair, the County Administrator and the Clerk to County Council are each authorized to execute such documents and take such further actions as may be necessary to complete the expansion of the Park boundaries. Pursuant to the terms of the agreement governing the Park (“Park Agreement”), the expansion of the Park’s boundaries and the amendment to the Park Agreement is complete on adoption of this Ordinance by County Council and delivery of written notice to Fairfield County of the inclusion of the Project in the Park.

Section 4. *Further Assurances.* The County Council confirms the authority of the Chair, the County Administrator, the Director of Economic Development, the Clerk to County Council, and various other County officials and staff, acting at the direction of the Chair, the County Administrator, the Director of Economic Development or Clerk to County Council, as appropriate, to take whatever further action and to negotiate, execute and deliver whatever further documents as may be appropriate to effect the intent of this Ordinance and the incentives offered to the Sponsor under this Ordinance and the Fee Agreement.

Section 5. *Savings Clause.* The provisions of this Ordinance are separable. If any part of this Ordinance is, for any reason, unenforceable then the validity of the remainder of this Ordinance is unaffected.

Section 6. *General Repealer.* Any prior ordinance, resolution, or order, the terms of which are in conflict with this Ordinance, is, only to the extent of that conflict, repealed.

Section 7. *Effectiveness.* This Ordinance is effective after its third reading and public hearing.

RICHLAND COUNTY, SOUTH CAROLINA

Chair, Richland County Council

(SEAL)
ATTEST:

Clerk of Council, Richland County Council

First Reading: June 15, 2021
Second Reading: July 13, 2021
Public Hearing:
Third Reading:

EXHIBIT A
FORM OF FEE AGREEMENT

FEE-IN-LIEU OF *AD VALOREM* TAXES AND INCENTIVE AGREEMENT

BETWEEN

PROJECT MO

AND

RICHLAND COUNTY, SOUTH CAROLINA

EFFECTIVE AS OF []

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**SUMMARY OF CONTENTS OF
FEE AGREEMENT**

The parties have agreed to waive the requirement to recapitulate the contents of this Fee Agreement pursuant to Section 12-44-55 of the Code (as defined herein). However, the parties have agreed to include a summary of the key provisions of this Fee Agreement for the convenience of the parties. This summary is included for convenience only and is not to be construed as a part of the terms and conditions of this Fee Agreement.

PROVISION	BRIEF DESCRIPTION	SECTION REFERENCE
Sponsor Name	Project Mo	"Sponsor"
Project Location		Exhibit A
Tax Map No.		Exhibit A
FILOT		
• Phase Exemption Period	30 Years	Section 1.1
• Contract Minimum Investment Requirement	\$3,030,000.00	Section 1.1
• Contract Minimum Jobs Requirement	13	Section 1.1
• Investment Period	5 Years	Section 1.1
• Assessment Ratio	6%	Section 4.1
• Millage Rate	550.2	Section 4.1
• Fixed or Five-Year Adjustable Millage	Fixed	Section 4.1
Multicounty Park	I-77 Corridor Regional Industrial Park	Section 1.1.
Infrastructure Credit		
• Brief Description	40%	Section 5.1
• Credit Term	10 Years	Section 5.1
• Claw Back	Pro Rata	Exhibit E
Other Information		

FEE-IN-LIEU OF AD VALOREM TAXES AGREEMENT

THIS FEE-IN-LIEU OF AD VALOREM TAXES AGREEMENT (“*Fee Agreement*”) is entered into, effective, as of [DATE], between Richland County, South Carolina (“*County*”), a body politic and corporate and a political subdivision of the State of South Carolina (“*State*”), acting through the Richland County Council (“*County Council*”) as the governing body of the County, and Project Mo, a corporation organized and existing under the laws of the State of Delaware (“*Sponsor*”).

WITNESSETH:

(a) Title 12, Chapter 44, (“*Act*”) of the Code of Laws of South Carolina, 1976, as amended (“*Code*”), authorizes the County to induce manufacturing and commercial enterprises to locate in the State or to encourage manufacturing and commercial enterprises currently located in the State to expand their investments and thus make use of and employ the manpower, products, and other resources of the State by entering into an agreement with a sponsor, as defined in the Act, that provides for the payment of a fee-in-lieu of *ad valorem* tax (“*FILOT*”) with respect to Economic Development Property, as defined below;

(b) Sections 4-1-175 and 12-44-70 of the Code authorize the County to provide credits (“*Infrastructure Credit*”) against payments in lieu of taxes for the purpose of defraying of the cost of designing, acquiring, constructing, improving, or expanding (i) the infrastructure serving the County or a project and (ii) for improved and unimproved real estate, and personal property, including machinery and equipment, used in the operation of a manufacturing facility or commercial enterprise (collectively, “*Infrastructure*”);

(c) The Sponsor has committed to relocate a manufacturing facility (“*Facility*”) in the County, consisting of taxable investment in real and personal property of not less than Three Million Thirty Thousand Dollars (\$3,030,000.00) and the creation of thirteen (13) full-time jobs;

(d) By an ordinance enacted on [DATE], County Council authorized the County to enter into this Fee Agreement with the Sponsor to provide for a FILOT and the other incentives as more particularly described in this Fee Agreement to induce the Sponsor to relocate its Facility in the County.

NOW, THEREFORE, AND IN CONSIDERATION of the respective representations and agreements hereinafter contained, the parties agree as follows:

ARTICLE I DEFINITIONS

Section 1.1. Terms. The defined terms used in this Fee Agreement have the meaning given below, unless the context clearly requires otherwise.

“*Act*” means Title 12, Chapter 44 of the Code, and all future acts successor or supplemental thereto or amendatory of this Fee Agreement.

“*Act Minimum Investment Requirement*” means an investment of at least \$2,500,000 in the Project within five years of the Commencement Date.

“*Administration Expenses*” means the reasonable expenses incurred by the County in the negotiation, approval and implementation of the terms and provisions of this Fee Agreement, including reasonable attorney’s and consultant’s fees. Administration Expenses does not include any costs, expenses, including attorney’s fees, incurred by the County (i) in defending challenges to the FILOT Payments, Infrastructure Credits or other incentives provided by this Fee Agreement brought by third parties or the Sponsor or its affiliates and related entities, or (ii) in connection with matters arising at the request of the

Sponsor outside of the immediate scope of this Fee Agreement, including amendments to the terms of this Fee Agreement.

“**Code**” means the Code of Laws of South Carolina, 1976, as amended.

“**Commencement Date**” means the last day of the property tax year during which Economic Development Property is placed in service. The Commencement Date shall not be later than the last day of the property tax year which is three years from the year in which the County and the Sponsor enter into this Fee Agreement. For purposes of this Fee Agreement, the Commencement Date is expected to be December 31, 2021.

“**Contract Minimum Investment Requirement**” means a taxable investment in real and personal property at the Project of not less than \$3,030,000.00

“**Contract Minimum Jobs Requirement**” means not less than thirteen (13) full-time, jobs created by the Sponsor in the County in connection with the Project.

“**County**” means Richland County, South Carolina, a body politic and corporate and a political subdivision of the State, its successors and assigns, acting by and through the County Council as the governing body of the County.

“**County Council**” means the Richland County Council, the governing body of the County.

“**Credit Term**” means the years during the Fee Term in which the Infrastructure Credit is applicable, as described in Exhibit C.

“**Department**” means the South Carolina Department of Revenue.

“**Diminution in Value**” means a reduction in the fair market value of Economic Development Property, as determined in Section 4.1(a)(i) of this Fee Agreement, which may be caused by (i) the removal or disposal of components of the Project pursuant to Section 4.3 of this Fee Agreement; (ii) a casualty as described in Section 4.4 of this Fee Agreement; or (iii) a condemnation as described in Section 4.5 of this Fee Agreement.

“**Economic Development Property**” means those items of real and tangible personal property of the Project placed in service not later than the end of the Investment Period that (i) satisfy the conditions of classification as economic development property under the Act, and (ii) are identified by the Sponsor in its annual filing of a PT-300S or comparable form with the Department (as such filing may be amended from time to time).

“**Equipment**” means all of the machinery, equipment, furniture, office equipment, and fixtures, together with any and all additions, accessions, replacements, and substitutions.

“**Event of Default**” means any event of default specified in Section 7.1 of this Fee Agreement.

“**Fee Agreement**” means this Fee-In-Lieu Of *Ad Valorem* Taxes and Incentive Agreement.

“**Fee Term**” means the period from the effective date of this Fee Agreement until the Final Termination Date.

“**FILOT Payments**” means the amount paid or to be paid in lieu of *ad valorem* property taxes as provided in Section 4.1.

“**Final Phase**” means the Economic Development Property placed in service during the last year of the Investment Period.

“**Final Termination Date**” means the date on which the last FILOT Payment with respect to the Final Phase is made, or such earlier date as the Fee Agreement is terminated in accordance with the terms of this Fee Agreement. Assuming the Phase Termination Date for the Final Phase is December 31, 2055, the Final Termination Date is expected to be January 15, 2027, which is the due date of the last FILOT Payment with respect to the Final Phase.

“**Improvements**” means all improvements to the Real Property, including buildings, building additions, roads, sewer lines, and infrastructure, together with all additions, fixtures, accessions, replacements, and substitutions.

“**Infrastructure**” means (i) the infrastructure serving the County or the Project, (ii) improved and unimproved real estate, and personal property, including machinery and equipment, used in the operation of a manufacturing or commercial enterprise, or (iii) such other items as may be described in or permitted under Section 4-29-68 of the Code.

“**Infrastructure Credit**” means the credit provided to the Sponsor pursuant to Section 12-44-70 of the Act or Section 4-1-175 of the MCIP Act and Section 5.1 of this Fee Agreement, with respect to the Infrastructure. Infrastructure Credits are to be used for the payment of Infrastructure constituting real property, improvements and infrastructure before any use for the payment of Infrastructure constituting personal property, notwithstanding any presumptions to the contrary in the MCIP Act or otherwise.

“**Investment Period**” means the period beginning with the first day of any purchase or acquisition of Economic Development Property and ending five years after the Commencement Date, as may be extended pursuant to Section 12-44-30(13) of the Act. For purposes of this Fee Agreement, the Investment Period, unless so extended, is expected to end on December 31, 2026.

“**MCIP Act**” means Article VIII, Section 13(D) of the Constitution of the State of South Carolina, and Sections 4-1-170, 4-1-172, 4-1-175, and 4-29-68 of the Code.

“**Multicounty Park**” means the multicounty industrial or business park governed by the Amended and Restated Master Agreement Governing the I-77 Corridor Regional Industrial Park, dated as of September 1, 2018, between the County and Fairfield County, South Carolina, as may be amended.

“**Net FILOT Payment**” means the FILOT Payment net of the Infrastructure Credit.

“**Phase**” means the Economic Development Property placed in service during a particular year of the Investment Period.

“**Phase Exemption Period**” means, with respect to each Phase, the period beginning with the property tax year the Phase is placed in service during the Investment Period and ending on the Phase Termination Date.

“**Phase Termination Date**” means, with respect to each Phase, the last day of the property tax year which is the twenty-ninth (29th) year following the first property tax year in which the Phase is placed in service.

“**Project**” means all the Equipment, Improvements, and Real Property in the County that the Sponsor determines to be necessary, suitable, or useful by the Sponsor in connection with its investment in the County.

“**Real Property**” means real property that the Sponsor uses or will use in the County for the purposes that Section 2.2(b) describes, and initially consists of the land identified on Exhibit A of this Fee Agreement.

“**Removed Components**” means Economic Development Property which the Sponsor, in its sole discretion, (a) determines to be inadequate, obsolete, worn-out, uneconomic, damaged, unsuitable, undesirable, or unnecessary pursuant to Section 4.3 of this Fee Agreement or otherwise; or (b) elects to be treated as removed pursuant to Section 4.4(c) or Section 4.5(b)(iii) of this Fee Agreement.

“**Replacement Property**” means any property which is placed in service as a replacement for any Removed Component regardless of whether the Replacement Property serves the same functions as the Removed Component it is replacing and regardless of whether more than one piece of Replacement Property replaces a single Removed Component.

“**Sponsor**” means Project Mo and any surviving, resulting, or transferee entity in any merger, consolidation, or transfer of assets; or any other person or entity which may succeed to the rights and duties of the Sponsor under this Fee Agreement.

“**Sponsor Affiliate**” means an entity that participates in the investment or job creation at the Project and, following receipt of the County’s approval pursuant to Section 9.1 of this Fee Agreement, joins this Fee Agreement by delivering a Joinder Agreement, the form of which is attached as Exhibit B to this Fee Agreement.

“**State**” means the State of South Carolina.

Any reference to any agreement or document in this Article I or otherwise in this Fee Agreement shall include any and all amendments, supplements, addenda, and modifications to such agreement or document.

The term “investment” or “invest” as used in this Fee Agreement includes not only investments made by the Sponsor, but also to the fullest extent permitted by law, those investments made by or for the benefit of the Sponsor in connection with the Project through federal, state, or local grants, to the extent such investments are or, but for the terms of this Fee Agreement, would be subject to *ad valorem* taxes to be paid by the Sponsor.

ARTICLE II REPRESENTATIONS AND WARRANTIES

Section 2.1. Representations and Warranties of the County. The County represents and warrants as follows:

(a) The County is a body politic and corporate and a political subdivision of the State and acts through the County Council as its governing body. The Act authorizes and empowers the County to enter into the transactions that this Fee Agreement contemplates and to carry out its obligations under this Fee Agreement. The County has duly authorized the execution and delivery of this Fee Agreement and all other documents, certificates or other agreements contemplated in this Fee Agreement and has obtained all consents from third parties and taken all actions necessary or that the law requires to fulfill its obligations under this Fee Agreement.

(b) Based on representations by the Sponsor, County Council evaluated the Project based on all relevant criteria including the purposes the Project is to accomplish, the anticipated dollar amount and nature of the investment resulting from the Project, and the anticipated costs and benefits to the County and

following the evaluation, the County determined that (i) the Project is anticipated to benefit the general public welfare of the County by providing services, employment, recreation, or other public benefits not otherwise adequately provided locally; (ii) the Project gives rise to no pecuniary liability of the County or any incorporated municipality and to no charge against the County's general credit or taxing power; (iii) the purposes to be accomplished by the Project are proper governmental and public purposes; and (iv) the benefits of the Project are greater than the costs.

(c) The County identified the Project, as a "project" on [June 15, 2021] by adopting an Inducement Resolution, as defined in the Act.

(d) The County is not in default of any of its obligations (contractual or otherwise) as a result of entering into and performing its obligations under this Fee Agreement.

(e) The County has located or will take all reasonable action to locate the Project in the Multicounty Park.

Section 2.2. Representations and Warranties of the Sponsor. The Sponsor represents and warrants as follows:

(a) The Sponsor is in good standing under the laws of the state of its organization, is duly authorized to transact business in the State (or will obtain such authority prior to commencing business in the State), has power to enter into this Fee Agreement, and has duly authorized the execution and delivery of this Fee Agreement.

(b) The Sponsor intends to operate the Project as a manufacturing facility and for such other purposes that the Act permits as the Sponsor may deem appropriate.

(c) The Sponsor's execution and delivery of this Fee Agreement and its compliance with the provisions of this Fee Agreement do not result in a default under any agreement or instrument to which the Sponsor is now a party or by which it is bound.

(d) The Sponsor will use commercially reasonable efforts to achieve the Contract Minimum Investment Requirement and the Contract Minimum Jobs Requirement.

(e) The execution and delivery of this Fee Agreement by the County and the availability of the FILOT and other incentives provided by this Fee Agreement has been instrumental in inducing the Sponsor to locate the Project in the County.

(f) The Sponsor has retained legal counsel to confirm, or has had a reasonable opportunity to consult legal counsel to confirm, its eligibility for the FILOT and other incentives granted by this Fee Agreement and has not relied on the County, its officials, employees or legal representatives with respect to any question of eligibility or applicability of the FILOT and other incentives granted by this Fee Agreement.

ARTICLE III THE PROJECT

Section 3.1. The Project. The Sponsor intends and expects to (i) construct or acquire the Project and (ii) meet the Contract Minimum Investment Requirement and the Contract Minimum Jobs Requirement within the Investment Period. The Sponsor anticipates that the first Phase of the Project will be placed in service during the calendar year ending December 31, 2021. Notwithstanding anything contained in this Fee Agreement to the contrary, the Sponsor is not obligated to complete the acquisition of the Project. However, if the Contract Minimum Investment Requirement is not met, the benefits provided to the

Sponsor, or Sponsor Affiliate, if any, pursuant to this Fee Agreement may be reduced, modified or terminated as provided in this Fee Agreement.

Section 3.2 *Leased Property.* To the extent that State law allows or is revised or construed to permit leased assets including a building, or personal property to be installed in a building, to constitute Economic Development Property, then any property leased by the Sponsor is, at the election of the Sponsor, deemed to be Economic Development Property for purposes of this Fee Agreement, subject, at all times, to the requirements of State law and this Fee Agreement with respect to property comprising Economic Development Property.

Section 3.3. *Filings and Reports.*

(a) On or before January 31 of each year during the term of this Fee Agreement, commencing in January 31, 2022, the Sponsor shall deliver to the Economic Development Director of the County with respect to the Sponsor and all Sponsor Affiliates, if any, the information required by the terms of the County's Resolution dated December 12, 2017, which is attached hereto as Exhibit C, as may be amended by subsequent resolution.

(b) The Sponsor shall file a copy of this Fee Agreement and a completed PT-443 with the Economic Development Director and the Department and the Auditor, Treasurer and Assessor of the County and partner county to the Multicounty Park.

(c) On request by the County Administrator or the Economic Development Director, the Sponsor shall remit to the Economic Development Director records accounting for the acquisition, financing, construction, and operation of the Project which records (i) permit ready identification of all Economic Development Property; (ii) confirm the dates that the Economic Development Property or Phase was placed in service; and (iii) include copies of all filings made in accordance with this Section.

**ARTICLE IV
FILOT PAYMENTS**

Section 4.1. *FILOT Payments.*

(a) The FILOT Payment due with respect to each Phase through the Phase Termination Date is calculated as follows:

- (i) The fair market value of the Phase calculated as set forth in the Act (for the Real Property portion of the Phase, the County and the Sponsor have elected to use the fair market value established in the first year of the Phase Exemption Period), multiplied by
- (ii) An assessment ratio of six percent (6%), multiplied by
- (iii) A fixed millage rate equal to .5502, which is the cumulative millage rate levied by or on behalf of all the taxing entities within which the Project is located as of June 30, 2020.

The calculation of the FILOT Payment must allow all applicable property tax exemptions except those excluded pursuant to Section 12-44-50(A)(2) of the Act. The Sponsor acknowledges that (i) the calculation of the annual FILOT Payment is a function of the Department and is wholly dependent on the Sponsor timely submitting the correct annual property tax returns to the Department, (ii) the County has no responsibility for the submission of returns or the calculation of the annual FILOT Payment, and (iii) failure

by the Sponsor to submit the correct annual property tax return could lead to a loss of all or a portion of the FILOT and other incentives provided by this Fee Agreement.

(b) If a final order of a court of competent jurisdiction from which no further appeal is allowable declares the FILOT Payments invalid or unenforceable, in whole or in part, for any reason, the parties shall negotiate the reformation of the calculation of the FILOT Payments to most closely afford the Sponsor with the intended benefits of this Fee Agreement. If such order has the effect of subjecting the Economic Development Property to *ad valorem* taxation, this Fee Agreement shall terminate, and the Sponsor shall owe the County regular *ad valorem* taxes from the date of termination, in accordance with Section 4.7.

Section 4.2. FILOT Payments on Replacement Property. If the Sponsor elects to place Replacement Property in service, then, pursuant and subject to the provisions of Section 12-44-60 of the Act, the Sponsor shall make the following payments to the County with respect to the Replacement Property for the remainder of the Phase Exemption Period applicable to the Removed Component of the Replacement Property:

(a) FILOT Payments, calculated in accordance with Section 4.1, on the Replacement Property to the extent of the original income tax basis of the Removed Component the Replacement Property is deemed to replace.

(b) Regular *ad valorem* tax payments to the extent the income tax basis of the Replacement Property exceeds the original income tax basis of the Removed Component the Replacement Property is deemed to replace.

Section 4.3. Removal of Components of the Project. Subject to the other terms and provisions of this Fee Agreement, the Sponsor is entitled to remove and dispose of components of the Project in its sole discretion. Components of the Project are deemed removed when scrapped, sold or otherwise removed from the Project. If the components removed from the Project are Economic Development Property, then the Economic Development Property is a Removed Component, no longer subject to this Fee Agreement and is subject to *ad valorem* property taxes to the extent the Removed Component remains in the State and is otherwise subject to *ad valorem* property taxes.

Section 4.4. Damage or Destruction of Economic Development Property.

(a) *Election to Terminate.* If Economic Development Property is damaged by fire, explosion, or any other casualty, then the Sponsor may terminate this Fee Agreement. For the property tax year corresponding to the year in which the damage or casualty occurs, the Sponsor is obligated to make FILOT Payments with respect to the damaged Economic Development Property only to the extent property subject to *ad valorem* taxes would have been subject to *ad valorem* taxes under the same circumstances for the period in question.

(b) *Election to Restore and Replace.* If Economic Development Property is damaged by fire, explosion, or any other casualty, and the Sponsor does not elect to terminate this Fee Agreement, then the Sponsor may restore and replace the Economic Development Property. All restorations and replacements made pursuant to this subsection (b) are deemed, to the fullest extent permitted by law and this Fee Agreement, to be Replacement Property.

(c) *Election to Remove.* If Economic Development Property is damaged by fire, explosion, or any other casualty, and the Sponsor elects not to terminate this Fee Agreement pursuant to subsection (a) and elects not to restore or replace pursuant to subsection (b), then the damaged portions of the Economic Development Property are deemed Removed Components.

Section 4.5. Condemnation.

(a) *Complete Taking.* If at any time during the Fee Term title to or temporary use of the Economic Development Property is vested in a public or quasi-public authority by virtue of the exercise of a taking by condemnation, inverse condemnation, or the right of eminent domain; by voluntary transfer under threat of such taking; or by a taking of title to a portion of the Economic Development Property which renders continued use or occupancy of the Economic Development Property commercially unfeasible in the judgment of the Sponsor, the Sponsor shall have the option to terminate this Fee Agreement by sending written notice to the County within a reasonable period of time following such vesting.

(b) *Partial Taking.* In the event of a partial taking of the Economic Development Property or a transfer in lieu, the Sponsor may elect: (i) to terminate this Fee Agreement; (ii) to restore and replace the Economic Development Property, with such restorations and replacements deemed, to the fullest extent permitted by law and this Fee Agreement, to be Replacement Property; or (iii) to treat the portions of the Economic Development Property so taken as Removed Components.

(c) In the year in which the taking occurs, the Sponsor is obligated to make FILOT Payments with respect to the Economic Development Property so taken only to the extent property subject to *ad valorem* taxes would have been subject to taxes under the same circumstances for the period in question.

Section 4.6. Calculating FILOT Payments on Diminution in Value. If there is a Diminution in Value, the FILOT Payments due with respect to the Economic Development Property or Phase so diminished shall be calculated by substituting the diminished value of the Economic Development Property or Phase for the original fair market value in Section 4.1(a)(i) of this Fee Agreement.

Section 4.7. Payment of Ad Valorem Taxes. If Economic Development Property becomes subject to *ad valorem* taxes as imposed by law pursuant to the terms of this Fee Agreement or the Act, then the calculation of the *ad valorem* taxes due with respect to the Economic Development Property in a particular property tax year shall: (i) include the property tax reductions that would have applied to the Economic Development Property if it were not Economic Development Property; and (ii) include a credit for FILOT Payments the Sponsor has made with respect to the Economic Development Property.

Section 4.8. Place of FILOT Payments. All FILOT Payments shall be made directly to the County in accordance with applicable law.

**ARTICLE V
ADDITIONAL INCENTIVES**

Section 5.1. Infrastructure Credits. To assist in paying for costs of Infrastructure, the Sponsor is entitled to claim an Infrastructure Credit to reduce certain FILOT Payments due and owing from the Sponsor to the County under this Fee Agreement. The term, amount and calculation of the Infrastructure Credit is described in Exhibit D. In no event may the Sponsor's aggregate Infrastructure Credit claimed pursuant to this Section exceed the aggregate expenditures by the Sponsor on Infrastructure.

For each property tax year in which the Infrastructure Credit is applicable ("**Credit Term**"), the County shall prepare and issue the annual bills with respect to the Project showing the Net FILOT Payment, calculated in accordance with Exhibit D. Following receipt of the bill, the Sponsor shall timely remit the Net FILOT Payment to the County in accordance with applicable law.

**ARTICLE VI
CLAW BACK**

Section 6.1. Claw Back. If the Sponsor fails to perform its obligations under this Fee Agreement as described in Exhibit E, then the Sponsor is subject to the claw backs as described in Exhibit E. Any amount that may be due from the Sponsor to the County as calculated in accordance with or described in Exhibit E is due within 30 days of receipt of a written statement from the County. If not timely paid, the amount due from the Sponsor to the County is subject to the minimum amount of interest that the law may permit with respect to delinquent *ad valorem* tax payments. The repayment obligation arising under this Section and Exhibit E survives termination of this Fee Agreement.

**ARTICLE VII
DEFAULT**

Section 7.1. Events of Default. The following are "Events of Default" under this Fee Agreement:

(a) Failure to make FILOT Payments, which failure has not been cured within 30 days following receipt of written notice from the County specifying the delinquency in FILOT Payments and requesting that it be remedied;

(b) Failure to timely pay any amount, except FILOT Payments, due under this Fee Agreement;

(c) A Cessation of Operations. For purposes of this Fee Agreement, a "**Cessation of Operations**" means a publicly announced closure of the Facility, a layoff of a majority of the employees working at the Facility, or a substantial reduction in production that continues for a period of twelve (12) months;

(d) A representation or warranty made by the Sponsor which is deemed materially incorrect when deemed made;

(e) Failure by the Sponsor to perform any of the terms, conditions, obligations, or covenants under this Fee Agreement (other than those under (a), above), which failure has not been cured within 30 days after written notice from the County to the Sponsor specifying such failure and requesting that it be remedied, unless the Sponsor has instituted corrective action within the 30-day period and is diligently pursuing corrective action until the default is corrected, in which case the 30-day period is extended to include the period during which the Sponsor is diligently pursuing corrective action;

(f) A representation or warranty made by the County which is deemed materially incorrect when deemed made; or

(g) Failure by the County to perform any of the terms, conditions, obligations, or covenants hereunder, which failure has not been cured within 30 days after written notice from the Sponsor to the County specifying such failure and requesting that it be remedied, unless the County has instituted corrective action within the 30-day period and is diligently pursuing corrective action until the default is corrected, in which case the 30-day period is extended to include the period during which the County is diligently pursuing corrective action.

Section 7.2. Remedies on Default.

(a) If an Event of Default by the Sponsor has occurred and is continuing, then the County may take any one or more of the following remedial actions:

(i) terminate this Fee Agreement; or

(ii) take whatever action at law or in equity may appear necessary or desirable to collect amounts due or otherwise remedy the Event of Default or recover its damages.

(b) If an Event of Default by the County has occurred and is continuing, the Sponsor may take any one or more of the following actions:

(i) bring an action for specific enforcement;

(ii) terminate this Fee Agreement with no obligation to repay Infrastructure Credits; or

(iii) in case of a materially incorrect representation or warranty, take such action as is appropriate, including legal action, to recover its damages, to the extent allowed by law.

Section 7.3. Reimbursement of Legal Fees and Other Expenses. On the occurrence of an Event of Default, if a party is required to employ attorneys or incur other reasonable expenses for the collection of payments due under this Fee Agreement or for the enforcement of performance or observance of any obligation or agreement, the prevailing party is entitled to seek reimbursement of the reasonable fees of such attorneys and such other reasonable expenses so incurred.

Section 7.4. Remedies Not Exclusive. No remedy described in this Fee Agreement is intended to be exclusive of any other remedy or remedies, and each and every such remedy is cumulative and in addition to every other remedy given under this Fee Agreement or existing at law or in equity or by statute.

**ARTICLE VIII
PARTICULAR RIGHTS AND COVENANTS**

Section 8.1. Right to Inspect. The County and its authorized agents, at any reasonable time on prior written notice (which may be given by email), may enter and examine and inspect the Project for the purposes of permitting the County to carry out its duties and obligations in its sovereign capacity (such as, without limitation, for such routine health and safety purposes as would be applied to any other manufacturing or commercial facility in the County).

Section 8.2. Confidentiality. The County acknowledges that the Sponsor may utilize confidential and proprietary processes and materials, services, equipment, trade secrets, and techniques (“**Confidential Information**”) and that disclosure of the Confidential Information could result in substantial economic harm to the Sponsor. The Sponsor may clearly label any Confidential Information delivered to the County pursuant to this Fee Agreement as “**Confidential Information.**” Except as required by law, the County, or

any employee, agent, or contractor of the County, shall not disclose or otherwise divulge any labeled Confidential Information to any other person, firm, governmental body or agency. The Sponsor acknowledges that the County is subject to the South Carolina Freedom of Information Act, and, as a result, must disclose certain documents and information on request, absent an exemption. If the County is required to disclose any Confidential Information to a third party, the County will use its best efforts to provide the Sponsor with as much advance notice as is reasonably possible of such disclosure requirement prior to making such disclosure, and to cooperate reasonably with any attempts by the Sponsor to obtain judicial or other relief from such disclosure requirement.

Section 8.3. *Indemnification Covenants.*

(a) Except as provided in paragraph (d) below, the Sponsor shall indemnify and save the County, its employees, elected officials, officers and agents (each, an “***Indemnified Party***”) harmless against and from all liability or claims arising from the County’s execution of this Fee Agreement, performance of the County’s obligations under this Fee Agreement or the administration of its duties pursuant to this Fee Agreement, or otherwise by virtue of the County having entered into this Fee Agreement.

(b) The County is entitled to use counsel of its choice and the Sponsor shall reimburse the County for all of its costs, including attorneys’ fees, incurred in connection with the response to or defense against such liability or claims as described in paragraph (a), above. The County shall provide a statement of the costs incurred in the response or defense, and the Sponsor shall pay the County within 30 days of receipt of the statement. The Sponsor may request reasonable documentation evidencing the costs shown on the statement. However, the County is not required to provide any documentation which may be privileged or confidential to evidence the costs.

(c) The County may request the Sponsor to resist or defend against any claim on behalf of an Indemnified Party. On such request, the Sponsor shall resist or defend against such claim on behalf of the Indemnified Party, at the Sponsor’s expense. The Sponsor is entitled to use counsel of its choice, manage and control the defense of or response to such claim for the Indemnified Party; provided the Sponsor is not entitled to settle any such claim without the consent of that Indemnified Party.

(d) Notwithstanding anything in this Section or this Fee Agreement to the contrary, the Sponsor is not required to indemnify any Indemnified Party against or reimburse the County for costs arising from any claim or liability (i) occasioned by the acts of that Indemnified Party, which are unrelated to the execution of this Fee Agreement, performance of the County’s obligations under this Fee Agreement, or the administration of its duties under this Fee Agreement, or otherwise by virtue of the County having entered into this Fee Agreement; or (ii) resulting from that Indemnified Party’s own negligence, bad faith, fraud, deceit, or willful misconduct.

(e) An Indemnified Party may not avail itself of the indemnification or reimbursement of costs provided in this Section unless it provides the Sponsor with prompt notice, reasonable under the circumstances, of the existence or threat of any claim or liability, including, without limitation, copies of any citations, orders, fines, charges, remediation requests, or other claims or threats of claims, in order to afford the Sponsor notice, reasonable under the circumstances, within which to defend or otherwise respond to a claim.

Section 8.4. *No Liability of County Personnel.* All covenants, stipulations, promises, agreements and obligations of the County contained in this Fee Agreement are binding on members of the County Council or any elected official, officer, agent, servant or employee of the County only in his or her official capacity and not in his or her individual capacity, and no recourse for the payment of any moneys under this Fee Agreement may be had against any member of County Council or any elected or appointed official, officer, agent, servant or employee of the County and no recourse for the payment of any moneys or

performance of any of the covenants and agreements under this Fee Agreement or for any claims based on this Fee Agreement may be had against any member of County Council or any elected or appointed official, officer, agent, servant or employee of the County except solely in their official capacity.

Section 8.5. *Limitation of Liability.* The County is not liable to the Sponsor for any costs, expenses, losses, damages, claims or actions in connection with this Fee Agreement, except from amounts received by the County from the Sponsor under this Fee Agreement. Notwithstanding anything in this Fee Agreement to the contrary, any financial obligation the County may incur under this Fee Agreement is deemed not to constitute a pecuniary liability or a debt or general obligation of the County.

Section 8.6. *Assignment.* The Sponsor may assign this Fee Agreement in whole or in part with the prior written consent of the County or a subsequent written ratification by the County, which may be done by resolution, and which consent or ratification the County will not unreasonably withhold. The Sponsor agrees to notify the County and the Department of the identity of the proposed transferee within 60 days of the transfer. In case of a transfer, the transferee assumes the transferor's basis in the Economic Development Property for purposes of calculating the FILOT Payments.

Section 8.7. *No Double Payment; Future Changes in Legislation.* Notwithstanding anything contained in this Fee Agreement to the contrary, and except as expressly required by law, the Sponsor is not required to make a FILOT Payment in addition to a regular *ad valorem* property tax payment in the same year with respect to the same piece of Economic Development Property. The Sponsor is not required to make a FILOT Payment on Economic Development Property in cases where, absent this Fee Agreement, *ad valorem* property taxes would otherwise not be due on such property.

Section 8.8. *Administration Expenses.* The Sponsor will reimburse, or cause reimbursement to, the County for Administration Expenses in the amount of \$5,000.00. The Sponsor will reimburse the County for its Administration Expenses on receipt of a written request from the County or at the County's direction, which request shall include a statement of the amount and nature of the Administration Expense. The Sponsor shall pay the Administration Expense as set forth in the written request no later than 60 days following receipt of the written request from the County. The County does not impose a charge in the nature of impact fees or recurring fees in connection with the incentives authorized by this Fee Agreement. The payment by the Sponsor of the County's Administration Expenses shall not be construed as prohibiting the County from engaging, at its discretion, the counsel of the County's choice.

ARTICLE IX SPONSOR AFFILIATES

Section 9.1. *Sponsor Affiliates.* The Sponsor may designate Sponsor Affiliates from time to time, including at the time of execution of this Fee Agreement, pursuant to and subject to the provisions of Section 12-44-130 of the Act. To designate a Sponsor Affiliate, the Sponsor must deliver written notice to the Economic Development Director identifying the Sponsor Affiliate and requesting the County's approval of the Sponsor Affiliate. Except with respect to a Sponsor Affiliate designated at the time of execution of this Fee Agreement, which may be approved in the County Council ordinance authorizing the execution and delivery of this Fee Agreement, approval of the Sponsor Affiliate may be given by the County Administrator delivering written notice to the Sponsor and Sponsor Affiliate following receipt by the County Administrator of a recommendation from the Economic Development Committee of County Council to allow the Sponsor Affiliate to join in the investment at the Project. The Sponsor Affiliate's joining in the investment at the Project will be effective on delivery of a Joinder Agreement, the form of which is attached as Exhibit B, executed by the Sponsor Affiliate to the County.

Section 9.2. *Primary Responsibility.* Notwithstanding the addition of a Sponsor Affiliate, the Sponsor acknowledges that it has the primary responsibility for the duties and obligations of the Sponsor

and any Sponsor Affiliate under this Fee Agreement, including the payment of FILOT Payments or any other amount due to or for the benefit of the County under this Fee Agreement. For purposes of this Fee Agreement, “primary responsibility” means that if the Sponsor Affiliate fails to make any FILOT Payment or remit any other amount due under this Fee Agreement, the Sponsor shall make such FILOT Payments or remit such other amounts on behalf of the Sponsor Affiliate.

**ARTICLE X
MISCELLANEOUS**

Section 10.1. Notices. Any notice, election, demand, request, or other communication to be provided under this Fee Agreement is effective when delivered to the party named below or when deposited with the United States Postal Service, certified mail, return receipt requested, postage prepaid, addressed as follows (or addressed to such other address as any party shall have previously furnished in writing to the other party), except where the terms of this Fee Agreement require receipt rather than sending of any notice, in which case such provision shall control:

IF TO THE SPONSOR:

Project Mo

WITH A COPY TO (does not constitute notice):

Robinson Gray Stepp & Lafftte, LLC
Attn: Molly Campolong
PO Box 11449
Columbia, SC 29211

IF TO THE COUNTY:

Richland County, South Carolina
Attn: Richland County Economic Development Director
2020 Hampton Street
Columbia, South Carolina 29204

WITH A COPY TO (does not constitute notice):

Parker Poe Adams & Bernstein LLP
Attn: Ray E. Jones
1221 Main Street, Suite 1100 (29201)
Post Office Box 1509
Columbia, South Carolina 29202-1509

Section 10.2. Provisions of Agreement for Sole Benefit of County and Sponsor. Except as otherwise specifically provided in this Fee Agreement, nothing in this Fee Agreement expressed or implied confers on any person or entity other than the County and the Sponsor any right, remedy, or claim under or by reason of this Fee Agreement, this Fee Agreement being intended to be for the sole and exclusive benefit of the County and the Sponsor.

Section 10.3. Counterparts. This Fee Agreement may be executed in any number of counterparts, and all of the counterparts together constitute one and the same instrument.

Section 10.4. Governing Law. South Carolina law, exclusive of its conflicts of law provisions that would refer the governance of this Fee Agreement to the laws of another jurisdiction, governs this Fee Agreement and all documents executed in connection with this Fee Agreement.

Section 10.5. Headings. The headings of the articles and sections of this Fee Agreement are inserted for convenience only and do not constitute a part of this Fee Agreement.

Section 10.6. Amendments. This Fee Agreement may be amended only by written agreement of the parties to this Fee Agreement.

Section 10.7. Agreement to Sign Other Documents. From time to time, and at the expense of the Sponsor, to the extent any expense is incurred, the County agrees to execute and deliver to the Sponsor such additional instruments as the Sponsor may reasonably request and as are authorized by law and reasonably within the purposes and scope of the Act and this Fee Agreement to effectuate the purposes of this Fee Agreement.

Section 10.8. Interpretation; Invalidity; Change in Laws.

(a) If the inclusion of property as Economic Development Property or any other issue is unclear under this Fee Agreement, then the parties intend that the interpretation of this Fee Agreement be done in a manner that provides for the broadest inclusion of property under the terms of this Fee Agreement and the maximum incentive permissible under the Act, to the extent not inconsistent with any of the explicit terms of this Fee Agreement.

(b) If any provision of this Fee Agreement is declared illegal, invalid, or unenforceable for any reason, the remaining provisions of this Fee Agreement are unimpaired, and the parties shall reform such illegal, invalid, or unenforceable provision to effectuate most closely the legal, valid, and enforceable intent of this Fee Agreement so as to afford the Sponsor with the maximum benefits to be derived under this Fee Agreement, it being the intention of the County to offer the Sponsor the strongest inducement possible, within the provisions of the Act, to locate the Project in the County.

(c) The County agrees that in case the FILOT incentive described in this Fee Agreement is found to be invalid and the Sponsor does not realize the economic benefit it is intended to receive from the County under this Fee Agreement as an inducement to locate in the County, the County agrees to negotiate with the Sponsor to provide a special source revenue or Infrastructure Credit to the Sponsor [(in addition to the Infrastructure Credit explicitly provided for above)] to the maximum extent permitted by law, to allow the Sponsor to recoup all or a portion of the loss of the economic benefit resulting from such invalidity.

Section 10.9. Force Majeure. The Sponsor is not responsible for any delays or non-performance caused in whole or in part, directly or indirectly, by strikes, accidents, freight embargoes, fires, floods, inability to obtain materials, conditions arising from governmental orders or regulations, war or national emergency, acts of God, including but not limited to issues of public health, and any other cause, similar or dissimilar, beyond the Sponsor's reasonable control.

Section 10.10. Termination; Termination by Sponsor.

(a) Unless first terminated under any other provision of this Fee Agreement, this Fee Agreement terminates on the Final Termination Date.

(b) The Sponsor is authorized to terminate this Fee Agreement at any time with respect to all or part of the Project on providing the County with 30 days' notice.

(c) Any monetary obligations due and owing at the time of termination and any provisions which are intended to survive termination, survive such termination.

(d) In the year following termination, all Economic Development Property is subject to *ad valorem* taxation or such other taxation or payment in lieu of taxation that would apply absent this Fee Agreement. The Sponsor's obligation to make FILOT Payments under this Fee Agreement terminates to the extent of and in the year following the year the Sponsor terminates this Fee Agreement pursuant to this Section.

Section 10.11. *Entire Agreement.* This Fee Agreement expresses the entire understanding and all agreements of the parties, and neither party is bound by any agreement or any representation to the other party which is not expressly set forth in this Fee Agreement or in certificates delivered in connection with the execution and delivery of this Fee Agreement.

Section 10.12. *Waiver.* Either party may waive compliance by the other party with any term or condition of this Fee Agreement only in a writing signed by the waiving party.

Section 10.13. *Business Day.* If any action, payment, or notice is, by the terms of this Fee Agreement, required to be taken, made, or given on any Saturday, Sunday, or legal holiday in the jurisdiction in which the party obligated to act is situated, such action, payment, or notice may be taken, made, or given on the following business day with the same effect as if taken, made or given as required under this Fee Agreement, and no interest will accrue in the interim.

Section 10.14. *Agreement's Construction.* Each party and its counsel have reviewed this Fee Agreement and any rule of construction to the effect that ambiguities are to be resolved against a drafting party does not apply in the interpretation of this Fee Agreement or any amendments or exhibits to this Fee Agreement.

[Signature pages follow]

IN WITNESS WHEREOF, the County, acting by and through the County Council, has caused this Fee Agreement to be executed in its name and on its behalf by the Chair of County Council and to be attested by the Clerk of the County Council; and the Sponsor has caused this Fee Agreement to be executed by its duly authorized officer, all as of the day and year first above written.

RICHLAND COUNTY, SOUTH CAROLINA

(SEAL)

By: _____
County Council Chair
Richland County, South Carolina

ATTEST:

By: _____
Clerk to County Council
Richland County, South Carolina

[Signature Page 1 to Fee in Lieu of Ad Valorem Taxes [and Incentive] Agreement]

PROJECT MO

[Signature Page 2 to Fee in Lieu of Ad Valorem Taxes and Incentive Agreement]

EXHIBIT A
PROPERTY DESCRIPTION

EXHIBIT B (see Section 9.1)
FORM OF JOINDER AGREEMENT

Reference is hereby made to the Fee-in-Lieu of *Ad Valorem* Taxes Agreement, effective [DATE] (“Fee Agreement”), between Richland County, South Carolina (“County”) and Project Mo (“Sponsor”).

1. Joinder to Fee Agreement.

[_____], a [STATE] [corporation]/[limited liability company]/[limited partnership] authorized to conduct business in the State of South Carolina, hereby (a) joins as a party to, and agrees to be bound by and subject to all of the terms and conditions of, the Fee Agreement as if it were a Sponsor [except the following: _____]; (b) shall receive the benefits as provided under the Fee Agreement with respect to the Economic Development Property placed in service by the Sponsor Affiliate as if it were a Sponsor [except the following _____]; (c) acknowledges and agrees that (i) according to the Fee Agreement, the undersigned has been designated as a Sponsor Affiliate by the Sponsor for purposes of the Project; and (ii) the undersigned qualifies or will qualify as a Sponsor Affiliate under the Fee Agreement and Section 12-44-30(20) and Section 12-44-130 of the Act.

2. Capitalized Terms.

Each capitalized term used, but not defined, in this Joinder Agreement has the meaning of that term set forth in the Fee Agreement.

3. Representations of the Sponsor Affiliate.

The Sponsor Affiliate represents and warrants to the County as follows:

(a) The Sponsor Affiliate is in good standing under the laws of the state of its organization, is duly authorized to transact business in the State (or will obtain such authority prior to commencing business in the State), has power to enter into this Joinder Agreement, and has duly authorized the execution and delivery of this Joinder Agreement.

(b) The Sponsor Affiliate’s execution and delivery of this Joinder Agreement, and its compliance with the provisions of this Joinder Agreement, do not result in a default, not waived or cured, under any agreement or instrument to which the Sponsor Affiliate is now a party or by which it is bound.

(c) The execution and delivery of this Joinder Agreement and the availability of the FILOT and other incentives provided by this Joinder Agreement has been instrumental in inducing the Sponsor Affiliate to join with the Sponsor in the Project in the County.

4. Governing Law.

This Joinder Agreement is governed by and construed according to the laws, without regard to principles of choice of law, of the State of South Carolina.

5. Notice.

Notices under Section 10.1 of the Fee Agreement shall be sent to:

[_____]

IN WITNESS WHEREOF, the undersigned has executed this Joinder Agreement to be effective as of the date set forth below.

Date

Name of Entity
By: _____
Its: _____

IN WITNESS WHEREOF, the County acknowledges it has consented to the addition of the above-named entity as a Sponsor Affiliate under the Fee Agreement effective as of the date set forth above.

RICHLAND COUNTY, SOUTH CAROLINA

By: _____
Its: _____

EXHIBIT C (see Section 3.3)
RICHLAND COUNTY RESOLUTION REQUIRING CERTAIN ACCOUNTABILITY PRACTICES CONCERNING
ECONOMIC DEVELOPMENT PROJECTS IN THE COUNTY

**A RESOLUTION TO AMEND THE DECEMBER 21, 2010,
RESOLUTION REQUIRING CERTAIN ACCOUNTABILITY
PRACTICES CONCERNING ECONOMIC DEVELOPMENT
PROJECTS IN RICHLAND COUNTY**

WHEREAS, Richland County Council adopted a resolution dated as of December 21, 2010 (“Prior Resolution”), which requires companies receiving economic development incentives from Richland County, South Carolina (“County”) to submit annual reports to the Richland County Economic Development Office; and

WHEREAS, the County desires to make the form of the annual reports submitted by such companies uniform in order to make the substantive information contained in the annual reports more easily tracked and documented by the Richland County Economic Development Office.

NOW, THEREFORE, BE IT RESOLVED by Richland County Council as follows:

Section 1. The County affirms that each company awarded an incentive by the County in exchange for the location or expansion of a facility or facilities within the County shall submit an annual report to the Richland County Economic Development Office by January 31 of each year throughout the term of the incentives.

Section 2. The Richland County Economic Development Office is authorized to create (and from time to time, if necessary, amend or recreate) and make available the form of the annual report; however, such form, shall require, at a minimum, the following information:

- a. Name of company;
- b. Cumulative capital investment (less any removed investment) to date as a result of the project;
- c. Net jobs created to date as a result of the project;

Section 3. A copy of the then-current form of the annual report may be obtained from the following address. The annual report shall likewise be submitted to the following address by the required date.

Richland County Economic Development Office
Attention: Kim Mann
1201 Main Street, Suite 910
Columbia, SC 29201

Section 4. This Resolution amends the Prior Resolution and sets forth the County’s requirements with respect to the annual reports to be submitted by each company awarded an incentive by the County as described in Section 1.

Section 5. The substance of this Resolution shall be incorporated into the agreement between the County and each company with respect to the incentives granted by the County to the company.

Section 6. In the event that any company shall fail to submit an annual report, or any portion thereof, such company may be required to return all incentives, or a dollar amount equal thereof, to the County. Such incentives, or the dollar amount equal thereto, shall be paid to the County within 60 days after the date upon which the information was originally due.


RESOLVED: December 12 2017

RICHLAND COUNTY, SOUTH CAROLINA



Chair, Richland County Council

(SEAL)
ATTEST:



Clerk to County Council

EXHIBIT D (see Section 5.1)
DESCRIPTION OF INFRASTRUCTURE CREDIT

All qualifying investment of the Sponsor during the Investment Period shall qualify for a 10-year, 40% Infrastructure Credit. Beginning with the first annual FILOT Payment and continuing for the next nine annual FILOT Payments, the Sponsor will receive an annual credit in an amount equal to 40% of the annual FILOT Payment with respect to the Project[; provided, however, the Sponsor may elect to begin application of the Infrastructure Credit in a year other than the year in which the first annual FILOT Payment is done. In such event, the Sponsor shall provide notice to the Economic Development Director of the County. Upon selection by the Sponsor of the year in which the Infrastructure Credit shall first apply, the Infrastructure Credit will continue to be applied to the next nine FILOT Payments.]

**EXHIBIT E (see Section 6.1)
DESCRIPTION OF CLAW BACK**

Repayment Amount = Total Received x Claw Back Percentage

Claw Back Percentage = 100% - Overall Achievement Percentage

Overall Achievement Percentage = (Investment Achievement Percentage + Jobs Achievement Percentage) / 2

Investment Achievement Percentage = Actual Investment Achieved / Contract Minimum Investment Requirement [may not exceed 100%]

Jobs Achievement Percentage = Actual New, Full-Time Jobs Created / Contract Minimum Jobs Requirement [may not exceed 100%]

In calculating the each achievement percentage, only the investment made or new jobs achieved up to the Contract Minimum Investment Requirement and the Contract Minimum Jobs Requirement will be counted.

For example, and by way of example only, if the County receives \$30,000 in Infrastructure Credits, and \$2,500,000 had been invested at the Project and 10 jobs had been created by the end of the Investment Period, the Repayment Amount would be calculated as follows:

Jobs Achievement Percentage = 10/13 = 77%

Investment Achievement Percentage = \$2,500,000/\$3,030,000 = 82.5%

Overall Achievement Percentage = (77% + 82.5%)/2 = 79.75%

Claw Back Percentage = 100% - 79.75% = 20.25%

Repayment Amount = \$30,000 x 20.25% = \$6,075

The Sponsor shall pay any amounts described in or calculated pursuant to this Exhibit E within 30 days of receipt of a written statement from the County. If not timely paid by the Sponsor, the amount due is subject to the minimum amount of interest that the law may permit with respect to delinquent *ad valorem* tax payments. The repayment obligation described in this Exhibit E survives termination of this Fee Agreement.

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Richland County Government
Administration
FY22 Richland County Hospitality Tax Program
Deadline: 5/30/2021

Rogue Volleyball Volleyball facility

Jump to: [Application Questions](#) [Budget](#) [Tables](#) [Required Attachments](#)

\$ 3,950,000.00 Requested

Submitted: 5/4/2021 11:05:18 AM (Pacific)

Project Contact

Adam Speight

adam@carolinarogue.com

Tel: 803-422-7976

Additional Contacts

none entered

Rogue Volleyball

110 Chinaberry Ln
Cayce, SC 29033
United States

Telephone 803-422-7976

Fax

Web www.CarolinaRogue.com

Club Director

Adam Speight

adam@carolinarogue.com

Application Questions [top](#)

1. Incorporation date

July 5, 2016

2. Federal ID Number

81-3119762

3. Mission Statement

To offer amateur sports programs and opportunities for all people to have the physical, mental, and moral development of amateur athletes and to promote good sportsmanship and good citizenship.

Project Information

4. Project Title

Volleyball facility

5. Project Start Date

2021

6. Project End Date

2022

7. Total Project Cost

\$3,950,000

8. Total Amount Requested

\$3,950,000

9. Describe the project and its tourism mission

Include a thorough, but concise description. Include who, what, when, where and why. Include information about innovative ideas, community support and partnerships. Describe coordination that has been completed or will be needed with other organizations.

Rogue Volleyball (501(c)3 EIN: 81-3119762) is currently leasing space with Richland County, and has been working with the Richland County Recreation Commission to propose a project to construct an indoor volleyball complex to facilitate increased demand.

This project will benefit the under-served female and youth of our area, as well as the community as a whole. Nationally, more high school aged females play volleyball (446,583) than basketball (412,407), softball (367,861) or soccer (390,482). Even in South Carolina, volleyball (4,926) tops softball (4,822), basketball (4,606), and nearly equals soccer (4,965), according to National Federation of High Schools data (www.nfhs.org).

Three different economic impact methods were used to produce a range of revenue data for the facility, ranging from \$1 million annually, to \$3 million, depending on facility size (4-6 courts).

The volleyball center will feature 4-6 indoor volleyball courts, in addition to 2-4 outdoor beach volleyball courts. The courts will be competition-ready for practices, tournaments and matches. The facility will also host Sitting Volleyball events for US Armed Forces Sitting Volleyball teams, serve as a primary facility for adaptive volleyball leagues and tournaments, and host camps and clinics from major colleges and universities.

The demand for such a facility is clear and immediate, as our organization has stretched the limits of current RCRC capacity for volleyball rentals. We will be split across several RCRC facilities next year, which is not an efficient way to facilitate the meteoric rise in volleyball's popularity. Plus, this will ease facility strain for the current RCRC facilities, allowing for expansion of existing programs, while allowing our organization to grow the RCRC rec volleyball program in a top notch building run by one of the best volleyball clubs in the country.

Rogue Volleyball would enter into a long term exclusive lease for 24,000 - 33,000 square feet of the 42,000 square foot building at 1041 Ponderosa Pointe Dr. in unincorporated Richland County. This will guarantee the county revenue, capacity, and a partnership with one of the top volleyball organizations in the country. As part of the agreement, we will run community events such as adult league and youth clinics, as well as the entire Richland County rec volleyball program, which currently does not exist (Lexington County started theirs in 2020 and had four times the amount of participants as anticipated).

This will bring a steady stream of thousands of athletes and their families to the Monticello Road corridor, which has been identified as an area of potential growth. Millions of dollars, many from out of town, will be brought into Richland County. The fact that this property sits next to the SC United soccer complex makes this entire site less of a "facility" and more of a "destination," only enhancing the appeal to future developers in the area.

This will also allow Richland County to lease the remaining 10,000 - 20,000 square feet if desired.

The Rec Commission is aware of this project and supportive of our efforts to work with the County to provide funding for the next budget cycle specifically for this project. We are asking for \$3,950,000 for building purchase and to finish construction, since it is currently a "shell" built for spec purposes, and the 6.53 acre site. There is an option to acquire the 6 acres adjoining the site for an additional \$360,000 (for 11.53 acres total) for additional development.

*NOTE: This project is not site-dependent. Another comparable site would suffice, even if no current building exists on the land. Hill Construction estimates new construction for the facility, including site work, from \$92-98 per square foot, making a comparable 42,000 s/f facility built new to be the same \$3.95 million. New construction is a viable alternative to the proposed site. The proposed site is currently available, expediting time to occupancy, but is not required, since a new facility could be constructed for the same amount.

Richland County would own the building and the land. The Rec Commission is aware of this project, and has supported its acceleration.

10. Program Locations

Please list the street address (full address) of all program locations that will be funded through H-Tax Grant funds. Please indicate if the program will be held on County property.

The property to be purchased and converted into the facility is located at 1041 Ponderosa Pointe Dr. in Columbia, South Carolina. It is in unincorporated Richland County, and Richland County (probably through the Richland County Recreation Commission) would own the property.

Additionally, 6 acres next to the property is optional at 1021 Ponderosa Pointe Dr. in Columbia.

11. Does Your Project Require Permits?

If yes, list those required permits.

Building permits to complete upfitting construction.

Tourist Information

12. Projected Full Attendance

9045 per year

13. Projected Number Of Tourists

7236 per year

14. Projected Total Meals Consumed

54,270 per year

15. Projected Total Overnight Stays

14,472 per year

16. Describe how your organization determined the numbers above and indicate the numbers of meals and room stays estimated in unincorporated Richland County.

A 6 court facility would host tournaments with 4 teams per court (24 teams), in two waves per day for a total of 48 teams.

There are 12 participants per team, for 576 total participants per tournament.

There is an average of 3.14 attendees per participant (including the participant, parent(s), sibling(s), etc.) for a total of 1,809 attendees per tournament.

We would run at least 5 tournaments per year, for 9,045 attendees per year.

Of those, 80% are from out of town, for 7,236 "tourists" per year.

Each tournament is two days, and each attendee would consume at least 6 meals per tournament (at least one on day/evening of arrival, three on the first day of the tournament, and two on the second day, usually departing before the third meal), for a total of 54,270 meals consumed per year.

As a two day tournament that starts at 8:00 am (standard start time), the 7,236 out-of-town attendees would stay overnight for two nights, for 14,472 total overnight stays per year.

17. Describe the benefit to tourism. How does this project promote and highlight unincorporated Richland County's historic and cultural venues, recreational facilities and events and the uniqueness and flavor of the local community?

This project site is next to the SC United Soccer Complex off of Monticello Road, and adding this volleyball facility would help bolster Richland County as a true sports destination. Currently, large scale volleyball tournaments are held in either Rock Hill, Spartanburg, Charleston or Myrtle Beach. Richland County is skipped because there is no volleyball-specific venue that can attract these kinds of events, which draw tens of thousands of people every year.

Women's sports have skyrocketed in the past several years in Richland County, aided by the success of high profile programs like USC Women's Basketball. While everyone is aware of the basketball history in the area, few are aware of the volleyball climate. The fact that more females play volleyball in South Carolina than basketball, and the fact that USC Women's Volleyball has advanced to the second round of the NCAA Tournament for two consecutive years, and USC Women's Beach Volleyball is a perennial top 10 team (in the fastest growing sport in NCAA history) tells a much richer, more complete story of the role female athletics plays in Richland County.

The partnership with Rogue Volleyball only helps that culture and identity. 49% of our athletes the past two seasons have been African American, we are the only volleyball organization in South Carolina history to have players commit to play in all five "Power 5" Division 1 conferences, have had multiple All-Americans (and more players named to All-American Watch Lists than all other South Carolina volleyball organizations combined), and have helped our first two graduating classes alone achieve over \$2 million in athletic scholarships. As of April 1, 2021, we have two alumni playing on the #2 ranked team in the country (University of Kentucky) and one on the #12 team (Utah) who was also a 7-time nominee for Pac 12 Freshman of the Year, and member of the Pac 12 All-Freshman Team.

Coaches from USC, Clemson, University of Kentucky, Stanford University, Illinois University, Louisville, Appalachian State, High Point, UNC, Stanford, University of Georgia, Furman, Mississippi State, College of Charleston, and several other colleges have come to Rogue practices in Columbia.

Having Rogue Volleyball - a nationally recognized and respected organization - as it's resident developing and running the local area's volleyball activities, the program will have the advantage of premier training, administration, resources, connections and development, and would considerably elevate the County's status in the sport, as well as add to the extremely rich culture of advancing female athletics, particularly in under-served areas.

For Richland County, tournaments would drive thousands of players and their families to Riverbanks Zoo, restaurants in the Vista and northeast Columbia, and help build the Monticello Road corridor and unincorporated Richland County as a hub for volleyball competition and training.

18. Describe the benefit to the community in which the project will be held.

The main issue with "mega multi-sport complexes," such as the ones that host tournaments in Rock Hill, Spartanburg, Charleston and Myrtle Beach, is that they go unused during weekdays. Tourism dollars flow in from out-of-town visitors, but the local residents still struggle to find places to play. The people in the community don't benefit directly, and dozens of athletes in those markets are still left driving hours for a decent place to practice and train.

We are first and foremost a local volleyball organization. In addition to hosting at least 5 tournaments per year, our lease agreement would include access for the community during the week. Our season is 33 weeks long, and during that time, we would be training and practicing 4-5 days per week (something that simply doesn't happen in those other complexes). Other days during the week, we will host leagues for adults in the community, and open gyms for local residents to come play.

The remaining 19 weeks of the year, we would build and run a rec volleyball program for Richland County and the Rec Commission (branded as Richland County, not Rogue Volleyball). The programming, training and structure would be handled by one of the top organizations in the country, and would provide a home to help foster the growth of the most popular female sport in the United States. Lexington County decided to finally create a rec volleyball program recently. In their first year, demand was 400% what they estimated. For volleyball to be played by more female athletes in South Carolina than basketball, the demand at the younger ages is built up beyond capacity with no outlet for rec sports like there is for basketball, soccer and softball.

Economically, the project would contribute \$2-4 million annually to the community. As stated above, the projected attendance would be 1,809 attendees per tournament. The average spending per visitor (according to Greenville, SC data) is \$385 per tournament. That would amount to \$696,465 per tournament. At 5 tournaments per year, it would create \$3,482,325 annual impact.

The benefits to the community would be massive. Not only would Richland County benefit economically, with annual impact of \$2-4 million, but the families and local athletes would benefit from having a "home" for a sport that desperately needs one. The participation statistics tell a compelling story of a group of young females that are massively under-served. We would provide rec opportunities for girls AND boys (Men's Volleyball is the second fastest-growing NCAA sport, and is one of the fastest-growing sports in high schools in South Carolina), club opportunities to advance their games and potentially gain college scholarships, and open gyms and adult leagues to promote the facility and provide places to play where resources are consolidated and consistent.

Marketing Plan

19. Outline your project's marketing plan (Include how you plan to reach tourists and work with local restaurants. Also include tracking mechanism used to determine tourist attendance.

Outline your marketing, advertising and promotional plans for your program. How will you track visitors and overnight stays? What methods are you using to track all visitors and count the number of tourists and residents that attend your event/program.

Our organization is the most nationally prominent volleyball club in South Carolina. Every high school aged volleyball player in South Carolina knows our club and our brand. However, our efforts to market and promote the project go well beyond brand equity.

We have several high school coaches who have already approached us about using the facility to host large scale high school tournaments (most are limited to 3-4 courts and single waves, where our facility would have at least 6 courts and two waves). Multiple high school tournaments during the fall would help bring even more tourists to the area than outlined earlier, and would introduce thousands of attendees to the facility each year who might not otherwise experience it. We will also work with the South Carolina High School League, and the South Carolina Independent School Association (SCISA) to host playoff tournaments and middle school championships at the facility.

We have also discussed building and running the rec volleyball program for the Richland Count Recreation Commission. Using their program marketing and databases to promote the facility for community use (open gyms, adult leagues, rec volleyball, etc.) will help both the project and the county.

Additionally, several colleges have asked when the facility would be ready, because they want to come in and do clinics. These college coaches include University of Wisconsin (current #1 team in the country), Dayton, Mississippi State, High Point University, NC State, UNC Chapel Hill, University of Louisville, University of Tennessee, Georgia Tech and Wake Forest, among others. These are all colleges that have approached us proactively to ask when a facility would be ready for them to come run camps and clinics. These would be promoted heavily through all social media channels and to all middle and high schools in the state.

Visitors and attendees are easy to track. Registrations, rosters and gate attendance are automatically verifiable, with most tournaments requiring hotel stay forms for teams. Because teams (high school or club) tend to be geographically organized, "out-of-town" estimates are easy, in addition to the hotel stay forms.

One of the appealing aspects of the project to Richland County is the County's desire to develop the Monticello Road corridor. As more restaurants are added, they will be the default meal choice for all attendees, both for tournaments and for weekday practices. Additionally, local food trucks have reached out about coming to events at a facility where their presence would allow attendees to sample local cuisine in the most convenient way possible.

Performance Measurements

20. What performance measures will you use to determine the success of advertising and marketing efforts for this project?

Metrics will come in the form of club program growth (our organization is estimating a 300% increase in athlete participation from year 1 of the facility lease to year 5), rec program growth and participation, and tournament hosting.

Our goals are 20 teams by year 5 in the facility from our organization, 50 rec volleyball participants by year 3, 5 tournaments hosted by year 5, and 2 high school tournaments hosted by year 3.

21. Provide evidence of success for similar programs/events and the capacity to make this project successful.

Similar programs are found throughout the country.

Over 1,600 clubs (not teams) in the US host tournaments in their own facility.

Locally, Upward Stars in Spartanburg has a 7-court facility that hosts multiple tournaments, and has grown to 33 teams due to this project (this is not the same facility as the Star Center which hosts larger tournaments but does not allow weekday access for the volleyball athletes).

KIVA in Louisville, KY has a 6-court facility and won 54 National Championships and boasts one of the strongest youth programs in the country.

Munciana in Muncie, IN has won 32 National Championships out of their 7-court facility.

A5 in Atlanta, GA just outgrew their 5-court facility and moved into a 13 court facility.

CUVC in Charlotte, NC operates out of a 6-court facility.

Triangle Volleyball Club in Raleigh just moved into a 7 court facility.

More than 3,000 clubs in the US have great than 10 teams in their organization.

Greater than 1,650 clubs have programs for boys (the second fastest growing men's NCAA sport). Over 1,500 clubs have beach programs (the fastest growing sport in NCAA history).

More than 2,850 clubs have Youth programs (defined as ages 7-11), and more than 1,700 clubs have "Volley Tots" programs for ages 3-7.

Greater than 1,600 clubs offer in-house leagues.

(statistics from USA Volleyball and the JVA Annual Club Survey published February 17, 2020)

Sustainability

22. What efforts are being made to increase the sustainability of this project/program and decrease the reliance on County H-Tax funding?

This would be a one-time request. No future funding is being requested.

Operating expenses will be paid by the Recreation Commission and Rogue Volleyball, as determined by the lease agreement.

Partnerships/Community Support

23. Describe your partnership efforts with similar organizations in Richland County that assist in furthering the mission of your organization. List the names of partnering organizations if applicable.

We have been working with the Richland County Recreation Commission to lease the space outlined in this project. We will also work with the Rec Commission to build and run their rec volleyball program, as well as high school volleyball programs in the County to host tournaments in the facility.

24. Will your organization's FY22 budget be significantly different than FY21? Please explain any variance over 10%.

The growth will be due to a 50% increase in teams.

Budget [top](#)

Income Sources	Amount	Pending	Receiving
FY22 Richland County H-Tax Request	\$ 3,950,000.00		
Total	\$ 3,950,000.00	\$ 0.00	\$ 0.00

Expense Category	County H-Tax Request	Other Sources	Total
Advertising/Marketing/Promotion/Billboards	\$ 0.00		\$ 0.00
Advertising/Marketing Related Salary	\$ 0.00		\$ 0.00
Municipal Services/Security	\$ 0.00		\$ 0.00
Entertainment/Speakers/Guest Artists	\$ 0.00		\$ 0.00
Event Rentals	\$ 0.00		\$ 0.00
Consultants/Contractors	\$ 0.00		\$ 0.00
Total	\$ 0.00	\$ 0.00	\$ 0.00

Budget Narrative

The 42,000 square foot building and 6.53 acres at 1041 Ponderosa Pointe Drive has a sales price of \$2.1 million (information provided by Chuck W. Salley, Vice President and Director of Industrial Brokerage at Colliers).

The property is a spec building, mostly unfinished. The cost to finish the building to make it ready for use is estimated at \$1.85 million (\$50/sf to finish 32,000 square feet, with \$25/sf to "half finish" the remaining 10,000 square feet for the County to use in other ways, if it wishes. Information provided by Ray Hill of Hill Construction).

The total would be \$3.95 million.

*NOTE: This project is not site-dependent. Another comparable site would suffice, even if no current building exists on the land. Hill Construction estimates new construction for the facility, including site work, from \$92-98 per square foot, making a comparable 42,000 s/f facility built new to be the same \$3.95 million. New construction is a viable alternative to the proposed site. The proposed site is currently available, expediting time to occupancy, but is not required, since a new facility could be constructed for the same amount.

There are no additional requested funds, as "normal" operating costs will be paid by a combination of the Rec Commission and Rogue Volleyball, as determined in the lease agreement. Rogue would enter into a long-term lease (20-25 years) with the County to rent the space at published County volleyball court rates. Existing expense costs will remain for the long-term agreement, so no additional H-Tax funds will be needed outside of the normal scope of Rec Commission facility operating budgets.

As a tenant, Rogue Volleyball will be responsible for its own marketing and promotion, and current Rec Commission marketing would aid in the rec league promotions through email blasts and social media.

Tables [top](#)

Organizational Funding History

Source	H-Tax	A-Tax	Discretionary	Other	Total
FY18	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0
FY19	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0
FY20	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0
Total	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0

Contributed Income & Earned Revenue

Contributed Income	FY17	FY18	FY19	FY20
Municipal grants	\$ 0	\$ 0	\$ 0	\$ 0
County grants	\$ 0	\$ 0	\$ 0	\$ 0
State grants	\$ 0	\$ 0	\$ 0	\$ 0
Federal grants	\$ 0	\$ 0	\$ 0	\$ 0
Foundation/corporate grants	\$ 0	\$ 0	\$ 0	\$ 0
Contributions	\$ 0	\$ 0	\$ 0	\$ 0
Other contributed	\$ 0	\$ 0	\$ 0	\$ 0
Total Contributed Income	\$ 0	\$ 0	\$ 0	\$ 0
Earned Income				
Admission/tickets	\$	\$	\$	\$
Tuition/fees	\$ 75,000	\$ 115,000	\$ 115,000	\$ 141,000
Publications	\$	\$	\$	\$
Concessions/merchandise	\$	\$	\$	\$
Advertising	\$	\$	\$	\$
Facility rental	\$	\$	\$	\$
Special Event fundraisers	\$	\$	\$	\$
Other	\$	\$	\$	\$
Total Earned Revenue	\$ 75,000	\$ 115,000	\$ 115,000	\$ 141,000
Total	\$ 75,000	\$ 115,000	\$ 115,000	\$ 141,000

Expenses

Expenses	FY17	FY18	FY19	FY20	Total
Program services	\$ 77,000	\$ 111,000	\$ 111,000	\$ 132,000	\$ 431,000
Fundraising	\$	\$	\$	\$	\$ 0
Administration/Management/General	\$	\$	\$	\$	\$ 0
Other	\$	\$	\$	\$	\$ 0
Total	\$ 77,000	\$ 111,000	\$ 111,000	\$ 132,000	\$ 431,000

Required Attachments [top](#)

Documents Requested *

IRS Determination Letter indicating 501 c 3, nonprofit charitable status

Required?

Attached Documents *

[IRS Letter](#)

[IRS EIN](#)

Proof of current registration as a charity with the SC Secretary of State

[Charity Registration Receipt](#)

List of organization's current Board Members/Directors	✓	Club leadership
Recent 990 tax form or if you file a 990 post-card attach a financial report showing financial status	✓	990-N
Richland County business license or business license assessment survey form (this form shows that a business license is not needed for your organization)	✓	Business License

* ZoomGrants™ is not responsible for the content of uploaded documents.

Application ID: 347921

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Richland County Council Request for Action

Subject:

Special Revenue Fund - Hospitality Tax: RC Volley ball Complex - new group seeking Council funding (\$ 3,950,000)

Notes:

June 22, 2021 – The D&S Committee recommended Council to direct staff to organize a work session to evaluate opportunities for destination sports tourism in Richland County to include opportunities and criteria to consider for evaluation. Staff should partner with any groups necessary to gather information for said work sessions.

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Richland County Government
Administration
FY22 Richland County Hospitality Tax Program
Deadline: 4/30/2021

SC Kings Foundation, Inc Nexx Level Sports Center

Jump to: [Application Questions](#) [Budget](#) [Tables](#) [Required Attachments](#)

\$ 9,500,000.00 Requested

Submitted: 4/4/2021 6:18:35 PM (Pacific)

Project Contact

Alison Hewitt
alison.aahewitt@comcast.net
Tel: 8134380020

Additional Contacts

none entered

SC Kings Foundation, Inc

701 Gervais St
Columbia, SC 29201
United States

Telephone 8134380020
Fax
Web

President/CEO

Russell C Dean
rdean92@aol.com

Application Questions [top](#)

1. Incorporation date

August 21, 2019

2. Federal ID Number

84-2758496

3. Mission Statement

The Mission of the SC KINGS FOUNDATION is to establish state of the art facilities that host series of sports events, community and civic engagement outings, mentoring activities, educational programs and empowerment trainings. The facilities and the uniquely designed mentoring programs will initiate economic growth for the target areas as well as facilitate the development of accountability and confidence that will result in networks that build trust, positively impact the target community and improve the quality of life of its residents.

Project Information

4. Project Title

Nexx Level Sports Center

5. Project Start Date

August 2021

6. Project End Date

August 2022

7. Total Project Cost

25 Million

8. Total Amount Requested

Project Description and Goals

9. Describe the project and its tourism mission

Include a thorough, but concise description. Include who, what, when, where and why. Include information about innovative ideas, community support and partnerships. Describe coordination that has been completed or will be needed with other organizations.

Year 1 Year 2 Year 3 Year 4 Year 5
 Basketball Tournaments 10 13 14 15 16
 Volleyball Tournaments 11 12 14 17 17
 Other Tournaments/Events 10 10 10 10 10
 Total Events Per Year 37 42 46 50 51

Year 1 Year 2 Year 3 Year 4 Year 5
 Non-Local Days in Market 59,017 77,745 80,900 89,377 92,897
 Room Nights 17,717 23,403 24,296 26,805 27,872

Year 1 Year 2 Year 3 Year 4 Year 5
 Total Direct Spending \$7,577,242 \$9,981,745 \$10,386,818 \$11,475,188 \$11,927,123
 Total Economic Impact \$7,577,242 \$9,981,745 \$10,386,818 \$11,475,188 \$11,927,123

Management (SFA/SFM) will be responsible for scheduling the number of tournaments need per year to make the financial goals.

10. Program Locations

Please list the street address (full address) of all program locations that will be funded through H-Tax Grant funds. Please indicate if the program will be held on County property.

7608 Broad River Road 29063

11. Does Your Project Require Permits?

If yes, list those required permits.

1. ZONING: (most important or we can't proceed with purchase of land)
 Must change Zoning from RU to Commercial
2. Richland County Construction Permit (to include the following)
 - Site Layout
 - SWPP
 - Full set of drawings
 - Boring Testing
3. Town of Irmo:
 - Business License
 - Project inspections

Tourist Information

12. Projected Full Attendance

Estimated annual daily visits - 374,305

13. Projected Number Of Tourists

Non-Local Days in Market: Year 1 - 59,017 Year 2 - 77,745 Year 3 - 80,900 Year 4 - 89,377 Year 5 - 92,897

14. Projected Total Meals Consumed

TBD

15. Projected Total Overnight Stays

Room Nights: Year 1 - 17,717 Year 2 - 23,403 Year 3 - 24,296 Year 4 - 26,805 Year 5 - 27,872

16. Describe how your organization determined the numbers above and indicate the numbers of meals and room stays estimated in unincorporated Richland County.

SFA/SFM created the economic impact report that provided data showing how Nexx Level Sports Center programming and events will impact the local economy. Taking into account the venue type and size and specific details about the community, Sports Facilities Advisory used a proprietary analytical process to translate projections from the Pro Forma to determine the impact of three items:

Non-local visitors' days in market

Room nights generated by tournament and programming attendees

The average daily expenditure of non-local visitors through purchases for lodging, dining, entertainment, retail, travel, and associated expenses.

17. Describe the benefit to tourism. How does this project promote and highlight unincorporated Richland County's historic and cultural venues, recreational facilities and events and the uniqueness and flavor of the local community?

The Nexx Level Sports Center will be able to host a huge number of basketball (AAU, YBOA, Big Shots, etc.) and volleyball (AAU, Palmetto Volleyball, USA Volleyball, etc.) tournaments, such a facility would also be able to host events from national organizations such as: USA Badminton, US Fencing, USA Judo and USA Table Tennis just to name a few. The economic benefit to our community from hosting these tourism-generating events would for the most part be "new money" because Richland County does not currently have a facility hosting these types of events .

18. Describe the benefit to the community in which the project will be held.

According to Wintergreen Research, Sports Tourism is recession resistant. It was the only segment of the travel industry with no decline in any quarter of the last recession. In 2018, youth sports was estimated to be a \$15 Billion Industry according to Wintergreen Research/Time Magazine. Based on recent estimates the sports tourism industry is a \$18 Billion industry.

Marketing Plan

19. Outline your project's marketing plan (Include how you plan to reach tourists and work with local restaurants. Also include tracking mechanism used to determine tourist attendance.

Outline your marketing, advertising and promotional plans for your program. How will you track visitors and overnight stays? What methods are you using to track all visitors and count the number of tourists and residents that attend your event/program.

There will be coordination with the major tournaments hosted by the Nexx Level Sports Facility. Participating teams will submit complete rosters of the number of attendees for the number of days for the tournaments. There will be coordination with Host hotels and local restaurants. We will do direct marketing to the major basketball, volleyball, badminton and other sports to secure tournaments.

Performance Measurements

20. What performance measures will you use to determine the success of advertising and marketing efforts for this project?

The construction performance measures will be to closely monitor the the construction budget and schedule to maintain an on time and under budget process. After opening the management team will be responsible for achieving the goals in the proforma that maximizes success.

Year 1	Year 2	Year 3	Year 4	Year 5	
Basketball Tournaments	10	13	14	15	16
Volleyball Tournaments	11	12	14	17	17
Other Tournaments/Events	10	10	10	10	10
Total Events Per Year	37	42	46	50	51

21. Provide evidence of success for similar programs/events and the capacity to make this project successful.

The Management firm hired to create the Pro Forma will be the management company for the project. There experience includes:

25 Million guests
\$250 Million in overnight hotel stays
700 Members

They manage, consult and have created 21 facilities around the country (indoor, outdoor and a combination of both):

Myrtle Beach Sports Center - Myrtle Beach, SC
Rocky Top Sports World - Gatlinburg, TN
The Bridge - Bridgeport, WV
Hoover Met Complex - Hoover AL
Ballparks of America - Branson, MO
Apex Sports & Events - Hillsborough, NJ
Rocky Mount Event Center - Rocky Mount, NC
Panama City Beach Sports Complex - Panama City Beach, FL
Pelican Bay Aquatics - Edmond, OK
Athletes in Action - Xenia, OH
The Highlands Sports Complex - Wheeling, WV

Sustainability

22. What efforts are being made to increase the sustainability of this project/program and decrease the reliance on County H-Tax funding?

After opening the management team will be responsible for achieving the goals in the pro forma that maximizes success.

Year 1 Year 2 Year 3 Year 4 Year 5
 Basketball Tournaments 10 13 14 15 16
 Volleyball Tournaments 11 12 14 17 17
 Other Tournaments/Events 10 10 10 10 10
 Total Events Per Year 37 42 46 50 51

The facility will also implement diverse income streams by including the following:

- REDEMPTION ARCADE
- REDEMPTION STORE
- VIRTUAL REALITY ACTIVITIES
- ESPORTS AREA
- CLIMBING COURSE

MEETING/FLEX SPACE:

- FOOD & BEVERAGE
- TUTORING, DAYCARE + AFTER SCHOOL LEASE
- MEDICAL LEASE SPACE
- FITNESS LEASED SPACE

Corporate Meetings & Trainings
 Social Events
 Consumer Shows
 Facility Rental Fees
 Parking Fees
 Group Events (Graduations, Corporate, Banquet, Etc.)
 Facility Rental Fees
 Parking Fees
 Tradeshow and Association Shows

Partnerships/Community Support

23. Describe your partnership efforts with similar organizations in Richland County that assist in furthering the mission of your organization. List the names of partnering organizations if applicable.

1. Columbia Urban League: President, J.T. McLawhorn, Project Manager, Juanita Dean-Bates
2. Big Shots, Inc.: Jeff Schnider, President, Kevin Schnider, Vice-President
3. Lineage Of Champions: Dameon Key, President
4. Columbia Basketball Officials Association: Richie Jeffcoat, President
5. Lake Murray Volleyball Club - Sue Dillon
6. Town of Irmo

24. Will your organization's FY22 budget be significantly different than FY21? Please explain any variance over 10%.

FY 2021 Budget funds will be used to secure \$16 million dollars in funding for construction and operations.

FY 2022 Budget request will be for operations only.

Budget [top](#)

Income Sources	Amount	Pending	Receiving
FY22 Richland County H-Tax Request	\$ 9,500,000.00		
Private Donations	\$ 1,000,000.00		

Private Financing	\$ 0.00	\$ 15,000,000.00	
Total	\$ 10,500,000.00	\$ 15,000,000.00	\$ 0.00

Expense Category	County H-Tax Request	Other Sources	Total
Advertising/Marketing/Promotion/Billboards			\$ 0.00
Advertising/Marketing Related Salary			\$ 0.00
Municipal Services/Security			\$ 0.00
Entertainment/Speakers/Guest Artists			\$ 0.00
Event Rentals			\$ 0.00
Consultants/Contractors			\$ 0.00
Total	\$ 0.00	\$ 0.00	\$ 0.00

Budget Narrative

Land Cost \$2,000,000
 Hard Cost \$13,726,174
 Field and Sport Equipment Cost \$3,408,062
 Furniture, Fixtures, and Equipment \$1,094,987
 Soft Costs Construction \$2,436,992
 Soft Costs Operations \$2,356,947
 Working Capital Reserve TBD
 Total Uses of Funds \$25,023,161

Tables [top](#)

Organizational Funding History

Source	H-Tax	A-Tax	Discretionary	Other	Total
FY18	\$	\$	\$	\$	\$ 0
FY19	\$	\$	\$	\$	\$ 0
FY20	\$	\$	\$	\$	\$ 0
Total	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0

Contributed Income & Earned Revenue

Contributed Income	FY17	FY18	FY19	FY20
Municipal grants	\$	\$	\$	\$
County grants	\$	\$	\$	\$
State grants	\$	\$	\$	\$
Federal grants	\$	\$	\$	\$
Foundation/corporate grants	\$	\$	\$	\$
Contributions	\$	\$	\$	\$
Other contributed	\$	\$	\$	\$ 148,000
Total Contributed Income	\$ 0	\$ 0	\$ 0	\$ 148,000
Earned Income				
Admission/tickets	\$	\$	\$	\$
Tuition/fees	\$	\$	\$	\$
Publications	\$	\$	\$	\$
Concessions/merchandise	\$	\$	\$	\$
Advertising	\$	\$	\$	\$
Facility rental	\$	\$	\$	\$

Special Event fundraisers	\$	\$	\$	\$
Other	\$	\$	\$	\$
Total Earned Revenue	\$ 0	\$ 0	\$ 0	\$ 0
Total	\$ 0	\$ 0	\$ 0	\$ 148,000

Expenses

Expenses	FY17	FY18	FY19	FY20	Total
Program services	\$	\$	\$	\$ 45,000	\$ 45,000
Fundraising	\$	\$	\$	\$	\$ 0
Administration/Management/General	\$	\$	\$	\$ 70,000	\$ 70,000
Other	\$	\$	\$	\$	\$ 0
Total	\$ 0	\$ 0	\$ 0	\$ 115,000	\$115,000

Required Attachments [top](#)

Documents Requested *

Required? Attached Documents *

IRS Determination Letter indicating 501 c 3, nonprofit charitable status



[IRS Determination Letter](#)

Proof of current registration as a charity with the SC Secretary of State



[SC Secretary of State Registration](#)

List of organization's current Board Members/Directors



[SC King Foundation Board Members](#)

Recent 990 tax form or if you file a 990 post-card attach a financial report showing financial status



[2019 990](#)

Richland County business license or business license assessment survey form (this form shows that a business license is not needed for your organization)



[Business license assessment survey form](#)

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Richland County Council Request for Action

Subject:

Special Revenue Fund - Hospitality Tax: SC Kings Foundation Nexx Level Sports Center - new group seeking Council funding (\$ 9,500,000)

Notes:

June 22, 2021 – The D&S Committee recommended Council to direct staff to organize a work session to evaluate opportunities for destination sports tourism in Richland County to include opportunities and criteria to consider for evaluation. Staff should partner with any groups necessary to gather information for said work sessions.

Richland County Council Request for Action

Subject:

I move to evaluate affordable housing options to include the option of establishing an Affordable Housing Trust Fund for Richland County as a benefit to the public. Housing is considered to be “affordable” when 30% or less of one’s income is spent on housing and utilities. In Richland County, nearly half of renters pay more than a third of their income on rent and utilities. [TERRACIO]

Notes:

June 22, 2021 – The D&S Committee recommended staff schedule a work session to discuss affordable housing in Richland County in more detail.



ISSUES BRIEFING – AFFORDABLE HOUSING

This issues briefing serves to provide information related to affordable housing within Richland County. Included below is background on affordable housing needs, along with current policies, programs, and related efforts to address the issue. Further, this issues briefing explores potential barriers for affordable housing specific to Richland County and identifies actions the County can undertake to address affordable housing needs.

BACKGROUND

Housing affordability differs based upon a variety of factors, i.e., household income, location of housing, and household size, composition, and characteristics. The standard approach for measuring housing affordability utilizes a ratio of housing costs to household income, or the thirty percent [30%] income rule. Housing is affordable when a household spends less than a thirty percent [30%] share of their gross income on housing needs. When a household spends more than this amount, housing is unaffordable and the household is “cost burdened”. Households experience a severe cost burden when housing costs equal a fifty percent [50%] share or greater of the household income. Table 1 below provides information on the number of households that are cost burdened within Richland County.

Table 1. Richland County Housing Affordability Percentage of Household Income for Monthly Housing Costs, 2018						
Indicator	Households	Percent	Owners	Percent	Renters	Percent
Total	152,227	100.00%	88,369	100.00%	63,858	100.00%
Below 30%	95,665	62.84%	67,635	76.54%	28,030	43.89%
30% or Above	53,020	34.83%	20,307	22.98%	32,713	51.23%
Less than \$10,000:	11,523	7.57%	3,500	3.96%	8,023	12.56%
Below 30%	226	1.96%	90	2.57%	136	1.70%
30% or Above	11,297	98.04%	3,410	97.43%	7,887	98.30%
\$10,000 to \$19,999:	12,642	8.30%	5,394	6.10%	7,248	11.35%
Below 30%	1,643	13.00%	1,044	19.35%	599	8.26%
30% or Above	10,999	87.00%	4,350	80.65%	6,649	91.74%
\$20,000 to \$34,999:	23,023	15.12%	9,670	10.94%	13,353	20.91%
Below 30%	6,628	28.79%	4,911	50.79%	1,717	12.86%
30% or Above	16,395	71.21%	4,759	49.21%	11,636	87.14%
\$35,000 to \$49,999:	21,983	14.44%	11,799	13.35%	10,184	15.95%
Below 30%	14,025	63.80%	8,189	69.40%	5,836	57.31%
30% or Above	7,958	36.20%	3,610	30.60%	4,348	42.69%
\$50,000 to \$74,999:	30,295	19.90%	16,979	19.21%	13,316	20.85%
Below 30%	25,196	83.17%	14,034	82.66%	11,162	83.82%
30% or Above	5,099	16.83%	2,945	17.34%	2,154	16.18%
\$75,000 to \$99,999:	18,151	11.92%	13,617	15.41%	4,534	7.10%
Below 30%	17,313	95.38%	12,818	94.13%	4,495	99.14%
30% or Above	838	4.62%	799	5.87%	39	0.86%
\$100,000 or more:	31,068	20.41%	26,983	30.53%	4,085	6.40%
Below 30%	30,634	98.60%	26,549	98.39%	4,085	100.00%
30% or Above	434	1.40%	434	1.61%	0	0.00%
Not computed	3,542	5.55%	427	0.48%	3,115	4.88%

Source: U.S. Census Bureau, 2018 American Community Survey 1-Year Estimates; B25095; Universe: Owner-occupied Housing Units; B25074; Universe: Renter-occupied Housing Units

As shown in Table 1, Richland County has around 53,020 households, about 35%, that are cost burdened. Over half, around 51%, of all renter households experience a cost burden for housing, while only around 23% of homeowners in the County experience the same. As presented in the chart above, as incomes increase, the cost burden decreases significantly, especially for households with incomes at and above the \$50,000 to \$74,999 range.

An important take away corresponds to a connection to the median household income [MHI] for the County. Per the most recent Census data, Richland County has an MHI of approximately \$52,159. A significant portion of cost burdened households fall within income ranges below this value. When compared to the total percent of households that experience a cost burden, lower income brackets have shares that are 1 to 63 percent points higher, showing there is a greater cost burden for lower income households than for higher income households. Additionally, renters see a greater share of unaffordability at lower incomes than owners at incomes below the MHI.

When identifying the level of affordability or the number of affordable units, income segments or thresholds become the basis for determining how much a household or family can afford, along with the cost burden method. The US Department of Housing and Urban Development [HUD] publishes income limits yearly for the certain income segments, which centers upon the ratio of family household income to the area family median income [AFMI]. These income limits, shown in Table 2 below, are based upon households and a threshold of maximum household family income, generally at eighty percent [80%], fifty percent [50%], and thirty percent [30%] of the AFMI.

Indicator	Household Income	Monthly Income	Housing Affordability	Purchase Price
100% AFMI	\$72,600	\$6,050	\$1,815	\$391,911
Moderate Income or more: 80% or more	\$58,100 or more	\$4,842 or more	\$1,453 or more	\$313,637 or more
Low Income: 50% to 80%	\$36,300 to \$58,100	\$3,025 to \$4,842	\$908 to \$1,453	\$195,955 to \$313,637
Very Low Income: 30% to 50%	\$26,200 to \$36,300	\$2,183 to \$3,025	\$655 to \$908	\$141,433 to \$195,955
Extremely Low Income: 30% or less	\$26,200 or less	\$2,183 or less	\$655 or less	\$141,433 or less

Notes: Income segments utilize the area median income [AMI] of a family of four per HUD guidelines. The "Purchase Price" assumes a 30-year mortgage with an interest rate of 3.85% and a maximum monthly expense of 30% for that segment. Any higher segment household could afford a unit within the segments below it. The "Moderate Income or more" includes Middle and Upper Income segments.

The above segments detail the level of affordability households (based upon a family of four) can assume for their housing costs. The affordability segments and the affordability breakdowns take into consideration the thirty percent [30%] housing expense for each household. Important to note here are the median home value and median gross rent. The median home value [MHV] in Richland County is approximately \$163,600. Likewise, the median gross rent [MGR] is \$982. These two cost values are important reference points in thinking about housing affordability as the median value is directly in the middle, where half is above and half is below. So just by that, one can assume there are many more units with higher rents than homes of larger values. Table 3 below details the share of units in each income segment, as delineated in Table 2, where the share of affordable units is the number of units that would be affordable to a household within that income segment.

Table 3. Richland County Housing Affordability Percent Share of Affordable Units for Income Segments						
Indicator	Units	Percent	Owned Units	Percent	Rental Units	Percent
Moderate Income or more: 80% or more	26,066	17.12%	16,563	18.74%	9,503	14.88%
Low Income: 50% to 80%	46,893	30.80%	18,758	21.23%	28,135	44.06%
Very Low Income: 30% to 50%	33,432	21.96%	17,628	19.95%	15,804	24.75%
Extremely Low Income: 30% or less	44,667	29.34%	35,420	40.08%	9,247	14.48%
No Cost/No Rent	1,169	1.83%	0	0.00%	1,169	1.83%

Source: U.S. Census Bureau, 2018 American Community Survey 1-Year Estimates; B25063, Universe: Renter-occupied Housing Units; B25075, Universe: Owner-occupied Housing Units

Table 3 provides for the share of occupied housing units within each income segment directly. However, renters or homebuyers in other income segments can reach downward in order to find affordable units; in essence, the full share of units is the summation of all units that would fall below that segment’s maximum affordability price point. As such, the share of affordable units will increase for higher-level income segments as percent of the AFMI increases due to the lower-level segments being affordable to those of higher income. For example, while the Low Income segment only has around a 31% share of affordable units available within its range, the segment has access to around an 82% total share.

For the Extremely Low Income segment (30% or less than the AFMI), there is a total share of around 29% of units affordable to those households. There is a much greater share of owned units versus rental units, with shares of around 40% (highest overall for owned units) and 14.5%, respectively. The Very Low Income segment (30% to 50% of the AFMI) sees a share of around 22% of affordable units. The Low Income segment has the highest share of around 31%. Additionally, the Low Income segment has the highest share of rental units at 44%.

While, there are units that would be affordable to households of lower income segments, these units are not always available to households. Looking back to Table 2 and the income limits, it is evident this will not always be the case when considering the actual price point paid and the price point a household can pay without being cost-burdened. The basic gap analysis helps in determining whether the supply of housing units priced affordably for different income levels is sufficient for the number of households with incomes at those levels. The gap generally represents the amount of households who cannot find housing within their price range and are paying more than they can reasonably afford.

Table 4. Richland County Housing Affordability Affordable Housing Gap			
Indicator	Households	Affordable Units	Gap
Median Income: 100% or less	99,973	65,058	(34,915)
Low Income: 80% or less	82,323	50,443	(31,880)
Very Low Income: 50% or less	52,081	29,470	(22,611)
Extremely Low Income: 30% or less	35,988	4,609	(31,379)
Not Computed	-	3,542	-

Source: U.S. Census Bureau, 2018 American Community Survey 1-Year Estimates; B19001, Universe: Households; B25095; Universe: Owner-occupied Housing Units; B25074; Universe: Renter-occupied Housing Units

Notes: The housing gap is an approximation based upon the availability of data. The census tables utilized do not detail incomes based upon household size, which is one of the key factors for determining affordability. The level of available units also does not include vacant units that may be for rent or for sale. Only units that would otherwise be on the market and occupied are noted.

Important to consider for housing needs is the aggregate units that are not affordable. Looking at the Low Income and below, the gross number equates to the number of affordable units needed for those specific households. In terms of percent, this would mean a gap of about 20% between the total number of units and the needed number of affordable units for the Extremely Low Income segment. The total gap for affordable housing units varies slightly for each income segment, but remains relatively stable ranging from about 15% to 23% of total units. Here, the gap percentage becomes an important factor for moving forward with policy consideration. Specifically, it provides a general baseline that around 20% of future housing should be affordable for households at these income ranges to address the unaffordability of housing in the County.

COUNTY EFFORTS RELATED TO AFFORDABLE HOUSING

Richland County has various policies and programs related to affordable housing. Primarily, the Community Development Division implements the County’s efforts for affordable housing programs. These programs include the Richland County Housing Assistance Program [RCHAP], Richland Rebuilds, Operation One Touch, and like programs, funded through HUD designated funds in the form of Community Development Block Grants [CDBG] and Home Investment Partnership [HOME] funds. In addition to these programs, Richland County provides direct funds, through CDBG and HOME allocations to local non-profits and Community Housing Development Organizations [CHDO]. Through these various mechanisms, Richland County provides access and supply of affordable units to its citizens. Since 2006, the RCHAP homeowner assistance program has provided 312 families with down payment assistance in order to purchase their new home. Similarly, Richland County along with its CHDOs and Partners have helped multiple families since becoming a HUD grantee. Richland County offers in-house programs such as Operation One Touch and Richland Rebuilds that offer direct assistance to homeowners. Such programs offered assistance to 23 families in FY19-20. Tables 5 and 6 below provide a spending breakdown of CDBG and HOME funds allocated toward affordable housing initiatives going back to 2015 for external partners and internal programs.

Year	Organization Program	Funding
2015	Columbia Housing Authority Partnership (New Construction)	\$200,000.00
2016	SC Uplift (Acquisition & Rehab)	\$75,141.53
2018	SC Uplift (New Construction)	\$137,145.00
2018	Richland Rebuilds	\$132,657.41
2018	Santee Lynches CDC (Acquisition & Rehab)	\$76,239.15
2019	Community Assistance Provider (New Construction)	\$495,135.00



Table 6. Richland County Housing Affordability CDBG & HOME Allocations – Internal Programs (RCHAP – REHAB - RICHLAND REBUILDS)		
Year	Organization Program	Funding
2015	Community Development Division	\$428,235
2016	Community Development Division	\$560,649
2017	Community Development Division	\$355,000
2018	Community Development Division	\$367,245
2019	Community Development Division	\$328,956

Notes: Federal fiscal year 2019 is still on going and the funding amount listed is the amount allocated for affordable housing programs in the annual action plan.

As part of receiving CDBG and HOME funds from HUD, recipients must create a Consolidated Plan that identifies various community development and housing needs, goals, and strategies related to them. As part of this, recipients must develop a housing needs assessment within the plan. A housing needs assessment is an inventory and analysis of existing housing needs and needs anticipated because of future growth. The assessment evaluates the extent to which the current and future housing market can provide housing at various costs. The needs assessment is a critical component of working to address housing needs and issues. It takes into consideration both quantitative and qualitative measures of housing, utilizing both data types for a holistic perspective. The Community Development Division will be updating the Consolidated Plan, and performing a new needs assessment, in the coming year.

In addition to the initiatives coordinated through the Community Development Division, County Council has also made direct contributions to organizations and groups working to advance affordable housing. Specifically, Council has made General Fund allocations to various organizations going back the past several years. For Fiscal Year [FY] 16, FY17, and FY18, Council allocated to the Midlands Housing Trust Fund in the amount of \$100,000, \$100,000, and \$55,000, respectively. Council allocated \$20,000 to SC Uplift in FY 16. In FY 18, Council allocated \$200,000 to the Midlands Community Development Corporation. Likewise, Council has awarded discretionary grants and other grants to like groups for affordable housing purposes, i.e., the Central South Carolina Habitat for Humanity.

County Council put forth an economic development policy related to affordable housing in July of 2018. At the July 24, 2018 County Council meeting, the Council approved, unanimously, a resolution related to economic development incentives for affordable low-income rental housing developments. The economic development policy expresses that County Council will consider property tax incentives for the development of safe and affordable rental housing for private and governmental developers. The resolution states that the Economic Development Committee should consider certain factors in providing those incentives. These various factors include but are not limited to elements of location and ability to reduce blight, number of affordable units created, financial assistance, accessibility or inclusion of mixed uses, and restrictions on affordability for a 20-year period.

Other policy elements that County Council has adopted include goals and objectives set forth within the 2015 Comprehensive Plan. Within the Population Element, Goal #4 specifically addresses affordable housing with a strategy (4.4) to include affordable housing in Planned Development District rezoning applications. Additionally, Housing Goal #3, under the Housing Element of the Plan, looks “to create housing choices for all household types, sizes, and incomes; to allow employees the opportunity to live and work in the same area, including personal costs and societal costs”. The Plan sets forth three strategies under Housing Goal #3 for advancing affordable housing:

- 3.1: Community land trust
 - Create a community land trust program, providing a mechanism to mitigate the increasing cost of land and its impact on the cost of affordable housing.
- 3.2: Joint development of affordable housing
 - Develop affordable housing on appropriate County-owned land by seeking joint development opportunities with the private sector
- 3.3: Other incentives
 - Provide incentives to developers for including affordable housing in subdivision design

Additionally, the Plan has other goals and strategies that seek to expand housing choice and quality for County residents within the Population, Housing, and Land Use Elements.

Likewise, the Comprehensive Plan establishes various Priority Investment Areas [PIAs] throughout the county. The Priority Investment Act, included under Title 6, Chapter 29 of the SC Code of Laws, allows local governments to develop market-based incentives and to reduce unnecessary housing regulations to encourage affordable housing within PIAs.

BARRIERS TO AFFORDABLE HOUSING

Various barriers exist related to the development of affordable housing. These barriers range in their existence from regulatory barriers to financial barriers to societal barriers associated with affordable housing development. Each one poses a differing level of resistance for expanding housing choice within Richland County. These barriers in some form or fashion impede the supply of affordable housing.

REGULATORY BARRIERS

Regulatory barriers are policies, laws, regulations, or other processes implemented by governments that hinder the ability to develop housing.

Exclusionary Zoning

Exclusionary zoning is the practice by which zoning codes inadvertently limit certain types of development for a locale, excluding the type and extent of development. Zoning is inherently exclusionary, as the primary purpose is to regulate the use, dimension, and character of development. When this occurs, certain types of development become more pervasive while others are restricted, i.e., single-family housing versus multi-family housing or small lot sizes versus larger lot sizes. The Richland County Land Development Code currently limits the number of non-single-family land uses throughout zoning districts. Duplex, triplex, and quadruplex units are limited, as well as the mapping of multi-family districts. Likewise, the ability to provide these types of housing and only certain sizes becomes a limitation for development. Excluding certain types of development places a preference on one use over others within a community. This exclusionary zoning pattern limits the ability to develop affordable housing due to limitations on the uses, size, and other elements regulated by code.

Housing Vouchers & Waitlists

Another regulatory barrier for affordable housing in Richland County is the limitation of housing vouchers and reliance upon waitlists. The Columbia Housing Authority [CHA] is the area public housing authority. It is responsible for administering HUD housing vouchers and helping to provide and secure housing for low-income households and individuals. One of the ways CHA accomplishes this is through housing choice vouchers. The vouchers function as a

coupon-like funding method through HUD for providing rental assistance to low-income households in private units. One issue with vouchers is there are a limited amount available. Likewise, when residents need vouchers, they must join an available waitlist that can last several years, where waitlists are generally closed or already full. Additionally, a lottery process determines who will be recipients of the vouchers or will join a waitlist to receive them. Similarly, the private unit property owner must be willing to accept vouchers, which may not always be the case.

Other Regulatory Barriers

Another regulatory barrier for affordable housing development in Richland County is the statutory authority for development regulations, policies, and incentives to address affordable housing needs or barriers. South Carolina is a limited home rule state, where enabling legislation or other specification in the state code must exist before Counties can enact certain policies. Not having the innate ability to develop laws and regulations it needs to address locale-specific issues can be a hindrance. The limited statutory authority for methods to address affordable housing poses a problem that County must navigate carefully at times.

An additional barrier that can occur includes jurisdictional inconsistencies and inefficacy in operational processes and procedures. Conflicts can arise with how staff applies certain regulations or operational policies and is understood by the public, developer, or otherwise resident. Requirements, processes, and procedures can become hurdles themselves with how affordable housing is developed. Similarly, the process in one jurisdiction to the next or between levels of government creates difficulties for developers and residents for creating affordable housing.

FINANCIAL BARRIERS

Development Costs

Development costs include the costs of land, infrastructure, building materials, labor, and other associated construction expenses. These costs have continued to increase over the last several years. Material and labor costs for construction have seen larger increases compared to land costs, which are generally lower in Richland County due to an availability of land in most cases. Similarly, costs for affordable housing are often greater since expenses would be the same for otherwise normal housing, except for a lower return on investment due to decreased income from the sale or renting of units. Similarly, the cost of water and sewer fees can pose a hindrance for smaller-scale development and for developments outside the Columbia municipal limits.

Limited Incentives

There are a limited number of incentives available related to affordable housing development. The most common types are Low-Income Housing Tax Credits [LIHTC] and New Market Tax Credits [NMTC]. However, these tax credits have a limited availability and supply for projects. The County does not generally offer incentives to developers for affordable housing development, with the exception to certain economic development projects as referenced by the policy earlier in this brief. Additionally, HOME and CDBG funds go towards affordable housing projects and programs, among others. Those funds are limited each year and go toward a variety of different projects besides affordable housing creation.

In addition to limited incentives is the tax burden imposed within the County for how far those incentives can go. Ultimately, a developer will be looking at their bottom-line for how feasible a project is. The incentives available and offered, as well as the taxes applied, directly influence the financial structure and elements going into a developer's decision-making process. Spreading out a tax burden, as most local economic incentive packages do, still imposes the same tax level on a property, it just spreads out an overall return-on-investment over time. So in cases where a short



return is wanted or required based upon the financial set-up of a property, the tax burden and associated property tax incentives may not be enough to meet the necessary return-on-investment.

Other Financial Barriers

Other financial barriers to affordable housing include market dynamics associated with the Columbia rental market. The Columbia housing market has a large percentage of renters. Large portions of these renters are college-aged students. As a result, most of the new rental housing cater toward the college lifestyle. This affects the overall type of housing available and the pricing associated with it, i.e., having near- or at-market rent rates and leases by the room versus whole unit. Similarly, new rental housing sees a relatively high absorption rate as new units come on the market either as a created unit or as release of a pre-existing one.

Another financial barrier for affordable housing includes the personal or household incomes of Richland County citizens. While the cost of living and other prices have risen, wages and incomes have been relatively stable. Because of this, the choice for housing is limited, as noted earlier in the background section. Due to limited financial situations, households have less money to save. This lack of ability to save disenables persons and households to save for a down payment on a future home. This serves as a barrier for homeownership, which is more available with affordable options within the County. Likewise, the need for a serviceable credit history also poses a barrier to affordable housing ownership for many individuals of lower income due to a use of payday or predatory lending practices in order to have the necessary funds for everyday expenses.

SOCIETAL BARRIERS

NIMBY-ism

NIMBY-ism, an acronym for “Not In My Back Yard”, is the process of residents voicing opposition against a proposed or potential development activity within their local area. NIMBY sentiments most often relate to growth-based changes, e.g., up-zoning, or specific land uses being developed, e.g., multi-family housing. NIMBY actions by residents often pose a barrier toward affordable housing development due to the associated land uses needed, i.e., more dense housing or multi-family buildings, or other perceived land use impacts that would be beneficial to the community as a whole but viewed as a detriment because of that location decision nearby the residents. This often corresponds to development either not occurring within the intended location due to the objections posed by local residents or being located elsewhere that may not be as suitable.

Stigmatization of Affordable Housing

Affordable housing is often stigmatized as being less than and carries a negative connotation. From terms like Section 8 Housing to Low-income Housing to public/government housing, generally, public perceptions regard these as being different, other, or of lower quality. Often this stigma around affordable housing – primarily against the persons associated with it or the seeming value or quality of housing and its effects – brings about opposition to its development or expansion. The negative narrative that persists on affordable housing presents and obstacle for how, where, and why units are created.

Socio-cultural Disparities

Various socio-cultural disparities exist in Richland County that serve as barriers to County residents for affordable housing. These include literacy, language, and educational barriers related to housing, e.g., rental assistance programs, homebuyer



courses, and like programs. These socio-cultural differences become a challenge to affordable housing for residents on knowing what to look for, where to look for it, who to contact, and similar circumstances. These various barriers serve as informational barriers to many individuals who lack access to the knowledge or resource needed for addressing housing needs.

Additionally, another social disparity that poses a barrier to affordable housing is the geographic mismatch of housing, jobs, and reliable transit. Jobs and housing are often located separate from each other increasing transportation costs for households. Likewise, the County does not have a reliable transit network that reaches housing locations beyond the urban areas. This can limit access and housing choice where households must make a trade-off between costs to housing, transportation, or other expenses.

AFFORDABLE HOUSING ACTIONS

Staff believes that no single action, strategy, policy, or program will serve as a panacea in addressing the affordable housing needs within Richland County. While each tool, either currently in place or recommended for exploring, is a step in tackling the issue, each one alone will not effectively address and overcome the wide-ranging need and far-reaching barriers. As such, staff believes the various tools merit development in tandem for a comprehensive, holistic approach for expanding affordable housing to County citizens. The following explores various actions that staff believes are viable options in tackling affordable housing. Staff has begun identifying certain facets related to the application of the proposed tools by the County.

EXPANDING CURRENT EFFORTS

One recommendation by staff is to continue strengthening current efforts already underway by the County. The Community Development Division and outside partners' efforts and their programs need bolstering. The actions and outcomes performed and accomplished by the various programs need continued support and further advancement to build and grow for affordable housing. The County has the ability to provide certain incentives already, as enumerated by the economic development policy, while those incentives should expand for developers undertaking affordable housing development. Through these incentives and HOME and CDBG funds, which constitute more grassroots public-private partnerships, the County can build upon the current work to expand and retain affordable housing for County residents.

Likewise, staff recommends setting specific policy goals toward affordable housing. There is evident need for affordable housing, where developing specific policy goals and objectives is another step forward to bring accountability to the issue. One measure staff recommends in conjunction to this is establishing metrics for tracking and gauging affordable housing progress. Each goal/objective needs to be measurable whether quantitatively or qualitatively ensuring progress is trackable. Likewise, setting a specific enumerated goal for affordable units or reduction in cost-burdened households provides a direct outcome for the County to work at achieving.

In addition, staff plans to evaluate more innovative ways to provide affordable housing while maximizing funds available from HUD. Some examples include operating a Tenant Based Rental Assistance Program either in partnership with Columbia Housing Authority or through a private third-party management services entity and using a non-profit or private third-party management services entity to operate rehabilitations and rebuilds with access to private funds or other grant funds to support those projects.



LAND DEVELOPMENT CODE REWRITE

The Land Development Code [LDC] Rewrite is the process of developing and overhauling the current LDC, adopted in 2005, with a new rewritten code intended to be in line with the policy goals and objectives of the 2015 Comprehensive Plan, be more user friendly, have modernized use and development standards, and encourage green development practices. The new, proposed LDC includes more flexible land uses and removes certain size limitations on lots for overall densities. The proposed uses allow for greater flexibility in middle-type housing options, such as duplexes, triplexes, and quadruplexes as by right development within districts. As such, it proposes less exclusionary uses as noted above in the barriers.

AFFORDABLE HOUSING ADVISORY COMMITTEE

Staff recommends establishing a regularly convening Affordable Housing Advisory Committee. If pursued, the Committee will function as a recommending body to Council on affordable housing related issues. Its purpose will include identifying barriers and obstacles to affordable housing, providing solutions to address them, and regular review of policies and programs related to affordable housing for any adjustments. Likewise, the Committee can serve to establish policy goals and metrics as noted above. Staff believes this Committee should function in a similar capacity as the Blue Ribbon or Penny Advisory Committees, where the Affordable Housing Advisory Committee will be comprised of Councilpersons, staff, board and commission members, housing advocacy and development groups or organizations, and community residents with interest and knowledge regarding affordable housing.

Viability for Implementation:

- High

Implementation Timeframe:

- Short-term (Less than 6 months)

Associated Costs/Fiscal Impact:

- There are limited fiscal impacts associated with this item. Only minor administrative costs are likely to occur.

Critical Personnel:

- Lead(s): Community Planning & Development [Community Development Division, Planning Services Division] and Government & Community Services
- Support: Public Information Office, Clerk of Council, Legal

Potential Partnerships:

- Columbia Affordable Housing Taskforce, Community Relations Council, BIA of Central South Carolina, United Way of the Midlands, Central South Carolina Habitat for Humanity, MORE Justice

Multi-jurisdictional Application:

- Yes - the Affordable Housing Committee has the ability for members of other local governments to participate via memberships or appointees, depending on the final structure of the Committee. The Committee could address concerns regionally and making concerted efforts for addressing affordable at the marco-scale. Likewise,



if the Committee were to be a guide for how various initiatives develop, the group would help ensure that jurisdictional concerns were included directly.

Opportunities:

- Serve as an advisory board for affordable housing related issues
 - Recommend changes to certain policies or programs
 - Identify barriers for affordable housing
- Incorporate knowledge from local organizations, residents, and staff for varied perspectives

Issues:

- Potential to become politicized around single issues, jurisdictions, or in favor of specific interests

Best Practice Model(s):

- Town of Bluffton Affordable Housing Committee
- City of Columbia Affordable Housing Taskforce

Actions Needed:

- Determine Committee framework for operation and set-up
- Determine relevant stakeholders for membership
- Determine policy direction related to the Committee
 - Form goals/objectives for the function of the Committee
- Incorporate Committee elements into Code of Ordinances or Council Rules, as applicable
- Convene the Committee

BAILEY BILL PROVISION

The portion of SC Code of Laws known as the Bailey Bill (§4-9-195) grants the ability of local governments to provide special tax assessments for rehabilitated properties. Primarily, local governments have only included the provisions within this section for historic properties, which Richland County has adopted. However, the Bailey Bill also allows for special tax assessments for affordable rental housing, which only one local government in South Carolina has adopted as so far. The affordable housing provisions within the Bailey Bill could serve as an incentive policy for affordable housing retention and development as it has with historic properties. Staff recommends adding an affordable housing provision to County code. The enabling legislation gives relatively broad authority for local governments in determining certain aspects of the provision that caters to the specific needs and issues of the locale for greatest impact.

Viability for Implementation:

- High

Implementation Timeframe:

- Short-term (Less than 6 months)

Associated Costs/Fiscal Impact:

- There will be limited short-term fiscal impacts from the implementation of a Bailey Bill provision. By nature, properties that the provision would apply to will continue to produce the same level of tax revenue as historically observed. In the longer-term, the provision would allow for a windfall gain in revenue as properties experience redevelopment and the special assessment expires after the max allowable 20-year period. Additionally, the possibility of application fees exists as a potential revenue source for operating the program or other affordable housing efforts, e.g., housing trust fund or CLT.
- The Bailey Bill could have potential impacts on the tax burden for non-residential owner-occupied properties. The passage of Section 12 37 210(A)(47)(a) gives all owner-occupied residential property owners (legal residence classification - 4% ratio) credit on all of the school operating taxes, meaning that you are not paying any of the school district's operating taxes, only the school bonds. In most cases, taxpayers will see a reduction in their notices, which depends upon the taxable value and tax district. *This credit does not apply to the tax bills of business or personal property, or 6% property owners (land, second homeowners).* With the above tax reform, all properties at the 6% rate, personal and business property are carrying the tax burden of the School Operating tax. The School Operating fund accounts for 48.33% to 57.26% of the total millage depending on which tax district the property is located in. In theory when a property is granted relief under the Baily Bill a pre-determined value (lower than the current taxable value) is locked in for a pre-determined amount of time. As such, this increases the tax burden on the remaining 6% properties, all personal and business property, that do not have a the special assessment.

Critical Personnel:

- Lead(s): Community Planning & Development [Assessor Division, Building Inspections Division] and Auditor's Office
- Support: Community Planning & Development [Planning Services Division, Zoning & Development Services, Community Development], Economic Development, Government & Community Services, Public Information Office, Legal

Potential Partnerships:

- Columbia Housing and Development Authority, SC Housing, BIA of Central South Carolina, Affordable Housing Committee, City of Columbia Affordable Housing Taskforce

Multi-jurisdictional Application:

- Yes – the provision could address concerns regionally and making concerted efforts for addressing affordable housing at the macro-scale. Additionally, it would be beneficial for local municipalities to adopt mirroring language into their respective codes to reduce process errors and confusion both for the recipient and staff.

Opportunities:

- Retention and expansion of existing affordable housing units
- Redevelopment of vacant/abandoned structures
- Location based-application for targeting areas specifically, broad application, or case by case
- Flexibility in eligibility criteria for standards and application of the special assessment



Issues:

- Need for clarity on state statute language and any language incorporated in the ordinance so it fits the enabling legislation
- Need to develop a defined, clear process for internal operations and for applicants
- Section 8 eligibility under state statute
- Potential need to pilot and test to understand potential repercussions from the ordinance
- School tax revenue
- Adjusting tax bills via the Auditor’s Office versus keeping FMV/Assessment value records in CAMA

Best Practice Model(s):

- City of Greenville Special Tax Assessment for Low and Moderate Income Rental Property

Actions Needed:

- Develop policy goals and objectives in applying the provision
- Develop level of specificity required for application, e.g., blanket versus targeted
- Outreach and coordination with local municipalities
- Develop ordinance language for amending §23-6 to include affordable housing
 - Determine eligibility criteria
 - Determine standards for rehabilitation
 - Define process for certification
 - Define process for decertification (maturation, actions, etc.)
- Develop operational policy for certification, value-capture, and future assessment notices

AFFORDABLE HOUSING TRUST FUND

Housing trust funds are distinct funds established by local government that receive ongoing dedicated sources of public funding to support the preservation and production of affordable housing and increase opportunities for families and individuals to access affordable homes. Housing trust funds systemically shift affordable housing funding from annual budget allocations to the commitment of dedicated public revenue. While housing trust funds can also be a repository for private donations, they are not public/private partnerships, nor are they endowed funds operating from interest and other earnings. Housing trust funds stand to serve the most critical housing needs in each community – from establishing long-term affordable rental housing for families with the lowest incomes to supporting homeownership, funding new construction as well as rehabilitation that can revitalize neighborhoods, and addressing the needs of special populations.

At the May 21, 2020 Development & Services Committee, the Committee discussed the opportunity to explore an affordable housing trust fund. MORE Justice presented information making the argument for establishing an affordable housing trust fund, along with examples, enabling legislation, and a draft ordinance and referendum language. However, the Committee moved to hold the item for more information, principally, for how funding allocation could occur to the fund without a new tax. The enabling legislation for housing trust funds are found in §31-22-10, et seq. State code allows for the creation of housing trust funds in various ways with select restrictions and specific requirements of operation. One point, as noted in the Committee document by Legal, is the need for a specific dedicated funding source. Council would need to decide on a dedicated source, e.g., a general fund allocation, a special revenue fund, or local option sales tax (what staff understands as MORE Justice’s recommendation), although the fund could be supplemented with allowable



allocations as specified in the enabling legislation. Staff recommends exploration of this tool further as a viable mechanism for affordable housing development. However, in consideration of additional supplemental funds, CDBG and HOME funds may supplement a housing trust fund but would take away funds from other programming. Similarly, the need to develop a new non-profit overseeing the fund may not be necessary with the existence of the Midlands Housing Trust Fund, which Council has funded in the past.

Viability for Implementation:

- High

Implementation Timeframe:

- Medium-term (6 to 24 months)

Associated Costs/Fiscal Impact:

- Per the enabling legislation, a housing trust fund must have a dedicated funding source separate from and exclusively for the purposes of the trust. Other types of funds such as bonds, grants, and other sources can supplement it. Depending on the allocation of funding, a moderate to substantial fiscal impact is likely to occur. In addition to any dedicated revenue source, other proposed tools, i.e., the Bailey Bill and inclusionary zoning, could potentially supplement the fund.

Critical Personnel:

- Lead(s): Community Planning & Development [Community Development], Budget & Grants Management, Finance
- Support: Community Planning & Development [Planning Services Division], Government & Community Services, Public Information Office, Legal

Potential Partnerships:

- Midlands Housing Trust, Columbia Housing and Development Authority, SC Housing, BIA of Central South Carolina, Columbia Development Corporation, United Way of the Midlands, MORE Justice, SC Uplift, Central South Carolina Habitat for Humanity, Family Promise of the Midlands

Multi-jurisdictional Application:

- Yes – the provision could address concerns regionally and making concerted efforts for addressing affordable housing at the macro-scale and between jurisdictions.

Opportunities:

- Dedicated funding source for affordable housing creation and retention
- Ability to utilize public and private funding

Issues:

- Current housing trust fund exists locally (Midland Housing Trust) that would be in competition for funding and other resources

- Need to determine dedicated source of revenue

Best Practice Model(s):

- Midlands Housing Trust Fund
- Greenville Housing Trust Fund [Greenville, SC]

Actions Needed:

- Determine dedicated revenue source(s)
- Determine whether to create a new trust or modify for existing trust
- Determine operation/oversight of trust, if not modifying

INCLUSIONARY ZONING

Inclusionary zoning is a law or regulation for creating affordable housing that either mandates, or highly incentivizes, new housing developments set aside a certain percentage of units as affordable. Inclusionary Zoning is a tool for creating affordable housing opportunities that requires developers to rent or sell a percentage of their new housing units at below-market prices to families and individuals with qualifying incomes. In exchange, developers receive incentives to help offset the cost of these units, e.g., density or height bonuses, lot requirement reductions, fee reductions, expedited permitting, and tax abatements. Staff recommends exploring inclusionary zoning for the County as fully as is practicable. One issue persists in that the state has no enabling legislation that specifically addresses inclusionary zoning, making it a bit of gray area. Local governments currently have limited ability to enact inclusionary zoning, primarily through “market-based incentives for affordable housing development”. Otherwise, per an Attorney General opinion from January 14, 2019, local governments are restricted to undertake certain inclusionary zoning measures. However, Senate Bill 488 would provide direct enabling legislation for local governments to enact inclusionary zoning. This bill is currently in the Senate Committee on Judiciary. It has a companion bill, House Bill 3091, which currently resides in the House Committee on Labor, Commerce and Industry. If passed, either of these bills would provide explicit authority for local government to enact these measures to increase affordable housing.

Viability for Implementation:

- High

Implementation Timeframe:

- Medium-term (6 to 18 months)

Associated Costs/Fiscal Impact:

- There are limited fiscal impacts associated with this item. Only minor administrative costs are likely to occur unless permit or tap fees waivers are included as incentives.

Critical Personnel:

- Lead(s): Community Planning & Development [Zoning & Development Services Division, Planning Services Division]
- Support: Public Information Office, Legal, Clarion & Associates or other outside consultant as necessary

Potential Partnerships:

- BIA of Central South Carolina, SC Housing, SC Finance and Development Authority, Columbia Housing and Development Authority, SC Agency on Aging, local CHDOs and private developers

Multi-jurisdictional Application:

- Limited – the inclusionary zoning policy as ideated here would be included within the zoning ordinance either within the general development standards or as an overlay or similar district. However, other jurisdictions could create like incentives and mirror them within their own zoning codes.

Opportunities:

- Ability to create market-based incentives for affordable housing development
- Help create a supply of affordable units through private development
- Potential revenue source from fee-in-lieu options

Issues:

- Potential fiscal impacts if fee waivers are included for incentives
- Possible push back from citizens from affordable housing stigma
- Lack of limited explicit authority from enabling legislation for “inclusionary zoning” beyond “market-based incentives”

Best Practice Model(s):

- City of Charleston Workforce Housing District (Incentive Based Zoning for Affordable Housing)

Actions Needed:

- Determine best method for implementing any incentives, e.g., via overlay district, floating zone, or within general development standards
- Determine market-based incentives for affordable housing development
- Obtain feedback from local stakeholders
- Determine associated costs for a fee-in-lieu
 - Establish dedicated fee-in-lieu fund or account for fees
- Development operational policy and process for incentives and mechanisms for enforcement

COMMUNITY LAND TRUST

Community land trusts [CLT] are nonprofit, community-based organizations designed to ensure long-term housing affordability. In order to accomplish this a CLT acquires land and maintains ownership of it permanently. Homebuyers then enter into either a ground lease, long-term rental lease, or an affordability covenant for the structure. When the homeowner sells, the seller earns only a portion of the increased property value while the CLT keeps the remainder, preserving the affordability for future low- to moderate-income families. Essentially, a CLT separates the cost of land from the building or home in order to keep prices affordable for buyers. The South Carolina Community Land Trust Act of 2012 (§31-23-10, et seq., SC Code of Laws) is the enabling and statutory legislation for CLTs in the state. The Act provides for



the formation, funding, and operation of CLTs including the lease/sell structure and mechanisms for ensuring affordability. CDBG and HOME funds could supplement any future CLTs with help funding acquisition and development costs.

Viability for Implementation:

- Medium

Implementation Timeframe:

- Medium-term (12 to 24 months)

Associated Costs/Fiscal Impact:

- There are several potential costs and fiscal impacts related to this tool if implemented. Primarily, these related directly to start-up costs for the development of the CLT itself. Generally, the start-up of the CLT would include core group organization, which would have limited if any costs, community organizing, which would have minimal costs for conduction a public education campaign, and resource organization, which would have moderate to substantial costs related to securing commitment funds or lands for building. Additional, longer-term costs will depend on the financing structure for the CLT and how the County decided to invest initially and over-time. The CLT could potentially utilize fees and funds from other tools explored, i.e., the Bailey Bill, housing trust fund, and inclusionary zoning.

Critical Personnel:

- Lead(s): Community Planning & Development [Community Development Division]
- Support: Community Planning & Development [Planning Services Division, Assessor Division, Register of Deeds], Economic Development, Government & Community Services, Public Information Office, Legal

Potential Partnerships:

- Columbia Housing and Development Authority, Columbia Development Corporation, BIA of Central South Carolina, and local CHDOs, CDFIs, banks, credit unions, non-profits, and neighborhood associations

Multi-jurisdictional Application:

- Yes - the Community Land Trust has the ability for members of other local governments to participate via membership to the CLT's Board of Directors, depending on the structure of the CLT. The CLT could address concerns regionally and making concerted efforts for addressing affordable housing at the macro-scale.

Opportunities:

- Community-based, community-focused effort
- Community control of land with long-term renewable lease that can be inherited by future generations
- Removal of housing from the speculative market to retain price appreciation and maintain affordability for owner- and renter-based housing
- Preserves public and private subsidies by managing price appreciation, retaining community value, and recycling the subsidy, land, and unit
- Resale of units is capped by a formulate to ensure affordability for new owner while allowing a profit for seller

- Allows for large-scale developments through joint-ventures and public-private partnerships or smaller-scale developments by a single developer

Issues:

- CLTs are strictly defined by the SC Code of Laws (§31-23-10), where it must be a specific 501(c)(3) as either a wholly-owned or local community member-based housing development non-profit

Best Practice Model(s):

- Palmetto Community Land Trust [Charleston, SC]

Actions Needed:

- Determine organization to establish a CLT
 - Conduct campaign for a local CLT
 - Recruit organizations for serving on the CLT
 - Decide CLT structure for operation and board
 - Adopt bylaws
- Determine service area
- Determine necessary funds for CLT start-up and seeding
 - Decide upon potential funding source for start-up costs for organizing and developing the CLT
 - Decide upon longer-term seed funding for the operation of the CLT
 - Solicit outside funds
- Determine mechanism for the CLT ground-lease
- Determine initial project(s)

PRIORITY STEPS

As noted in the above, while each action can stand on its own to address affordable housing, developing and applying each in tandem is the recommended approach to address the affordable housing needs of the County. Staff proposes continuing exploring each of these tools, with the priority of steps below:

1. Establish an Affordable Housing Committee to evaluate the various initiatives and develop policy goals and objectives for moving forward.
2. Amend §23-6 of the Richland County Code of Ordinances to include provisions for the special assessment of low-income rental housing.
3. Dedicate a specific funding source for an affordable housing trust fund and work with the established Midlands Trust on a best path forward.
4. Develop market-based incentives for affordable housing units within the Land Development Code.
5. Explore the opportunity to establish a Community Land Trust in partnership with local community organizations.



ISSUES BRIEFING – AFFORDABLE HOUSING ADVISORY COUNCIL

This issues briefing serves to provide follow-up information related to an affordable housing advisory committee. Included below is background on the item, such as where the item derives, questions and comments pertaining to it, and provided direction, along with a recommended course on moving the item forward.

BACKGROUND

At the May 21, 2020 Development & Services [D&S] Committee meeting, the Legal Department submitted an item regarding a request for establishing an affordable housing trust fund. The Committee decided to hold the item in D&S in order to explore the request further. At the next D&S Committee meeting on June 23, 2020, under items pending analysis, and now sponsored by Councilperson Terracio, the Committee discussed the motion further. Staff provided information on the item, specifically, that Administration was convening an internal workgroup to address the item in a comprehensive manner related to affordable housing.

The internal workgroup developed an issues briefing related to affordable housing in the County and presented it at the July 28, 2020, D&S Committee meeting. This issues briefing included background on affordable housing needs, along with current policies, programs, and related efforts underway by the County. It also explored potential barriers for affordable housing specific to Richland County and identified actions the County could undertake to address affordable housing needs. Included in that issues briefing was the potential action for developing an affordable housing advisory committee among other recommended actions. The internal workgroup recommended to the Committee that staff continue exploring tools and actions with the affordable housing committee being the first priority.

The D&S Committee accepted this as a top priority with the following comments and questions related to such:

- What is the role or purpose of the group? There needs to be a clearly defined purpose from the beginning to avoid issues that have developed with other advisory groups.
- Would staff be looking to provide the Committee with a recommended structure and/or charter for the group? What would the group being proposed look like?
- Who all would be participating? The group needs to be sure to include advisors and not solely decision-makers, to avoid veering from a purpose.
- What would be the goals or objective of the group? There needs to be some preliminary goals around, and relating back to, the purpose of the group in terms of focus and direction.

The internal workgroup took these questions and comments as the direction for its work since the July 28 meeting. The workgroup synthesized this feedback into general tasks:

- Develop a clear purpose for the committee that lends to development of specific outcomes
- Develop a proposed structure for how the committee could function and operate, including potential make-up of the body
- Parameterize and define elements related to potential goals, objectives, data points, and work products



RESPONSES FOR COMMITTEE CONSIDERATION

Purpose:

The Affordable Housing Advisory Council [AHAC] will serve as an advocate for affordable housing development by identifying, investigating, and making recommendations to the County related to strategy, policy, programming, and services that may help reduce barriers to decent, safe, accessible, and affordable housing choices for County citizens while regularly reviewing the County's policies and procedures related to affordable housing solutions.

The AHAC will accomplish this by:

- Assessing the current and future landscape of affordable housing in Richland County by evaluating current and future programs; and
- Making recommendations to the County Council and Administrator on how to improve and enact policy, programs, standards, and regulations to preserve and develop quality affordable housing in the County.

AHAC Structure:

- The AHAC should function as a formal advisory council per Article VII, Chapter 2 of the Richland County Code of Ordinances. The AHAC should function in a manner similar to that of the Ad Hoc Blue Ribbon Committee, where it is comprised of both Councilpersons, staff, citizenry, and others in a hybrid format. Unlike the BRC, which operates to expend funding related to disaster recovery and is a staff-driven effort, the AHAC would meet regularly to discuss items per its purpose and duties as led by the AHAC itself. The AHAC would likely need to meet monthly in the start-up and beginning phases as more in depth work launches, such as creating bylaws, committees, and reports, and could move to less frequent (quarterly) meetings as it performs work on a more issue-based schedule related to proposed initiatives. As currently proposed, the AHAC would not need a dedicated funding source.
- Duties and responsibilities to be determined utilizing recommended parameters below.
- Membership:
 - Designated Councilpersons
 - Designated staff members
 - Appointed citizenry
 - Representatives from various organizations engaged in affordable housing development**
 - Midlands Housing Trust Fund
 - Central SC Habitat for Humanity
 - Columbia Housing Authority
 - Homeless No More
 - United Way of the Midlands
 - MORE Justice



- HomeWorks
- SC Appleseed Justice
- Community Relations Council of the Midlands
- The COMET
- Mutual Aid of the Midlands

*** The above is not an exhaustive list of organizations and entities but serves to provide a preliminary look at some of the various groups Council may wish to include.*

Recommended Parameters for the AHAC:

1. Affordable housing:

- Housing that is affordable to a household earning between 80% and 30% of the County's (not MSA) median income and spends no more than 30% of their gross income on housing costs.
 - Includes income limits and spending thresholds that would be consistent with HUD guidelines.
 - Housing units that are cost-restricted or market-based housing, not solely cost-restricted or subsidized
- Price points for units between \$650-\$1,350 based upon target demographic and products
- Decent, safe, and accessible
 - Decent housing meets standards for appropriate number and type of rooms, facilities, appliances, equipment, and other elements within or accompanying a unit related to habitability
 - Safe housing is free from lead, asbestos and other environmental hazards and meets County building standards
 - Accessible housing meets ADA standards and is conducive for multiple modes of transportation

2. The target demographic:

- Between 80% and 30% of the county median income per HUD income limits
 - Dictates maximum ability to pay
 - Determination of market product
 - Other programs would address households below the 30%, such as CHA and non-profit partners
- Renters and Owners
 - Addressing long-term needs as the County grows
 - Preserving existing units and producing new ones
 - Setting target based upon future needs
- 60/40 split with larger assistance focus on fixed-income individuals towards the lower end of the income range



- Does not include persons in transitional or homeless housing, as those needs are uniquely different than those solely of affordable housing and often must be addressed separately through policy and other efforts

3. The target product:

- Price points between \$650-\$1,350
- Multi-family and single-family
 - Footprint or unit-based housing is often more affordable
- Preservation of existing units and production of new ones
- Amount of square footage or number of rooms is undeterminable and would be based upon the built product and/or tools utilized and needs consideration moving forward

4. The target location or geographic area of impact:

- Need is county-wide
 - Includes primary focus upon unincorporated Richland County, with limited focus through partnerships and collaborations with municipalities
 - AH cannot feasibly be placed anywhere within the County
 - Locations would need to be accessible via and to supporting services
 - Adjacency of public transit, grocery stores, sidewalks, etc.
- Locations needs to be integrated within existing communities
- Locations for focus should be mixed-use and commercial nodes and corridors, such as activity centers as major centers for development
- Neighborhood Master Plan areas could also serve as target locations

5. Outcomes: Initiative would be about what Richland County can perform/undertake or about building partnerships for affordable housing:

- Incentives versus mandates versus funding utilization
- Public/Private Partnerships versus outsourcing to service providers versus direct government participation
- Working with partners versus working through partners
- Stakeholders versus drivers



Item Pending Analysis

Prepared by:	Brian Crooks, AICP	Title:	Interim Planning Services Manager
Department:	Community Planning and Development	Division:	Planning Services
Date Prepared:	February 16, 2021	Meeting Date:	February 23, 2021
Approved for Consideration:	Assistant County Administrator	Ashley M. Powell, Assoc. AIA, AICP	
Committee:	Development & Services Committee		
Agenda Item/Council Motion:	Affordable Housing		

EXECUTIVE SUMMARY (NARRATIVE STATUS):

At the May 21, 2020 Development & Services [D&S] Committee meeting, the Legal Department submitted an item regarding a motion by Ms. Terracio for establishing an affordable housing trust fund. The Committee decided to hold the item in D&S in order to explore the request further. At the next D&S Committee meeting on June 23, 2020, under items pending analysis, the Committee discussed the motion further. Staff provided information on the item, specifically, that Administration was convening an Internal Workgroup to address the item in a comprehensive manner related to affordable housing.

The Workgroup developed an issues briefing related to affordable housing in the County and presented it at the July 28, 2020, D&S Committee meeting. This issues briefing included background on affordable housing needs, along with current policies, programs, and related efforts underway by the County. It also explored potential barriers for affordable housing specific to Richland County and identified actions the County could undertake to address affordable housing needs. Included in that issues briefing were recommended actions, with the first step to establish an affordable housing advisory committee. The Workgroup recommended to the Committee that staff begin exploring the affordable housing committee as the first step.

The Committee had several comments and questions related to the affordable housing committee that the Workgroup addressed in a subsequent briefing document at the September 22, 2020, D&S Committee meeting. Per the Committee’s direction, the Workgroup provided more details on the recommended make-up and outlook of an “Affordable Housing Advisory Committee,” including a specified purpose, general structure and potential membership, and detailed parameters for the operation and outcomes of such a committee.

The Committee accepted the Workgroup’s update as information. Ms. Terracio noted that there were various similarities between what the Internal Workgroup recommended and the City of Columbia’s Affordable Housing Taskforce, of which she is a member. Given the similarities, members of the Committee thought it prudent to explore how the County might partner with the City around this initiative. No additional action or further direction was provided on this item during the September 22, 2020 meeting.

No additional information or direction has been provided at subsequent Committee meetings to date.

KEY ACCOMPLISHMENTS/MILESTONES:

- Legal Department provides initial briefing document related to Ms. Terracio's motion at May 21, 2020 D&S Committee.
- Administration convenes internal working group made up of relevant staff from Community Planning & Development, Government & Community Services, and Economic Development in May of 2020.
- Internal Workgroup develops and provides initial Issues Briefing on Affordable Housing in Richland County at July 28, 2020 D&S Committee.
- D&S Committee provides direction on next steps related to exploring and establishing an Affordable Housing Advisory Committee [AHAC].
- Internal Workgroup establishes a recommended framework on the purpose, structure, and goals and objectives for the AHAC per the Committee's direction and presents it at the September 22, 2020 D&S Committee meeting.
- Await further information on how to collaborate or reduce overlap with efforts being done by the City of Columbia.

CRITICAL ISSUES:

One issue to address is the need for direction on how to move forward with the AHAC as the first priority step. The Workgroup has provided their recommended framework for establishing such a group if such is the will of Council. Based upon the most recent discussion, it seemed that Council may want to look at how this could be incorporated or established in cooperation with the City of Columbia's Affordable Housing Taskforce. Likewise, per the discussion on the item during the September meeting, staff can begin moving forward with any of the other recommended action steps, but the AHAC would need to be established to vet and further refine any recommended actions, policies, etc., brought forth by the Workgroup.

A similar issue, related to the first, is reliance upon and waiting for the City of Columbia to make any decisions. While the Workgroup agrees that the County should look to partner, assist and/or collaborate with Columbia, the County operates in a different context and should be planning as such. Similarly, the jurisdictional mismatch becomes problematic as priorities, locations, targets and implementation actions develop. A strategy or action that works for Columbia may not have relevance or applicability in unincorporated Richland County. The County, therefore, needs to take its own approach, and work similarly but in certain instances separately.

TOP RISKS/CONCERNS:

One general concern is how the recommended actions and priority steps are to be implemented. As noted in the initial briefing document, each of the actions holds merit on its own but will likely fall short in having a significant impact. In conjunction, the various actions have the ability for greater and lasting influence on affecting the climate of affordable housing in the County. As such, the risk of a haphazard or

uncoordinated implementation could be problematic in addressing the root concerns around affordable housing.

Additionally, another concern is having a defined direction for affordable housing. There needs to be an overall vision, goals and objectives established by the Council. The Workgroup made a few recommendations on this but would not recommend moving further until Council comes to consensus around a clear vision.

The lingering pandemic continues to be a concern related to the issue of affordable housing. The pandemic has already proven a potential threat in its impact on housing related issues such as looming evictions, decreases in wages/job loss and an overall increase in need for housing as refuge. The longer the pandemic continues the more pressing tending to these housing related issues will become.

PENDING ACTIONS/DELIVERABLES AND ANTICIPATED COMPLETION DATES:

No pending actions or deliverables exist at this time. This is to be determined at the discretion and will of the Committee.

MEMORANDUM

TO: The Honorable Paul Livingston, Chair
Richland County Council
Richland County Administrator

CC: Richland County Clerk

FR: Rev. Carey A. Grady
Rev. Dianna Deaderick
Co-Presidents of Midlands Response for Equity and Justice

Date: April 26, 2021

RE: Proposal for the Establishment of An Affordable Housing Trust Fund

The Midlands Response for Equity and Justice (MORE Justice) request of Richland County Council the adoption of a county ordinance that authorizes a new Board and office for the development and operation of a Richland County Affordable Housing Trust Fund (AHTF).

This AHTF is to provide loans and grants to for-profit and non-profit housing developers for the acquisition and capital, infrastructure and soft costs necessary for the creation of new affordable renter and owner-occupied housing, for the rehabilitation and preservation of existing multi-family residential rental housing and rental assistance and homeownership assistance to persons of very low, low and moderate income.

Pursuant to the authority granted to Richland County under the South Carolina Code of Laws Title 31 Chapter 22 (William C. Mescher Local Housing Trust Fund Enabling Act), this ordinance should accomplish the following.

- Establish the AHTF as a new nonprofit organization to encourage independence governance and private charitable donation.
- Direct the AHTF to oversee the construction of “sanitary, decent, and safe residential housing that people with lower incomes can afford to buy or rent.”
- Provide financing for the AHTF with startup funding (we propose \$2 to \$5 million) sufficient to support both an oversight board (Affordable Housing Advisory Council) and a viable administration (executive director, other staff, and consultants); and by July 2024, provide a sustainable source of annual funding (we suggest \$10 million) that will allow the AHTF to carry out the terms of its charter.
- Provide for the safeguard of funds in the same manner as the general fund or a separate utility fund established for specific purposes and include the AHTF in the required financial expense reports or annual audit.

- Give preference in the distribution of funds from the AHTF, to programs and projects that promote the development or rehabilitation of affordable housing for individuals or families with an annual income at or below fifty percent of the median income for Richland County, adjusted for family size according to current data from HUD.
- Establish the position of Richland County Affordable Housing Trust Fund (AHTF) executive director, who shall be appointed by and report to the county administrator, and his/her term of office shall be at the pleasure of the county administrator.
- Authorize the executive director to hire such staff and assistants as are necessary to the operation of the AHTF and the performance of his/her duties.
- Establish a Board of Advisors to oversee the use of AHTF funds for
 - Making loans at interest rates below or at market rates in order to strengthen the financial feasibility of proposed projects.
 - Guaranteeing of loans.
 - Providing gap financing for affordable housing developments.
 - Financing the acquisition, demolition, and disposition of property for affordable housing projects.
 - Financing construction of public improvements and utilities to aid proposed affordable residential developments.
 - Financing the rehabilitation, remodeling, or new construction of affordable housing.
 - Providing tenant and project based rental assistance.
 - Funding for acquisition and rehab in conjunction with related housing trust fund projects.
 - Funding to facilitate affordable homeownership opportunities including down payment assistance, second mortgages, closing costs, etc.
 - Providing administrative costs associated with affordable housing programs.
 - Providing interim financing of public costs for affordable housing projects in anticipation of a permanent financing source (i.e. construction financing, bond sale, etc.)
 - Allowing other uses as permitted by law and approved by the Richland County Council.
 - Determining the terms and conditions of repayment of loans and grants from the Affordable Housing Trust Fund including the appropriate security and interest, if any, should repayment be required.
- Require the Board to be governed by SC Conflict of Interest Laws
 - (https://www.lawserver.com/law/state/south-carolina/sc-code/south_carolina_code_34-28-440)

- Require an annual report to Richland County Council with accounting of all funds each year. This report must be made available to the public by posting on the Richland County website.
- All meetings of the board will be open to the public.

Affordable Housing Trust Fund (AHTF)
Information Packet

Prepared by MORE Justice Housing Committee

12 April 2020

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HOUSING FACT SHEET

Prepared by the MORE Justice Housing Committee

THE “WORKING POOR” CAN’T FIND AFFORDABLE HOUSING

- More than 16,000 households in Columbia pay more than 30% of their income on rent and utilities. (Columbia City Consolidated Plan)
- In Richland County, nearly half of renters (44.8%) pay more than a third of their income on rent and utilities. (Richland County Consolidated Plan)
- A person earning minimum wage in Lexington or Richland County would have to work 89 hours a week in order to afford an average one-bedroom apartment at the average price. (NLIHC)
- Often, it is simply a one-time emergency that causes a family to not be able to pay their rent for the month, which can lead to eviction.

THERE IS NOT ENOUGH AFFORDABLE HOUSING TO MEET THE NEED

- There is a significant gap in availability of affordable rental properties for very-low income residents.
 - Rental market gaps are the difference between the number of rental units available in a given price range compared to the number of renters for whom the given price range is the maximum that can be considered affordable.
- In Richland County, less than 4,000 units are available at \$370 per month, even though this is the maximum affordable rent for 13,500 families. That means, there is only one affordable unit per every three families that desperately need it. (Richland County Consolidated Plan)
- There are more than 23,000 families currently on the waiting list for public housing through the Columbia Housing Authority. Additionally, registration for public housing programs has been closed for more than two years. (Columbia City Officials)
- Richland Two School Officials estimate that half of their 28,000 students are “housing insecure.” (Richland 2 McKinney Vento Representative)

PEOPLE ARE GETTING EVICTED AT HIGH RATES

- Columbia, SC has the 8th highest eviction rate of any city in the nation. (Eviction Lab)
- An average of 19 households are evicted every day in Richland County. In Lexington County, it is seven households. (Eviction Lab)
- The main reason that these families are getting evicted at these high rates is because rent prices are too high.
- Racial disparities in access to affordable, quality housing are commonplace – for example, while only about 25% of the local population is made up of black women, black women make up more than 90% of all those evicted in Richland County. (Newberry College Professor)

THERE ARE HIGH SOCIAL COSTS TO UNSTABLE HOUSING

- Not having access to stable housing can lead to different health and social problems.
- In Richland One and Richland Two alone, there are more than 1,500 students registered as “homeless” under the McKinney Vento Act. Homelessness or unstable/unsafe housing leads to poorer academic achievement and health outcomes. (Richland 2 McKinney Vento Rep; Newberry College Professor)
- When students move schools (for example, due to unstable housing) it takes six months to catch up. (Richland 2 McKinney Vento Representative)
- Over a six-year period in the Midlands, less than 500 chronically homeless people accumulated more than \$245 million dollars in Medicaid costs. That is nearly \$600,000 per person. Communities are finding that one way to drive down these medical costs is through the creation of safe, stable housing. (United Way of the Midlands Study)

SOURCES CITED:

- **Richland County Consolidated Plan:**
<http://www.richlandcountysc.gov/Portals/0/Departments/CommunityDevelopment/20170823RCConsolidated.PDF>
- **City of Columbia Consolidated Plan:**
<https://www.columbiasc.net/depts/communitydevelopment/Columbia%20ConPlan%2005-14-2018.pdf>
- **Eviction Lab:** evictionlab.org
- **United Way of the Midlands Healthcare and Homelessness Data Linkage Study:**
<https://www.uway.org/sites/default/files/files/Health%20Care%20and%20Homelessness.pdf>
- **National Low Income Housing Coalition (NLIHC):** <https://nlihc.org/oor/south-carolina>

The Impact of Unaffordable Housing on Children and Families

The lack of affordable housing and the threat of housing insecurity has many negative impacts on children in our communities. This insufficiency of what seems to be such a basic need causes poor school performance and increases in adverse child events/experiences.

Families are forced into crowded homes, to move from one place to another and often times risk their and their children's lives just to have a place to stay. The Department of Health and Human Services has defined housing insecurity as "high housing costs in proportion to income, poor housing quality, unstable neighborhoods, overcrowding, or homelessness".

In 2019, a total of 12,660 children were reported as homeless under the McKinney-Vento Act, while an estimated 34,335 are believed to be unreported in South Carolina. Students were arranged into 4 categories: doubled-up (living with others), hotels/motels, sheltered and unsheltered.

Children in grades kindergarten to 5th grade are the largest segment of this group, representing 52% of that 12,660. Adolescents who experience school moves are 50% more likely not to graduate from high school. Children at this age with more than 2 school moves are 2.5 times more likely to repeat a grade. High schoolers make up the next largest section, representing 24%. They have a 63% graduation rate, which is a 21% decrease compared to the average rate of 84%.

The experience of housing-insecurity also places children at risk for ACE exposure. Adverse Childhood Experiences (ACEs) are potentially traumatic events that can have negative, long-lasting effects on health and well-being. Children at risk for neglect are significantly more likely to be from families experiencing housing unaffordability and housing instability. There are also reports of physical and emotional abuse, financial exploitation and sex-trafficking while staying in shelters, on the streets, and "doubled-up" with acquaintances, family, or strangers. According to the National Center on Family Homelessness, 83% of homeless children have been exposed to at least one serious violent event by the age of 12 and almost 25 percent have witnessed acts of violence within their families.

The lack of affordable, stable housing is hurting our children. It is our duty as citizens, community members, and leaders, to do something about this.

What is an Affordable Housing Trust Fund?

Housing is considered “affordable” when 30% or less of one’s income is spent on housing and utilities costs (U.S. Department of Housing and Urban Development - HUD). Affordable Housing Trust Funds (AHTFs) are established by elected government bodies—at the city, county or state level—where a source or sources of public revenue are dedicated, by ordinance or law, to a distinct fund with the express purpose of providing affordable housing. In South Carolina, the Mescher Act (2007) requires this fund to be placed in a non-profit entity. The dedicated public revenue then leverages more money from public and private funds. On average, \$8.50 is leveraged for every \$1 dedicated to the HTF (Center for Community Change). The money in a HTF does not fund an entire project, but it is used as gap funding for developers to construct affordable housing for those with 80% or less of the Area Median Income (AMI).

The HTF is typically governed by a board that oversees and hires staff, reviews requests for proposals (RFP), and then approves/denies these requests. Requests for HTF dollars can be made by non-profit developers, for-profit developers, housing authorities, governmental agencies, and regional organizations. The funds can be distributed in a variety of forms, including, but not limited to grants, long-term, low interest loans, or forgivable or deferred loans.

The kinds of eligible activities that HTF can support are:

- new construction (single or multi-family)
- preservation/rehabilitation of existing housing (single or multi-family)
- housing for senior citizens
- transitional housing (homeless, domestic violence, ex-offenders)
- low (80% AMI), very low (50% AMI) and extremely low (30% AMI) income levels
- special needs housing

Additional Resources

- Center for Community Change: Housing Trust Fund Project
 - <https://housingtrustfundproject.org/our-project/about/>
- HUD Exchange: Housing Trust Funds
 - <https://www.hudexchange.info/programs/htf/>
- SC Mescher Act (attached)
 - <https://www.scstatehouse.gov/code/t31c022.php>

What is an Affordable Housing Trust Fund (HTF)?

What is a Housing Trust Fund (HTF)?

- HTF's are established by elected governmental bodies (at the city, county, or state level). A source or sources of public revenue are dedicated, by ordinance or law, to a distinct fund with the express purpose of providing affordable housing.
- HTF's have been enacted by hundreds of governments across the United States.
- There are more than 780 housing trust funds in existence in the US that generate more than \$1.5 billion a year for affordable housing.

How is the HTF funded?

- HTF's are funded by various public revenue sources. Housing Trust Funds are flexible in that they can be funded from multiple public revenue sources. Some examples are:
 - General fund
 - Bond proceeds
 - Grants
 - Loans from the state and federal government
 - State capital budget
 - Residential impact fees
 - Developer impact fees
 - Document recording fee
 - Tax foreclosure sale
 - Hotel/Motel tax
 - Accommodation tax
 - Inclusionary in-lieu of fees
 - Parking fees

Why are housing trust funds successful?

- HTF's are successful because of their flexibility. The public money allocated to the HTF is a down payment that is backed by sources of other public and private funds. This is called leveraging, because the money in the HTF attracts public and private funds from a variety of sources that would not be available without the trust fund.
 - Sources Leveraged by the Housing Trust Fund
 - Governmental bonds
 - Grants
 - State Funding
 - Federal Funding
 - Low Income Tax Credits
 - Philanthropic Donations
 - Bank Loans

- According to the Center for Community Change, the average amount of public and private funds leveraged for every \$1 in the HTF is \$8.50. The HTF offers a huge return on investment.
 - Examples from across the country
 - In 2004, the Milwaukee Housing Trust Fund used a \$5 million allocation and leveraged \$25 million in other funding to create 200 units of housing. The construction of these new homes resulted in: 200 jobs created during construction, \$1.2 million in new fee and tax revenue, and \$10 million into the local economy. After construction: 94 jobs remained, \$760,000 in new fee and tax revenue, and \$4.4 million in the local economy.
 - In five years, the Connecticut Housing Trust fund used \$57 million in allocations and leveraged \$519 million in other federal, state, local, and private funding to create 2,200 units. This led to over 4,000 jobs created, \$14 million in recurring state and local revenue, and hundreds of millions in economic activity.

How is the housing trust fund administered?

- **Non-Governmental Agency Model:** Typically established by governmental action and then administered by a separate nonprofit or community foundation. Under this model, a board oversees and hires the staff for the nonprofit.

How are the funds distributed?

- There are a variety of ways that funds can be distributed, but the most common are in the form of: grants, loans, forgivable or deferred loans, lines of credit, or rental assistance.
- Requests for proposals (RFP) or notices of funding availability (NOFA) are issued periodically for prospective applicants.

Who can apply for housing trust fund dollars?

- HTF's attract a diverse group of applicants: non-profit developers, for-profit developers, housing authorities, governmental agencies, and regional organizations.

What is the target income?

- Because HTF's utilize public funds, it should meet the public need.
- Most HTF's target a specific income area - generally households at 50% and below of the area median income (AMI), as defined by the U.S. Department of Housing and Urban Development (HUD).

South Carolina Legislature

South Carolina Law > Code of Laws > Title 31

South Carolina Code of Laws Unannotated

Title 31 - Housing and Redevelopment

CHAPTER 22

William C. Mescher Local Housing Trust Fund Enabling Act

SECTION 31-22-10. Legislative findings.

(A) The General Assembly finds:

- (1) Throughout this State, there is a shortage of adequate shelter for South Carolinians including the availability of an affordable residence or permanent domicile with adequate privacy, space, physical accessibility, security, structural stability and durability, and adequate electrical, plumbing, and heating systems.
- (2) Private enterprise and investment has not produced, without government assistance, the needed construction of sanitary, decent, and safe residential housing that people with lower incomes can afford to buy or rent.
- (3) The public's health, safety, and economic interests are best served by the provision of permanent affordable housing because such housing enables South Carolinians to maintain employment, assists this state's children to succeed in school, and helps this state's economic growth and prosperity.

(B) The purpose of this chapter is to authorize a local government to individually or jointly create and operate a local housing trust fund or regional housing trust fund to promote the development of affordable housing, as defined in this chapter.

HISTORY: 2007 Act No. 19, Section 2, eff May 15, 2007.

Editor's Note

2007 Act No. 19, Section 1, provides as follows:

"This chapter may be cited as the 'William C. Mescher Local Housing Trust Fund Enabling Act'."

SECTION 31-22-20. Definitions.

For purposes of this chapter:

- (1) "Affordable housing" means residential housing for rent or sale that is appropriately priced for rent or sale to a person or family whose income does not exceed eighty percent of the median income for the local area, with adjustments for household size, according to the latest figures available from the United States Department of Housing and Urban Development (HUD).
- (2) "Homeless housing" means emergency, transitional, or permanent residential housing shelter for a person needing special assistance and shelter because he is homeless as defined by HUD or consistent with another definition of homelessness under which a person may receive federal financial assistance, state financial assistance, or another supportive service.
- (3) "Local housing trust fund" (LHTF) means a local government fund separate from the general fund established by the governing authority of a local municipality or county government with one or more dedicated sources of public revenue and authorized expenditures as provided in this chapter.
- (4) "Regional housing trust fund" (RHTF) means a multi-jurisdictional government fund separate from the general fund and established jointly by the governing authorities of one or more municipalities or county governments with one or more dedicated sources of public revenue and authorized expenditures as provided in this chapter.
- (5) "Special needs housing" means housing or shelter provided by private or public entities including privately operated elderly housing, nursing homes, community residential care facilities, and other special needs population housing facilities regardless of purpose or type of facility.

HISTORY: 2007 Act No. 19, Section 2, eff May 15, 2007.

SECTION 31-22-30. Authority to create Local Housing Trust Fund or Regional Housing Trust Fund.

(A) A local government, including a municipality or county, may create and operate an LHTF or RHTF by ordinance, or join an existing trust fund to implement either a local or regional program for affordable housing as defined in this chapter. A local government may jointly form a regional housing trust fund by ordinance. A regional housing trust fund created under this chapter is subject to the same requirement and has the same power as a local housing trust fund created by an individual local government.

(B) A local government that creates an LHTF or RHTF may finance the LHTF or RHTF with money available to the local government through its budgeting authority unless expressly prohibited by the law of this State. Sources of these funds include, but are not limited to, one or more of the following:

- (1) donations;
- (2) bond proceeds; and
- (3) grants and loans from a state, federal, or private source.

The local government may alter a source of funding for the LHTF or RHTF by amending the ordinance that establishes financing for the LHTF or RHTF, but only if sufficient funds exist to cover the projected debts or expenditures authorized by the LHTF or RHTF in its budget. This chapter does not create, grant, or confer a new or additional tax or revenue authority to a local government or political subdivision of the State unless otherwise provided by the law of this State.

(C) A local government operating an LHTF or RHTF shall safeguard the fund in the same manner as the general fund or a separate utility fund established for specific purposes. The LHTF or RHTF may be included in the required financial expense reports or annual audit for each local government.

(D) A local government operating an LHTF or RHTF may allocate funds to a program that promotes the development or rehabilitation of affordable housing as defined in this chapter. Regarding the distribution of funds from an LHTF or RHTF, preference must be given to a program or project that promotes the development or rehabilitation of affordable housing for an individual or family with an annual income at or below fifty percent of the median income for the local area, adjusted for family size according to current data from HUD, the development or rehabilitation of special needs housing, or the development or rehabilitation of homeless housing.

(E) LHTF or RHTF funds may be used to match other funds from federal, state, or private resources, including the State Housing Trust Fund. A local government shall seek additional resources for housing programs and projects to the maximum extent practicable. A local government shall administer its housing trust fund through new or existing nonprofit organizations to encourage private charitable donation to the funds. Where an LHTF or RHTF receives such a donation, the donation must be used and accounted for in accordance with the provisions of this chapter.

(F) An LHTF or RHTF established, utilized, or funded under this chapter must provide an annual report to the local government that created the fund. The local government shall require the LHTF or RHTF to provide an accounting of its funds each year. This report must be made available to the public by posting on the appropriate website of the local government.

HISTORY: 2007 Act No. 19, Section 2, eff May 15, 2007.

SECTION 31-22-35. Effect of legislation on existing local or regional housing trust funds.

An LHTF or RHTF existing on the effective date of this act shall not be required to alter the existing terms of its governing documents; provided, however, that any alteration or amendment to such governing documents must conform to the provisions of this act.

HISTORY: 2007 Act No. 19, Section 2, eff May 15, 2007.

SECTION 31-22-40. Conflicting laws.

The provisions of this chapter must control where inconsistent with the provisions of another law.

HISTORY: 2007 Act No. 19, Section 2, eff May 15, 2007.

Legislative Services Agency
<http://www.scstatehouse.gov>

The Public Benefits of Safe Affordable Housing

Richland County, South Carolina has a growing unmet need for safe affordable housing that, to address adequately, will require a considerable investment of public resources. However, public sentiment towards affordable housing is often negative. As verified by local political leaders, “Not in My Backyard” or NIMBY concerns, as well as concerns about higher taxes, are effective at blocking affordable housing developments. The extent of the problem, the size of the investment, and the fact that it impacts others justify providing answers to why the public should want to provide safe affordable housing to as many families as possible.

Perhaps the greatest public benefit of safe affordable housing is its role in keeping thousands of families and children from sliding into homelessness. Already, an estimated 12,426 Richland County school students experienced homelessness over the course of the 2017-18 school year, according to the U.S. Interagency Council on Homelessness (2019). But these numbers have the potential to swell even more. The Harvard Joint Center for Housing Studies (2019), reports that nearly 30% of Richland County households (44,152)¹ experience housing stress by spending over 50% of their income on housing and utilities. A medical emergency or some other unfortunate financial occurrence can place any one of these families in jeopardy of losing their homes. Homelessness already places a great deal of stress on many of our social services, schools, law enforcement, and neighborhoods. Preventing further loss of families to this unfortunate circumstance has to be one of our highest priorities.

In addition to preventing the tragedy of homelessness, safe and affordable housing creates a number of economic outcomes that benefit the public. Researchers at the Center for Housing Policy (2011) highlight the following such benefits.

- **One-time and ongoing job creation and spending** – The National Association of Home Builders (NAHB) estimates the creation of as many as 120 jobs during the construction of 100 affordable housing units. Once construction is complete, residents of these units then support as many as 30 new jobs.
- **Positive fiscal impacts for state and local governments** – Local governments tend to gain revenue from permitting and zoning fees, utilities, and property taxes. “The NAHB estimates that 100 units of affordable housing for families generate the same amount of one-time revenue as does a comparable market-

¹ 2013-2017 American Community Survey 5-Year Estimates

rate property.” The Center for Housing Policy shows that the impact of a new affordable housing development on nearby property values is more likely to be neutral or positive than negative, often leading to increased local government property tax revenues.

- **Reducing Foreclosure Risks and Associated Costs** – Low- and moderate-income households that participate in affordable homeownership programs have a much lower risk of delinquency and foreclosure than similar buyers with prime and subprime loans. Reducing foreclosures helps stabilize neighborhoods and saves governments the costs related to property maintenance and/or recovery.
- **Improving Worker and Employer Attraction and Retention** – The need for workforce affordable housing is a growing concern. The Center for Housing Policy (2011) reports survey results that show large employers acknowledging the lack of affordable housing as an impediment to their ability to hold on to qualified employees.
- **Increasing the Buying Power of Residents** – Affordable rent and mortgage payments leave affected families with residual income that is most often used on basic household needs such as food, clothing, healthcare, and transportation. These purchases support the economic viability of the local community.

The Forbes Real Estate Council (2020) notes similar benefits by observing that modern affordable housing (1) attracts diversity, (2) is built on quality that matches or exceeds that of market-rate housing, and (3) provides a boost to local, neighborhood businesses. These traits place affordable rentals in such high demand that they stay rented over a long term and thus provide profitable benefits to its developers, builders, financiers, and managers. The Council also notes that affordable housing rents are reliably paid with the support of vouchers and other subsidies. Comparably, luxury properties have occupancy rates that fluctuate with the economy.

Safe, affordable housing helps to protect public schools, one of our largest public investments. Richland County spends over a half a billion dollars each year on schools, our county’s largest expenditure. Yet, our students perform below state standards on most measures of academic achievement (see latest District Report Cards). The high number of homeless and housing insecure students in our schools contribute to this poor performance. The National Association of Realtors (2016) documents a consistent relationship between housing stability and educational

performance. Who can deny the likelihood that a child without certainty about where he or she will sleep is going to present behavioral problems at school? Whereas children in stable homes are more likely to complete high school, have lower incidents of misbehavior of all kinds, and benefit from the example of their parents successfully managing a large financial commitment by maintaining their home. Enterprise Community Partners (2014) note the detrimental effects of housing instability on educational performance. Students who experience homelessness or constant moves are likely to perform poorly not just for a school year, but throughout elementary school. School districts with a critical mass of these students often see high rates of poor performance regardless of their curricular or academic approach. As described by Enterprise Community Partners, homeless students often meet with dire consequences.

These children are more likely than their peers to drop out of school, repeat grades, perform poorly in school, disengage in the classroom, and suffer from learning disabilities and behavior problems. They may struggle to catch up due to high stress, disrupted school attendance and broken bonds with teachers and friends. These factors are compounded by the impact of traumas often associated with homelessness (family violence, economic crises, etc.).

Safe affordable housing helps to keep everyone healthy. The coronavirus pandemic illustrates our health interdependence. Circumstances that tax our health systems can create stress that impacts all parts of the system and affects all users. As explained by Enterprise Community Partners, “housing instability – including high housing costs in proportion to income, poor housing quality, overcrowding and multiple moves– has serious negative impacts on child and adult health.” The National Poverty Center (2011) documented how unstable living conditions harms both mental and physical health, especially in children. They show that individuals who experienced housing instability within a three-year period are more likely to report anxiety attacks, fair/poor self-rated health, and major or minor depression. Police and emergency room resources are likely to feel the systemic impact of this ill health. As documented by MORE Justice’s work to have law enforcement leaders implement Crisis Intervention Training, police officers are most often called to confront perceived adversarial behavior by individuals with a mental health diagnosis. This is dangerous work for police officers and can result in poor treatment of mentally ill persons. The effects of unstable housing on children are especially worrisome. A group of physicians writing in the American Journal of Public

Health (2011) concluded that “housing insecurity is associated with poor health, lower weight, and developmental risk among young children. Policies that decrease housing insecurity can promote the health of young children and should be a priority.”

Safe, affordable housing is the most efficient way to address the problem of housing insecurity. What we pay for alternative solutions is more costly and less effective. Temporary and emergency housing may rescue a family for a short period of time but does very little for their long-term security. Using jails and hospitals to deal with health issues resulting from the stress of housing insecurity is expensive and too indirect to be effective. Suspending children from school because of their lack of attention and preoccupation with housing uncertainty only buys a moment of relief for teachers and does nothing for the child.

As Richland County works to bring its revenue and expenditures in-line to prioritize affordable housing, policymakers and planners should understand the public benefits of well-designed affordable housing programs. Such programs are needed now more than ever as evidence shows an increasing number of families qualifying for housing assistance. Stable homes lead to stable communities, more effective schools, improved health, and a stronger economy. It is too expensive for us to not realize these benefits.

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Economic Impact of Housing Trust Funds

For housing to be "affordable," that generally means that a household spends 30 percent or less of its income on rent or mortgage payments and utilities. In Richland County, 45 percent of renters spend more than 30 percent of their income on housing costs. That's more than 22,000 families. As stated in Richland County's consolidated plan, there are 13,500 families who can only afford rent at \$370 a month. There are, however, less than 4,000 units available with rent that falls within those parameters.

This is not a problem limited to the very poor. Nurses, police officers, firefighters, military service members, and teachers are important – crucial – members of our community who are statistically likely to experience chronic housing affordability problems. The income earned in these fields is often insufficient for the people who work in them to be able to spend only 30 percent of their income on housing expenses. Those in minimum wage jobs are even more challenged. To afford a one-bedroom apartment at the average rent in Richland County, a person working minimum wage would have to work 89 hours a week.

For most of Richland County's ordinary people, the housing they have is not housing they can really afford. Making rent or a mortgage payment *and* paying for life's other necessities is a delicate balancing act.

The present gap between the need for affordable housing and its availability causes housing-challenged Richland County residents to have to choose between paying rent or buying groceries and paying for medical necessities. The inability of many people to afford their rent has driven up the number of evictions in Richland County – in 2018, Columbia ranked the eighth highest for the number of evictions among urban areas in the United States. Richland County averages 19 evictions every day. While not every eviction results in homelessness, many do. The economic stress on housing-challenged citizens is severe and can be catastrophic.

But the negative financial effects are not felt just by those who most obviously bear the brunt of this problem. The lack of affordable housing in Richland County is an economic drag on the whole community. The ancillary problems this generates hold back economic growth. They siphon public resources that could be put to better use if

those resources did not have to be spent addressing the spinoff problems created by the lack of affordable housing. Evictions precipitated by inability to afford housing take up an inordinate amount of the docket in our magistrates' courts, driving the need to hire more magistrates and more court staff to deal with the rising tide of eviction actions. Evictions are financially devastating for tenants, but they are also money-losers for landlords. And, of course, more people made homeless when they can no longer afford their rent means more public money spent on dealing with the homeless.

More broadly, without a sufficient supply of affordable housing, employers — and entire regional economies — are at a competitive disadvantage because of their difficulty attracting and retaining workers. When workers leave, this causes companies to have to train a new employee for the same job, incurring training costs and paying existing employees to train new ones rather than engage in economically productive activity.

Young children in families who live in unstable housing are 20 percent more likely to be hospitalized than those in stable housing. In addition, households with poor housing quality had 50 percent higher odds of an asthma-related emergency room visit during the period of one study. Other research indicates that five percent of hospital patients — who are responsible for half of the health care costs in the U.S. — are, for the most part, patients who live below the poverty line and are housing insecure. As most of these patients are uninsured and unable to pay a hefty hospital bill, these visits are not revenue-generating events for hospitals.

That is the situation Richland County is in now. We call this a quiet crisis because, despite unaffordable housing situations being quite common, those in them rarely complain. They've been in housing challenged situations so long that unaffordable housing seems normal.

It does not have to be that way. Housing trust funds are a free-market solution. There are some 800 communities with housing trust funds in the United States. Those trust funds generate positive economic activity wherever they are. They largely work by providing developers with incentives to build housing affordability into their projects (typically through real property covenants that provide for a rent maximum tied to a percentage of area median income). In exchange for obligating itself to do that, a developer receives money from the trust fund that goes to help pay the costs of the developer's project. Funding from the trust is usually sought through project-specific applications that are vetted and either accepted or denied by the trustee. When completed, the developed property provides a sustainable stock of affordable housing for the community.

An increase in affordable housing lessens the negative community-wide effects of affordable housing shortages such as the one Richland County is experiencing now. More affordable housing drives down the number of hospital visits, especially non-revenue-generating ones. And, of course, more affordable housing means more money in the pockets of those who were previously housing-challenged — money that flows into

businesses in the community. Additionally, affordable housing options in high opportunity neighborhoods create economically diverse schools, which are 22 times more likely to be high performing than are high-poverty schools.

During the construction of affordable housing — or any kind of housing, for that matter — the local economy benefits directly from the funds spent on materials, labor, and the like. Creating housing units means creating jobs for those involved in the construction. Further, if a builder is purchasing windows and doors from a local supplier, the supplier may have to spend money on materials and hire additional help to complete the order — an example of an indirect positive financial effect. Also, the construction workers, glass cutters, and landscapers are likely to spend a portion of their wages at the local grocery store, shopping mall, or restaurant. Taken together, the indirect and induced impacts of housing construction on the local economy are often called “ripple” or “multiplier” effects. These effects are maximized in localities where construction-related suppliers and other business establishments are prevalent. Richland County is such a place.

If Richland County established a housing trust funded through a two-mill property tax increase, that would mean a tax increase of roughly \$8 a year for the owner of a house worth \$100,000.00. Respectfully to any such homeowner who may object to such an increase, an examination of the negative economic effects driven by the present housing situation would show that *not* having a vigorously funded housing trust is costing that homeowner well over than \$8 a year right now.

A millage increase dedicated to a housing trust fund would provide the significant, dedicated funding that the Mescher Act requires for such a fund under South Carolina law. Funding for the trust, however, would not need to be limited to millage-based funding or even government funding. A housing trust fund would be permitted to receive funding from other local governments, such as from the City of Columbia, through government grant funding, and from donations from the private sector. The nonprofit corporation trustee would be a 501(c)(3) charitable organization, providing a tax benefit to private donors to the fund.

Richland County can't afford *not* to put a robust housing trust fund in place. As the COVID-19 crisis continues, its economic effects are only beginning to be felt. The ability of ordinary people in Richland County to afford their homes will be challenged more than ever. An already critical need will only be heightened as the effects of this crisis unfold



Text File

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Committee: Committee on Land Use and
Economic Development

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Ordinance supplementing the Pittsburgh Code of Ordinances, Title Two--Fiscal, Article V--Special Funds, to add a new Chapter [232] 234, "Housing Opportunity Fund", to stabilize communities and protect the public welfare by creating the Pittsburgh Housing Opportunity Fund (the "Fund"), to create a budget obligation for the Fund, to establish the purposes for which monies in the Fund may be used; and to create a Housing Opportunity Fund Governing Board and Advisory Board.

Whereas the Council of the City of Pittsburgh finds as follows:

1. Much of the City's housing stock is older and in need of repair, and many existing and prospective homeowners lack the resources to make necessary repairs. Repairing the existing housing stock helps to stabilize neighborhoods by maintaining property values in the surrounding neighborhood, reducing the incidence of vacancy and blight, and decreasing the need for City-funded demolition.
2. Much of the City's housing stock is not energy efficient, and many property owners lack the resources to make energy efficiency improvements. Improving energy efficiency can help reduce utility costs and provide relief for families with severe housing cost burden. It can also help reduce the City's carbon footprint.
3. Many Pittsburgh neighborhoods have very low rates of homeownership and high rates of absentee-owned properties. Increasing resident ownership of housing gives people more of a stake in the upkeep of their communities and helps to stabilize neighborhoods.
4. The City is experiencing a shortage of decent, safe and sanitary housing that is affordable to extremely low-income families and individuals. The shortage of housing that is affordable to extremely low income families forces them to pay more for housing than they can afford, which reduces the supply of housing that would otherwise be available for families and individuals at other income levels and creates a ripple effect of unaffordability.
5. Over 23,000 Pittsburgh households are paying more than half of their household income on housing costs. This severe cost burden can make these households vulnerable to eviction, foreclosure, utility termination, and other hardships.
6. Many very-low income and extremely low-income families and individuals in Pittsburgh need better access to opportunity resources - such as public transportation, jobs, safe neighborhoods, high-quality schools, child care and grocery stores - that can help to improve their and their children's health, safety and economic self-sufficiency.
7. The City is also experiencing a shortage of decent, safe and sanitary housing that is accessible to people with mobility impairments and other disabilities.

8. At any given time, there is an average of more than 2000 homeless households on a waiting list for housing and homeless services in Pittsburgh and Allegheny County.
9. Existing affordable housing resources provide relatively short periods of affordability. This can cause the City to invest its limited resources into preserving the existing affordable housing stock instead of expanding the supply. Financing mission-driven developers and prioritizing permanent affordability will help maximize the effectiveness of the City's housing resources.
10. The City and its authorities have experienced steady decreases in funding from federal and state resources for investment in neighborhood development and affordable housing projects.
11. Establishing a Pittsburgh Housing Opportunity Fund will provide needed resources to help stabilize and improve Pittsburgh's neighborhoods, to support the development and preservation of affordable and accessible housing in areas with good access to public transit, jobs, good schools, child care, grocery stores and other amenities that individuals and families need to improve their and their children's health, safety and economic self-sufficiency, and to address other critical housing needs.

NOW, THEREFORE, BE IT RESOLVED, THAT THE COUNCIL OF THE CITY OF PITTSBURGH HEREBY ENACTS AS FOLLOWS:

The Pittsburgh Code, Title Two--Fiscal, Article V--Special Funds, is hereby amended by adding a new Chapter [232] 234, "*Housing Opportunity Fund*".

[232] 234.01 Definitions.

- (a) "*Accessible*" means housing that meets the design standards most recently published by the American National Standards Institute (ANSI) for Accessible Units or for Units with Accessible Communication Features, as applicable.
- (b) "*Advisory Board*" means the 17-member board described in Section [232] 234.06 of this Chapter.
- (c) "*Affordable*" means housing related expenses do not exceed 30% of a household's gross income. When used in conjunction with a specific income target (e.g., *affordable to households earning at or below 50% of AMI*), the term means housing expenses do not exceed 30% of the gross income of the highest income household within the target category. If no income target is specified, "affordable" shall be construed as referring to an income target of 80% of AMI.
- (d) "*Area Median Income*" or "*AMI*" means the median household income for the Pittsburgh metropolitan area published annually by the U.S. Department of Housing and Urban Development ("HUD").
- (e) "*Deed Restricted Affordable Housing*" means real estate that is required to be used as affordable housing for a period of time pursuant to a restrictive covenant or similar enforceable, recorded instrument, with income targets that are no higher than 80% of AMI. The term shall include, but not be limited to, HUD multifamily housing and Low Income Housing Tax Credit projects authorized by applicable law.
- (f) "*Extremely Low Income*" means having a household income that is at or below 30% of AMI.
- (g) "*Family Sustaining Rental Housing*" means rental housing that is affordable to households earning at or

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below 50% of AMI. The term shall not include lease purchase or cooperatively owned housing.

- (h) “*Governing Board*” means the Urban Redevelopment Authority of Pittsburgh (“URA”) Board of Directors.
- (i) “*Housing Assistance to Individuals*” means housing assistance that is provided directly to low-income persons, including but not limited to owner-occupied home rehabilitation or repair services; owner-occupied home energy efficiency upgrades; foreclosure prevention and mitigation services; and rapid rehousing services.
- (j) “*Low Income*” means having a household income that is at or below 80% of AMI.
- (k) “*Mid and Lower Market*” shall have the meaning specified in the performance measures created by the p4 Performance Measures Project in October, 2016.
- (l) “*Neighborhood-Based Non-Profit*” means (1) a Non-Profit that has a substantial base of operations within the neighborhood where the housing to be funded by the Housing Opportunity Fund is located, or (2) a Tenant Association that represents the tenants in the housing to be funded by the Housing Opportunity Fund.
- (m) “*Non-Profit*” means a non-profit organization that (i) is exempt from taxation under Section 501(c)(3) of the Internal Revenue Code and (ii) has providing affordable housing or combating community deterioration among its tax exempt purposes. The term shall not include a non-profit organization that is controlled by a for-profit or public entity.
- (n) “*Owner-Occupant*” means a natural person with a legal or equitable ownership interest in property which is the primary residence of the person.
- (o) “*Permanently Affordable*” means housing that is subject to a deed restriction, ground lease, shared equity agreement, or similar enforceable, recorded instrument that (1) in the case of rental or cooperatively owned housing, requires all current and subsequent owners to maintain the housing as affordable for a period of at least 99 years or for the life of the building, or (2) in the case of for-sale housing, restricts the resale price to subsequent home buyers to an affordable price for a period designed to maintain the housing as affordable for at least 99 years or for the life of the building.
- (p) “*Preservation of Deed Restricted Affordable Housing*” means the rehabilitation, redevelopment or replacement of Deed Restricted Affordable Housing, in order to extend the long term affordability and habitability of the units, such that there is no net loss in affordability and all affordable units are maintained or replaced in locations that are no less desirable than the original location.
- (q) “*Tenant Association*” means a membership association consisting of the residents of a residential development that operates democratically, is representative of all residents in the development, and is completely independent of owners, management, and their representatives. An association that otherwise satisfies the foregoing criteria shall not be disqualified solely because it has an ownership interest in the residential development.
- (r) “*Very Low Income*” means having a household income that is at or below 50% of AMI.
- (s) “*Universal Design*” means housing that meets the design requirements specified in Title Two, Section 265.04.1(2)(b) of the Pittsburgh Code on all floors and in all common areas and public spaces..

[232] 234.02 Establishment of the Pittsburgh Housing Opportunity Fund

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(a) The Pittsburgh Housing Opportunity Fund (“Fund”) shall be created by the Office of the Controller, **and managed by the Office of Management and Budget** as a separate fund for the purpose of supporting the development and preservation of affordable and accessible housing in the City of Pittsburgh as more particularly specified in Sections [232] 234.03 and [232] 234.04 of this Chapter. The City may appropriate revenue and the Fund may receive monies from sources as deemed appropriate and consistent with the purposes set forth in this Chapter and applicable law.

(b) It is the intent of the City Council that the Fund have a goal of \$10 million or more per year in annual revenue after a corresponding amount of budgeted legal revenue has been identified, a new legal revenue line in the said amount has been established or a combination of both.

(c) The dedication of any revenue must be consistent with the City of Pittsburgh Act 47 plan and Act 11 (Intergovernmental Cooperation Authority) agreements, as applicable, and the City’s annual five year plan. Unless Council approves a dedicated source of annual funding, the actual amount of funds shall be contingent upon annual appropriation of Council.

(d) Monies allocated for the Fund must be used exclusively for purposes consistent with this Chapter and applicable law. Therefore, any assets remaining in the Fund at the end of any fiscal year shall be carried into the next fiscal year, including all interest and income earned, as well as any repayments or forfeitures of loans and/or grants.

(e) It is the intent of this Chapter that the Trust Fund provide net new resources for affordable housing in the City of Pittsburgh, and that the Fund not be used to substitute or supplant existing resources.

[232] 234.03 Disbursement of Fund Assets

(a) Funds appropriated from the Opportunity Fund shall be consistent with an annual allocation plan (AAP), created by the Advisory and Governing Boards, as described below. The AAP shall outline the types of programs, projects, and activities that are eligible for Opportunity Fund investment. Each year the Advisory Board shall provide an opportunity for public comment on the AAP and shall submit the AAP to Council for review and approval, prior to the passage of the budget. Such programs, projects, and activities shall:

1. Preserve existing affordable housing through investments such as home rehabilitation or repair (both owner-occupied and one- to three-unit rental); down payment/closing cost assistance; homeownership counseling, pre or post purchase; foreclosure prevention and mitigation; tangled title assistance; energy efficiency; and a tenant purchase fund that supports tenants in the process of acquiring a controlling interest in expiring affordable housing.
2. Rehabilitate, redevelop, or replace existing Deed Restricted Affordable Housing in order to extend the long term affordability and habitability of the units.
3. Increase the accessibility of new and existing affordable housing to seniors and people with disabilities.
4. Increase the production of affordable housing for sale or rental so as to ensure that communities

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experiencing rapid growth and escalating housing costs continue to have Family Sustaining Rental Housing and ensure that Very Low Income families have opportunities to live in housing in areas of high opportunity or consistent with a neighborhood revitalization plan.

5. Prevent or reduce homelessness by increasing the supply of homes with supportive services available to people at imminent risk of homelessness or experiencing homelessness. The Fund can also be used for programs including rental assistance, rapid re-housing, permanent supported housing, housing first and/or other homeless housing purposes, especially for youth, families, seniors, veterans, people who are chronically homeless and those with disabilities.

6. Provide for funding projects that promote permanently affordable housing through structures such as tenant purchase, community land trusts, shared-equity or deed restrictions placed upon the land.

7. Stabilize Mid and Lower Market Neighborhoods through activities such as making affordable loan products and grants available for the construction or rehab of owner-occupied homes or financing the purchase and rehabilitation of vacant structures by Neighborhood-Based Non-Profits for affordable homeownership.

8. Advance any additional housing needs and leverage additional funding opportunities for affordable housing and neighborhood stabilization as they arise. To that end, the Governing Board may provide such additional uses and goals consistent with the purposes of this Chapter and the findings listed by City Council based upon the recommendation of the Advisory Board after public notice and an opportunity for comment.

(b) Up to 10% of annual Fund expenditures may be used for administrative expenses, which shall include the URA's reasonable and necessary cost of administration and the preparation of the Annual Audit and Report by the Governing Board and the Advisory Board pursuant to an annual budget reviewed ~~and approved~~ by the Advisory Board.

[232] 234.04 Priorities and Restrictions

(a) The AAP shall:

1. Outline an open and competitive selection process for all projects receiving Fund investment.
2. Establish evaluation criteria for awards that are consistent with the goals and purposes of this Chapter and the findings listed by City Council. At a minimum, the evaluation criteria shall include, as relevant: depth of affordability; length of affordability commitments; geographic distribution of funds; coordination with a neighborhood revitalization plan; affirmatively furthering fair housing; accessibility features; energy efficiency; cost effectiveness; readiness to proceed, and access to frequent transit and walkable/bikeable streets.
3. Set standards by which all applicants with projects of four units or more will be required to demonstrate community engagement to understand needs, align development interests, and maximize community participation and partnerships. Any project presented for community input must be documented as substantially similar to the project included in the application. At a minimum, all applicants with projects of four units or more must provide a memorandum of understanding with a Neighborhood-Based Non-Profit organization. The Governing Board may allow for exceptions where:
 - a. The rehabilitation of rental units are in exchange for enforceable

- b. commitments to accept rental assistance and provide housing for special needs populations;
- c. The project is necessary to affirmatively further fair housing and there is no Neighborhood-Based Non-Profit that is willing or available to participate;
- d. There are no Neighborhood-Based Non-Profits in the neighborhood where the project is located; or
- e. Any additional provisions consistent with this Chapter

4. Require that all housing production or preservation projects of four units or more (for sale or rental) have a Non-Profit applicant. The Advisory Board and Governing Board will give added weight to projects where a Neighborhood-Based Non-Profit Organization is a partner with the ability to approve major project decisions and acquire the property.

(b) The AAP shall set the following income targets for the overall investment of fund assets in projects, programs, and activities:

50% of funds must benefit families and individuals at or below 30% AMI.

25% of funds must benefit families and individuals at or below 50% AMI.

25% of funds should benefit families and individuals at or below 80% AMI. by providing or supporting homeownership opportunities. ~~and by providing down payment and closing cost assistance to first-time homebuyers consistent with the income targets used by the Pittsburgh Home Ownership Program (PHOP). Except for down payment and closing cost assistance, all fund assets must benefit families and individuals at or below 80% AMI.~~

1. 80% AMI may only be exceeded for funds used to provide or support homeownership opportunities by providing down payment and closing cost assistance to first-time homebuyers consistent with the income targets and policies used by the Pittsburgh Home Ownership Program (PHOP).

(c) The AAP shall set targets regarding permanent affordability for the overall investment of Fund assets in projects and the Governing Board shall develop an implementation plan for achieving the same, with review and input by the Advisory Board. Within five years, the target shall be for at least 50% of all housing produced or preserved through investments of Fund assets in the aggregate, in projects of four units or more, shall be Permanently Affordable. The AAP may allow for operating and capacity support for community land trusts in order to meet the 50% target.

(d) All other housing that is produced or preserved through an investment of Fund assets, excluding investments in projects, programs, or activities that provide Housing Assistance to Individuals, shall meet or exceed the following affordability/repayment requirements:

1. For rental housing, the minimum affordability periods required under the federal HOME

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program at 24 CFR 92.252, or such longer affordability periods as the Governing Board may adopt.

2. For for-sale housing, the Fund assets shall be in the form of a secured loan that must be repaid upon conversion of the unit to a use other than owner-occupied housing or upon sale of the unit to a purchaser who is not Low Income. The Governing Board, at its discretion, may require earlier repayment of any or all of the Fund loan and may subordinate the Fund mortgage to other financing.

3. Lease-purchase housing shall be treated as rental housing until the units are sold to the tenants, at which time the minimum affordability periods required under the federal HOME program at 24 CFR 92.254 shall apply from the date of the most recent investment of Fund assets.

(e) All new construction and all projects of four units or more receiving an investment of Fund assets shall target to meet or exceed the following goals, to the greatest extent feasible:

1. A minimum of 10% of units shall be accessible to individuals with mobility impairments and a minimum of 4% shall be accessible to individuals with sensory impairments.
2. All units shall meet visitability standards.
3. All projects shall maximize the number of units that meet Universal Design standards.

(f) All programs, projects, and activities funded by the Fund shall adhere to the City's Equal Opportunity policies and the City's obligations to Affirmatively Further Fair Housing.

(g) When Fund assets are used to preserve Deed Restricted Affordable Housing, the Governing Board shall, to the greatest extent feasible, ensure that: there is no net loss in affordability; all affordable units are maintained or replaced in locations that are no less desirable than the original location; all existing residents are given their choice to live in the redeveloped housing or receive comparable relocation housing; and replacement housing is built first or otherwise phased so that residents will not be required to make more than one move.

(h) It is the intent of this Chapter that rental projects supported by the Fund be owned and managed by responsible landlords. To that end, Fund assets shall not be disbursed for projects, programs, or activities where the property owner or related party has outstanding tax or municipal claims or has failed to comply with City codes or policies or other applicable legal obligations. The Advisory Board may make appropriate exceptions where the funds will be used to bring rental property into compliance, subject to Governing Board approval.

(i) Rehabilitation and repair services funded by the Fund shall be performed in a responsible manner and shall have obtained all required permits have been secured prior to the start of work. At a minimum, contractors performing skilled labor must demonstrate PA Home Improvement Consumer Protection Act registration, federal Environmental Protection Agency lead safe work practices certification if they will be working on a pre-1978 home and the work will disturb a coated surface, and that skilled labor will be performed or inspected by a licensed tradesperson. The Governing Board may make exceptions for property owners and volunteer or training organizations who will be self-performing non-skilled labor.

(j) All rental housing receiving an investment of Fund assets must adhere to the tenant and applicant protections required under the federal HOME program at 24 CFR 92.253, or such stronger tenant and applicant protections as the Governing Board may require, for the duration of the affordability period required under Section [232] 234.01(a)(1) of this Chapter.

[232] 234.05 Governing Board

(a) Upon adoption of a resolution accepting the responsibilities of the governing board as set forth in this chapter, The URA Board shall serve as the Housing Opportunity Fund Governing Board (the “Governing Board”). The Governing Board shall:

1. Ensure that the AAP and all decisions to fund programs, projects, and activities comply with the requirements of this Chapter and all applicable laws and ethical requirements.
2. Issue requests for proposal for Fund assistance, based on the draft requests for proposals and recommendations provided by the Advisory Board and consistent with the AAP and all applicable laws.
3. Make final decisions regarding the disbursement of fund assets, consistent with the requirements of this Chapter and based on recommendations of the Advisory Board. The Governing Board shall not approve any project for funding that has not first been reviewed and ~~recommended for approval~~ **discussed** by the Advisory Board.
4. Enter into agreements to disburse fund assets for projects, programs, and activities consistent with applicable laws.
5. Establish additional priorities consistent with the purposes and intent of this Chapter for inclusion in the AAP based on recommendations of the Advisory Board.
6. Ensure the alignment of Fund disbursements with the City’s other affordable housing resources.
7. Seek contributions from non-City sources to supplement the assets of the Fund.
8. Commission Annual Audits and Annual Reports pursuant to Section [232] 234.09 of this Chapter.

(b) The Governing Board shall meet in regular session at least quarterly and shall conduct its first meeting no later than sixty (60) calendar days after adoption of the resolution of the URA Board as described above. Meetings of the Governing Board, which may be combined with meetings of the URA Board, shall be public and shall be advertised in a manner designed to ensure that the decisions of the Governing Board are open and transparent. The Governing Board shall also provide a mechanism through which interested persons may request and receive timely notification of regular and special meetings, which shall include at a minimum a description of the material terms of financing decisions that will be under consideration. The Governing Board shall allow for public comment on matters up for deliberation at each public meeting, and shall make publicly available a summary of actions taken at each meeting within ten (10) business days. This summary will be unofficial until approved and adopted by the Governing Board.

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[232] 234.06 Advisory Board

(a) A Housing Opportunity Fund Advisory Board (the “Advisory Board”) is hereby created to:

1. Develop a draft AAP subject to approval by the Governing Board and City Council, as provided herein.
2. Provide recommendations to the Governing Board concerning additional fund priorities.
3. Prepare draft requests for proposals for Fund assistance.
4. Provide recommendations to the Governing Board concerning the disbursement of Fund assets.
5. Make recommendations to the Mayor and City Council regarding funding levels for the Fund, potential additional funding sources, and potential additional funding priorities.

(b) The Advisory Board shall initially be comprised of seventeen (17) persons appointed by the Mayor to four-year staggered terms and approved by the City Council as follows:

1. One member from the Mayor’s Office
2. One member of City Council
3. One member from the Urban Redevelopment Authority
4. One member from the Housing Authority of the City of Pittsburgh
5. One member who is a low income tenant earning less than 50% of AMI or who represents a Tenant Association, a majority of whose members are tenants who earn less than 50% of AMI.
6. One member who is a low-income homeowner earning less than 80% of AMI or who represents low income homeowners and resides in a CDBG-eligible census tract
7. One member from the non-profit community
8. One member who is homeless, formerly homeless, has a disability, or is an advocate for persons who are homeless and/or have disabilities
9. One member from the for-profit development community
10. One member from the non-profit development community
11. Five members from Neighborhood Based Nonprofits that serve a low-income population and who reside in a CDBG-eligible Census Tract in each geographic region of the city (north, south, east, west, and central).
12. One member from a lending institution
13. One member who is a fair housing advocate.

(c) The Mayor may appoint, subject to the approval of City Council, one or more additional persons to the Advisory Board as necessary to secure non-City contributions to the Fund.

(d) The Advisory Board shall meet in regular session at least quarterly and shall conduct its first meeting no later than thirty (30) calendar days after its members are appointed. Meetings of the Advisory Board shall be

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public and shall be advertised in a manner designed to ensure full and meaningful public participation in Advisory Board decisions. The Advisory Board shall also provide a mechanism through which interested persons may request and receive timely notification of regular and special meetings, which shall include at a minimum a summary of the matters that will be under consideration. The Advisory Board shall allow for public comment on matters up for deliberation at each public meeting, and shall make publicly available a summary of actions taken at each meeting within ten (10) business days. This summary will be unofficial until approved and adopted by the Advisory Board.

(e) No later than June 30 of each year, the Advisory Board shall develop a draft AAP to determine the use of funds for the following year and to govern the selection of programs, projects, and activities, consistent with the provisions of this Chapter and applicable law. The Advisory Board shall provide an opportunity for public comment and shall submit its proposed AAP to the Governing Board for review no later than August 31. The Governing Board shall review the proposed AAP to ensure that it complies with the requirements of this Chapter and to all other applicable laws and ethical requirements, and shall promptly work with the Advisory Board to correct any deficiencies. The Governing and Advisory Boards shall submit the AAP to City Council for review no later than October 31. Any decision to reject or modify the AAP must be made by City Council no later than December 31 for adoption by the Governing Board in January of the following year.

[232] 234.07 Administration and Management of Funds

(a) The City shall enter into an Intergovernmental Cooperation Agreement with the URA to provide implementation support and administer Fund assets, in a form acceptable to the City Solicitor. The agreement shall be transmitted to the City Clerk for distribution to City Council. The Agreement shall provide substantially as follows:

1. The URA will perform administrative functions related to the operations of the Fund and will provide staff support and technical assistance to the Governing and Advisory Boards.
2. Specific duties will include:
 - a. Administration and Fund management;
 - b. Technical review and underwriting of proposals;
 - c. Construction review and monitoring;
 - d. Approval of draw requests and disbursement of funds;
 - e. Loan management and servicing;
 - f. Reporting;
 - g. Compliance monitoring and enforcement;
 - h. Staff support for the Advisory and Governing Boards to assist with preparation of the draft and final AAP; and
 - i. Additional duties as may be determined by the Advisory Board and Governing Board.

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3. Opportunity Fund assets shall be accounted for separately from other funds held by the City and URA.

4. Generally accepted accounting principles (GAAP) for state and local governments, as defined by the Government Accounting Standards Board (GASB), shall be used in the management of all Fund accounts.

[232] 234.08 Annual Audit and Report

(a) Within 90 days after the end of the fiscal year, the Governing Board shall commission an Annual Audit (the "Audit") of Fund income and expenditures for the previous fiscal year. The Audit shall be completed no later than 180 days after the end of the fiscal year. Copies of the Audit shall be provided to City Council, the Mayor, the Governing and Advisory Boards, and shall be made publicly available with the Annual Report. The Audit shall include an account of all administrative expenses sufficient to demonstrate that the expenses are reasonable and necessary to the administration of the Fund.

(b) The Governing Board shall commission an Annual Report on the activities of the Opportunity Fund in the previous fiscal year. The Annual Report shall be completed no later than 180 days after the end of the fiscal year. Copies of the Annual Report shall be provided to City Council, the Mayor, the Governing and Advisory Boards, and shall be made publicly available with the Audit. The Annual Report shall:

1. Provide total numbers of housing units produced, homes preserved, and households prevented from being displaced or becoming homeless as a result of Fund support.
2. List projects, programs, and activities funded through the Fund.
3. Report on funds expended and dollars leveraged by Fund funds.
4. To the extent feasible, report in aggregate form the number of households benefiting from the Fund by income level, geographic distribution, family size, and other criteria as requested by the Advisory Board.
5. Report in aggregate form rents and sale prices of units produced, the number of accessible units built, the number of such units occupied by disabled individuals, and other criteria as requested by the Advisory Board.
6. Report on Opportunity Fund expenditures in each of the income targets specified in Section [232] 234.05(a)(4) of this Chapter.

[232] 234.09 Effective Date.

This Chapter shall become effective upon enactment.

Article 8: Housing

Division 5: San Diego Housing Trust Fund

(“San Diego Housing Trust Fund” added 4-16-1990 by O-17454 N.S.)

§98.0501 Purpose and Intent

- (a) It is the intent of the City Council to create an Affordable Housing Fund as a permanent and annually renewable source of revenue to meet, in part, the housing needs of the City’s *very low*, *low*, and *median income* households. There are households which are income eligible and also possess one or more of the following characteristics; (1) they are burdened by paying more than thirty percent (30%) of their gross income for housing costs; (2) they live in overcrowded conditions; (3) they live in substandard housing units; (4) they are homeless individuals and families; or (5) they consist of individuals and families with special housing needs such as the elderly, the developmentally disabled, the mentally ill, the physically disabled, single parent households and large families.
- (b) The Affordable Housing Fund will serve as a vehicle for addressing very low, low, and median income housing needs through a combination of funds as provided for in these regulations.
- (c) It is the intent of the City Council to address a significant portion of the City’s current and projected very low, low, and median income housing need by leveraging every one dollar of City funds allocated to the Fund with two dollars of non-City subsidy capital funds.
- (d) It is further the intent of the Council to foster a mix of family incomes in projects assisted by the Fund and to disperse affordable housing projects throughout the City, in accordance with its Balanced Communities Policy and its intent to achieve a balance of incomes in all neighborhoods and communities so that no single neighborhood experiences a disproportionate concentration of housing units affordable to very low, low, and median income households.
- (e) It is the purpose and intent of this part to preserve and maintain renter and ownership housing units which are affordable to low, very low, and moderate income households and are located within the City, including federally assisted units and units located in mobile home parks.

- (f) It is the further intent of the City Council to foster and encourage the private sector to join with the public sector and the nonprofit sector to further the goals of this ordinance.

(Amended 6-3-2003 by O-19190 N.S.)

§98.0502 Establishment of the San Diego Affordable Housing Fund

- (a) There is hereby established a fund to be known and denominated as the San Diego Affordable Housing Fund. The Affordable Housing Fund shall consist of funds derived from the commercial development linkage fees paid to the City pursuant to Chapter 9, Division 6, Article 8 of the San Diego Municipal Code; revenues from the Transient Occupancy Tax as provided in Section 35.0128 of the San Diego Municipal Code; funds derived from in lieu fees paid to the City pursuant to Chapter 14, Article 2, Division 13; revenues received from the use of a shared-equity program pursuant to Section 142.1309(e) of the San Diego Municipal Code; and any other appropriations as determined from time to time by legislative action of the City Council. The Affordable Housing Fund shall be administered by the San Diego Housing Commission pursuant to the provisions of this Division, the appropriation ordinances and Council policies applicable thereto.
- (b) There is also hereby established within the Affordable Housing Fund, a San Diego Housing Trust Fund account. Except for funds received from in lieu fees paid to the City pursuant to Chapter 14, Article 2, Division 13 and revenues received from the use of a shared-equity program pursuant to Section 142.1309(e) of the San Diego Municipal Code, all funds received by the Affordable Housing Trust Fund, either from special funds or general fund appropriations, shall be deposited in the Housing Trust Fund account. The administration and use of monies from the San Diego Housing Trust Fund shall be subject to all provisions under this Division related to the Affordable Housing Fund.
- (c) There is also hereby established within the Affordable Housing Fund, an Inclusionary Housing Fund account. Funds received from in lieu fees paid to the City pursuant to Chapter 14, Article 2, Division 13 and revenues received from the use of a shared-equity program pursuant to Section 142.1309(e) of the San Diego Municipal Code shall be deposited in the Inclusionary Housing Fund account. The administration and use of monies from the Inclusionary Housing Fund shall be subject to all provisions under this Division related to the Affordable Housing Fund.

(“Definitions” repealed; “Establishment of the San Diego Housing Trust Fund and Trust Fund Account” renumbered from Sec. 98.0503, retitled and amended 6-3-2003 by O-19190 N.S.)

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§98.0503 Purpose and Use of Affordable Housing Fund and Monies

- (a) The Affordable Housing Fund shall be used solely for programs and administrative support approved by the City Council in accordance with Section 98.0507 to meet the housing needs of *very low income*, *low income* and *median income* households. In addition, for homeownership purposes only, these funds may be utilized to meet the housing needs of *moderate income* households where *moderate income* has the same meaning as in San Diego Municipal Code Section 113.0103. These programs shall include those providing assistance through production, acquisition, rehabilitation and preservation.
- (b) Principal and interest from loan repayments, proceeds from grant repayments, forfeitures, reimbursements, and all other income from Affordable Housing Fund activities, shall be deposited into the Affordable Housing Fund. All funds in the account shall earn interest at least at the same rate as pooled investments managed by the Treasurer. All interest earnings from the account shall be reinvested and dedicated to the account. All appropriated funds in the Affordable Housing Fund account shall be available for program expenditures as directed by the Commission and pursuant to Section 98.0507. The City’s Annual Appropriation Ordinance shall provide for the transfer of designated funds to the Affordable Housing Fund. Transfers shall be made quarterly or upon direction of the City Manager. Transferred funds shall accrue interest from the time of transfer.

(“Establishment of the San Diego Housing Trust Fund and Trust Fund Account” renumbered to Sec. 98.0502; “Purpose and Use of Housing Trust Fund and Monies” renumbered from Sec. 98.0504, retitled and amended 6–3–2003 by O–19190 N.S.) (Amended 1-23-2009 by O-19825 N.S; effective 2-22-2009.)

§98.0504 Purpose and Use of San Diego Housing Trust Fund Account

- (a) The San Diego Housing Trust Fund may be used in any manner, through loans, grants, or indirect assistance for the production and maintenance of assisted units and related facilities. The San Diego Housing Trust Fund monies shall be distributed to the target income groups according to the following guidelines:
 - (1) No less than ten percent (10%) of the funds in the San Diego Housing Trust Fund account shall be expended to provide transitional housing for households who lack permanent housing;

- (2) Not less than sixty percent (60%) of the funds in the Trust Fund account shall be expended to provide housing to *very low income* households at *affordable housing costs*.
 - (3) No more than twenty percent (20%) of the funds in the San Diego Housing Trust Fund account shall be expended to provide housing to *low income* households at *affordable housing costs*;
 - (4) No more than ten percent (10%) of the funds in the San Diego Housing Trust Fund account shall be expended to assist *median income* and *moderate income* first-time home buyers purchase a home at an *affordable housing cost* with special consideration given to those proposals (1) involving neighborhoods that are predominately *low income* with substantial incidence of absentee ownership, or (2) which further the goals of providing economically balanced communities. *Affordable housing cost*, as defined for moderate income home buyers, shall also be consistent with California Health and Safety Code section 50052.5 for those households at or exceeding 100 percent (100%) of area median income.
- (b) The San Diego Housing Commission shall ensure that a program to increase the capacity of nonprofit organizations to develop and operate housing for *very low, low, median and moderate income* households be included in the Affordable Housing Fund Annual Plan to be submitted to the City Council in accordance with Section 98.0507. Through such a program, the Housing Trust Fund may fund training programs for non-profit organizations, and provide funds for administrative support. Furthermore, the San Diego Housing Commission shall ensure that technical assistance related to the preparation of project proposals is made available to nonprofit organizations requesting such assistance.
- (c) Funds shall not be used for the operation of supporting services such as child care or social services unless:
- (1) The funds are used in connection with transitional housing or in neighborhoods where the addition of units will create the need for supportive services.
 - (2) The recipient can demonstrate to the Commission that other funds are not available, and
 - (3) No more than twenty-five percent (25%) of the loan, grant or assistance is designated for such services. Whenever such funds are disbursed from the Trust Fund account, the San Diego Housing Commission shall determine the terms and conditions which shall be attached to the grant or loan of those funds.

*(“Purpose and Use of Housing Trust Fund and Monies” renumbered to Sec. 98.0503; “Purpose and Use of San Diego Housing Trust Fund Account” added 6-3-2003 by O-19190 N.S.)
(Amended 1-23-2009 by O-19825 N.S; effective 2-22-2009.)*

§98.0505 Purpose and Use of San Diego Inclusionary Housing Fund Account

- (a) The Inclusionary Housing Trust Fund shall be used solely for programs and administrative support approved by the City Council pursuant to the provisions of Section 98.0507.
- (b) Priority for the expenditure of funds from the Inclusionary Housing Trust Fund shall be given to the construction of new affordable housing stock. The monies may also be allowed to be expended for other programs administered by the San Diego Housing Commission if approved by the City Council in the Affordable Housing Fund Annual Plan, pursuant to the provisions of this Division.
- (c) Priority for the expenditure of funds from the Inclusionary Housing Trust Fund shall be given to the Community Planning Area from which the funds were collected. The funds shall be used to promote and support the City’s goal of providing economically balanced communities.

(“Term of Affordability” renumbered to Sec. 98.0506; “Purpose and Use of San Diego Inclusionary Housing Fund Account” added 6-3-2003 by O-19190 N.S.)

§98.0506 Term of Affordability

- (a) Whenever funds from the Affordable Housing Fund are used for the acquisition, construction or substantial rehabilitation of an affordable rental or cooperative unit, the San Diego Housing Commission shall impose enforceable requirements on the owner of the housing unit that the unit remain affordable for the remaining life of the housing unit, assuming good faith efforts by the owner to maintain the housing unit and rehabilitate it as necessary. The remaining life of the housing unit shall be presumed to be a minimum of fifty-five (55) years.
- (b) Whenever funds from the Affordable Housing Fund are used for the acquisition, construction or substantial rehabilitation of ownership housing, the San Diego Housing Commission shall impose enforceable resale restrictions on the owner to keep the housing unit affordable for the longest feasible time, while maintaining an equitable balance between the interests of the owner and the interests of the San Diego Housing Commission.

- (c) For programs funded with funds from the Affordable Housing Fund which are not described in (a) or (b) above, the Commission shall develop appropriate mechanisms to ensure affordability which shall be described in the San Diego Housing Fund Annual Plan.
- (d) The affordability restriction requirements described in this section shall run with the land and the Commission shall develop appropriate procedures and documentation to enforce these requirements and shall record such documentation in the Official Records of the Recorder of San Diego County.

(“Three Year Program” renumbered to Sec. 98.0507; “Term of Affordability” renumbered from Sec. 98.0505 and amended 6-3-2003 by O-19190 N.S.)

§98.0507 Affordable Housing Fund Annual Plan

Prior to the commencement of the fiscal year and annually thereafter, the San Diego Housing Commission shall adopt an Affordable Housing Fund Annual Plan for the use of the Affordable Housing Fund, including the Housing Trust Fund account and the Inclusionary Housing Fund account, and present it to Council for action. This document shall plan for the following fiscal year or other appropriate time frame to ensure for accurate and effective planning and budgeting of fund revenues. The Affordable Housing Fund Annual Plan shall include:

- (a) A description of all programs to be funded with funds from the Affordable Housing Fund account specifying the intended beneficiaries of the program including the capacity building program for nonprofit organizations;
- (b) The amount of funds budgeted for loans or grants to recipients who agree to participate in Commission approved Programs;
- (c) The amount of funds budgeted for administrative expenses, exclusive of legal fees. All disbursements from the Affordable Housing Fund shall be consistent with the Affordable Housing Fund Annual Plan.

(“Solicitation of Program Suggestions” renumbered to Sec. 98.0508; “Three Year Program Plan” renumbered from Sec. 98.0506, retitled and amended 6-3-2003 by O-19190 N.S.)

§98.0508 Solicitation of Program Suggestions

Each year, the San Diego Housing Commission shall solicit suggestions on the programs to be funded by the Affordable Housing Fund account in the next fiscal year from any person who has indicated such a desire in writing to the Board of Commissioners of the San Diego Housing Commission.

(“Preparation and Funding of Three-Year Program Plan” renumbered to Sec. 98.0509; “Solicitation of Program Suggestions” renumbered from Sec. 98.0507 and amended 6-3-2003 by O-19190 N.S.)

§98.0509 Preparation and Funding of Affordable Housing Fund Annual Plan

Each year, the San Diego Housing Commission shall hold three (3) public hearings to solicit testimony from the general public on programs to be funded by the Affordable Housing Fund account in the next fiscal year. A hearing shall be held in the North, South and Central areas of the City. The San Diego Housing Commission shall consider the suggestions from the neighborhood groups and the testimony from the public hearings, and cause a draft Annual Plan to be prepared for its consideration. The San Diego Housing Commission shall hold a public hearing to obtain public comments on the draft Affordable Housing Fund Annual Plan, make modifications as it deems appropriate and submit it to the Council for action. The City Council shall consider the Affordable Housing Fund Annual Plan as submitted by the San Diego Housing Commission, modify it if it so elects; approve it no later than July 31 of each year; and appropriate to fund the Affordable Housing Fund Annual Plan from the Affordable Housing Fund account or an other funding sources it chooses to consider for this purpose. These procedures and dates may be adjusted as necessary for the preparation of the first Affordable Housing Fund Annual Plan after the enactment of this Division.

(“Project Selection and Disbursement of Funds” renumbered to Sec. 98.0510; “Preparation and Funding of Three-Year Program Plan” renumbered from Sec. 98.0508, retitled and amended 6-3-2003 by O-19190 N.S.)

§98.0510 Project Selection and Disbursement of Funds

- (a) All projects considered for funding will be reviewed prior to Commission action by the local Community Planning Group or, in an area where there is no Planning Group, another community advisory group.
- (b) The San Diego Housing Commission may notify potential recipients that specified funds from the Affordable Housing Fund are available to be distributed as loans or grants through issuing requests for proposals and notices of fund availability.

(“Support of Nonprofit Organizations” repealed; “Project Selection and Disbursement of Funds” renumbered from Sec. 98.0509 and amended 6-3-2003 by O-19190 N.S.)

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§98.0511 Regulation of Recipients

Every recipient shall enter into a written agreement with the San Diego Housing Commission which sets forth the terms and conditions of the grant or loan. The agreement shall contain at least the following provisions:

- (a) The amount of funds to be disbursed from the Affordable Housing Fund.
- (b) The manner in which the funds from the Affordable Housing Fund are to be used.
- (c) The terms and conditions of the grant or loan.
- (d) The projected and maximum amount that is allowed to be charged in order for the assisted units to maintain an affordable housing cost.
- (e) A requirement that periodic reports be made to the Commission to assist its monitoring of compliance with the agreement.
- (f) A description of actions that the Commission may take to enforce the agreement.
- (g) Restrictions on the return on equity and developers fee recipients may receive, where applicable.

(“Funding of Supporting Services” repealed; “Regulation of Recipients” renumbered from Sec. 98.0512 and amended 6-3-2003 by O-19190 N.S.)

§98.0512 Publication of Program Documents

The Commission shall publish such administrative rules and guidelines as are necessary and desirable to implement the programs approved by the City Council in the Annual Plan.

(“Regulation of Recipients” renumbered to Sec. 98.0511; “Publication of Program Documents” renumbered from Sec. 98.0522 and amended 6-3-2003 by O-19190 N.S.)

§98.0513 Annual Report

- (a) The Commission shall within ninety (90) days following the close of each fiscal year prepare and submit an annual report to the City Council on the activities undertaken with funds from the Affordable Housing Fund account. The report shall specify the number and types of units assisted, the geographic distribution of units and a summary of statistical data relative to the incomes of assisted households, the monthly rent or carrying charges charged the amount of state, federal and private funds leveraged, and the sales prices of ownership units assisted. The report shall specifically contain a discussion of how well the goals of the previous year's Annual Plan were met. The report shall also contain the information necessary to support the findings specified in Section 66001 of Chapter 5, Division 1 of Title 7 of the California Government Code.

("Annual Report" renumbered from Sec. 98.0523 and amended 6-3-2003 by O-19190 N.S.)

§98.0514 Reserve Fund

The Commission may establish and maintain a reserve fund account subject to approval of the City Council, adequate to preserve the ability of the Affordable Housing Fund to take maximum advantage of unforeseen opportunities in assisting housing and to ensure prudently against unforeseen expenses. The amount to be maintained in this reserve fund shall be determined by the San Diego Housing Commission. The San Diego Housing Commission shall establish procedures for maintaining such a fund.

("Reserve Fund" renumbered from Sec. 98.0524 and amended 6-3-2003 by O-19190 N.S.)

§98.0515 Financial Management

- (a) The City Auditor shall maintain a separate Affordable Housing Fund and any required related subsidiary funds and transfer the balance on deposit from such funds to the San Diego Housing Commission on a quarterly basis upon the direction from the Financial Management Director.
- (b) The San Diego Housing Commission shall maintain and report within their accounts a separate Affordable Housing Fund and the subsidy funds of the Housing Trust Fund, the Inclusionary Housing Fund, and any other required related subsidiary funds for all related financing transferred from the City and any related income. Such funds shall be accounted for and reported separately on the San Diego Housing Commission's annual audited financial report, and such funds shall be audited for compliance with the Affordable Housing Fund Ordinance, Inclusionary Housing Ordinance, and related policies and regulations.

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The Commission shall also prepare any other reports legally mandated for financing sources of the Affordable Housing Fund.

(“Financial Management” renumbered from Sec. 98.0525 and amended 6-3-2003 by O-19190 N.S.)

§98.0516 Equal Opportunity Program

The San Diego Housing Commission shall apply its equal opportunity program to assure that contractors doing business with and/or receiving funds from the Affordable Housing Fund will not discriminate against any employee or applicant for employment because of race, color, religion, sex, handicap, age, or national origin and that equal employment opportunity is provided to all applicants and employees without regard to race, religion, sex, handicap, age, or national origin. The goals of the equal opportunity program are to ensure that all contracts achieve parity in the representation of women, minorities, and the handicapped in each contractor’s work force with the availability of women minorities, and the handicapped in the San Diego County labor market. The program shall apply to all vendors, grantees, lessees, consultants, banks, and independent corporations under contract with the San Diego Housing Commission.

(“Equal Opportunity Program” renumbered from Sec. 98.0526 and amended 6-3-2003 by O-19190 N.S.)

§98.0517 Compliance with Antidiscrimination Laws

Each contractor shall submit certification of compliance with Executive Order 11246, Title VII of the Civil Rights Act of 1964, as amended, the California Fair Employment Practice Act, and other applicable federal and state laws and regulations hereinafter enacted. Such certification shall be on forms to be provided by the Commission and shall be submitted at the time the contractor submits a bid or proposal.

(“Compliance with Antidiscrimination Laws” renumbered from Sec. 98.0527 on 6-3-2003 by O-19190 N.S.)

§98.0518 Commission Powers To Enforce

The San Diego Housing Commission may institute any action or proceeding it deems appropriate, judicial or otherwise, against recipients or other persons to carry out the provisions of this Division, to enforce the terms of any agreement related to the use of funds from the Affordable Housing Fund, or to protect the interest of the City, the San Diego Housing Commission, or intended beneficiaries of programs operated pursuant to this Division. The San Diego Housing Commission may foreclose on property assisted with funds from the Affordable Housing Fund, seek to assume managerial or financial control over property financed with funds from the Affordable Housing Fund, directly or through a receiver, seek monetary damages or seek equitable or declaratory relief.

(“Commission Powers to Enforce” renumbered from Sec. 98.0528 and amended 6-3-2003 by O-19190 N.S.)

1
2
3
4 **AN ORDINANCE OF THE CITY OF BELLINGHAM RELATING TO LOW-INCOME**
5 **HOUSING; REQUESTING THAT A SPECIAL ELECTION BE HELD CONCURRENT**
6 **WITH THE NOVEMBER 6, 2012 GENERAL ELECTION FOR SUBMISSION TO THE**
7 **QUALIFIED ELECTORS OF THE CITY OF A PROPOSITION TO LIFT THE LIMIT ON**
8 **REGULAR PROPERTY TAXES UNDER CHAPTER 84.55 RCW FOR LOW-INCOME**
9 **HOUSING; DECLARING THE EXISTENCE OF AN EMERGENCY UNDER CHAPTER**
10 **84.52.105 AND REQUESTING VOTER APPROVAL OF AN ADDITIONAL PROPERTY**
11 **TAX FOR VERY LOW-INCOME HOUSING; PROVIDING FOR THE EXPIRATION OF**
12 **THE ADDITIONAL LEVIES AT THE END OF SEVEN YEARS; SETTING FORTH THE**
13 **BALLOT PROPOSITION; DESIGNATING A CITIZEN LEVY ADVISORY COMMITTEE;**
14 **AND PROVIDING FOR IMPLEMENTATION OF PROGRAMS WITH FUNDS DERIVED**
15 **FROM THE TAXES AUTHORIZED.**

16
17 **WHEREAS**, Equity and Social Justice is a legacy that the City Council has adopted
18 for the City of Bellingham;

19
20 **WHEREAS**, Supporting safe, affordable housing, supporting services for lower-
21 income residents, and providing access to problem-solving resources are the strategic
22 commitments the City Council has made to ensure Equity and Social Justice;

23
24 **WHEREAS**, a healthy community is one in which all members have access to basic
25 needs such as safe, secure and affordable homes and, despite the recent decline in home
26 purchase prices, homes remain unaffordable for a significant percentage of Bellingham
27 residents;

28
29 **WHEREAS**, households face a severe burden when housing costs (including
30 utilities) exceed 50 percent of household income;

31
32 **WHEREAS**, U.S. Census data has estimated that there are 7,400 low-income
33 households in Bellingham that face a severe housing cost burden by paying more than 50
34 percent of their income on housing costs;

35
36 **WHEREAS**, over 1,000 low-income elderly households in Bellingham pay more than
37 50 percent of their income on housing costs and face challenges in repairing their homes
38 without financial assistance;

39
40 **WHEREAS**, at any point in time, 500 people are homeless in Whatcom County,
41 according to the annual Point-in-Time Count, and 20 percent of all people experiencing
42 homelessness in Bellingham are children under 10 years of age, with adverse childhood
43 experiences that have profound and long-lasting negative consequences;

44
45 **WHEREAS**, local housing affordability efforts save public money by reducing
46 expenses for social services, emergency room medical care, triage, law enforcement and

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City Attorney
210 Lottie Street
Bellingham, Washington 98225
360-778-8270

1 other costs associated with temporary and chronic homelessness, with two local programs
2 recently documenting that housing services resulted in increased access to mental health
3 services and a 90 percent reduction in criminal justice costs;
4

5 **WHEREAS**, recent investments of new, but very limited, grant funds resulted in
6 significant reductions in local homelessness, with 37 percent fewer homeless persons with
7 disabilities, 65 percent fewer homeless veterans, and 41 percent fewer homeless persons
8 overall;
9

10 **WHEREAS**, the Bellingham Housing Authority has 1,608 families on the waiting list
11 for public housing, 72 percent of which earn less than 30% of the Area Median Income and
12 44 percent are families with disabilities;
13

14 **WHEREAS**, the Bellingham Housing Authority has 400 households on the waiting
15 list for rental assistance vouchers, with an average waiting time to receive assistance of
16 more than four years;
17

18 **WHEREAS**, nearly one-third of Bellingham's housing stock is over 50 years old,
19 requiring repair, maintenance and weatherization that is often not affordable to low-income
20 households;
21

22 **WHEREAS**, local wages are not keeping pace with Bellingham's housing costs, with
23 average apartment rent increasing 17 percent while average wages increased only 5
24 percent since 2004,
25

26 **WHEREAS**, according to the U.S. Census, the median value of homes increased 96
27 percent from 2000 to 2010, while median family income increased just 23 percent;
28

29 **WHEREAS**, more affordable housing options near employment centers are good for
30 the environment, preventing long commutes with associated pollution, commuting
31 expenses, traffic congestion and road widening costs;
32

33 **WHEREAS**, the Countywide Housing Affordability Taskforce (CHAT) concluded its
34 18 month study and deliberation about housing affordability with a set of conclusions that
35 included among its top six recommendations the creation of additional local revenue
36 sources that assist in the delivery of homes affordable to low-income households;
37

38 **WHEREAS**, the proposed Bellingham Home Fund will result in \$21,000,000 in local
39 funding that will be used as matching money to leverage other private and public funding
40 for housing affordability, serving an estimated 8,500 families over the useful life of the
41 properties that will be assisted with the Bellingham Home Fund;
42

43 **WHEREAS**, as a condition of receiving federal funding for low-income housing, the
44 City of Bellingham administers an affordable housing program with citizen oversight,
45 including preparation of five-year strategic plans, performance measures and outcomes,
46 and annual action plans;

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210 Lottie Street
Bellingham, Washington 98225
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1
2 **WHEREAS**, the City of Bellingham can efficiently administer the proposed
3 Bellingham Home Fund in conjunction with its existing programs that manage federal
4 funding for housing affordability;
5

6 **WHEREAS**, Chapter 84.55 RCW generally limits the dollar amount of regular
7 property taxes that a city may levy in any year, but RCW 84.55.050 allows a city to levy
8 taxes exceeding such limit by majority approval of the voters and allows a city to include in
9 the ballot proposition a limit on the purpose for which the additional taxes levied will be
10 used and to provide for the expiration of the additional taxing authority;
11

12 **WHEREAS**, the proposed additional levy is within the limitations imposed by RCW
13 84.52.043;
14

15 **WHEREAS**, RCW 84.52.105 authorizes a city to impose additional regular property
16 tax levies to finance affordable housing for very low-income households when specifically
17 authorized to do so by a majority of the voters of the taxing district voting on a ballot
18 proposition authorizing the levy; and
19

20 **WHEREAS**, RCW 35.21.685 authorizes a city to assist in the development or
21 preservation of publicly or privately owned housing for persons of low income by providing
22 loans or grants of general municipal funds to the owners or developers of the housing,
23 including loans or grants to finance the acquisition, construction or rehabilitation of low-
24 income housing, and to provide rental assistance and other supportive services, to low-
25 income persons;
26

27 **NOW THEREFORE, THE CITY OF BELLINGHAM DOES ORDAIN:**
28

29 **Section 1. Findings.** The City Council makes the following findings and declares as
30 follows:
31

- 32 A. The City's Consolidated Plan and Housing Element of the Comprehensive Plan identify
33 insufficient safe, sanitary, and decent housing affordable to low- and very low-income
34 households to meet the present and anticipated needs of such households, including
35 homes affordable for local working people, U.S. military veterans, families with children,
36 people with limited or fixed incomes including senior citizens and people having a
37 disability.
- 38 B. Affordable rental housing for low-income households, including the homeless, other
39 persons with special needs, families and seniors, often requires a commitment of City
40 funds for development or preservation, or other forms of assistance.
- 41 C. Promoting and preserving home ownership for low-income households contributes to
42 the stability of families and neighborhoods; helps preserve the physical condition of
43 residential properties; and addresses the shortage of safe, sanitary, affordable housing
44 both by maintaining and enhancing the supply of owner-occupied housing and by
45 limiting the demand for scarce low-income rental housing that otherwise would exist
46 from households unable to afford to purchase homes or to maintain existing homes.

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City Attorney
210 Lottie Street
Bellingham, Washington 98225
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- 1 D. The additional taxes to be levied under this ordinance will enable the City to provide for
2 the housing needs of low- and very low-income households and thereby work to fulfill
3 the purposes of federal, state and City laws and policies, including, without limitation,
4 the federal HOME Investment Partnerships Act, federal Community Development Block
5 Grant, the State Growth Management Act and the City's Comprehensive Plan.
6 E. An emergency exists with respect to the availability of housing that is affordable to very
7 low-income households in the City of Bellingham.

8
9 **Section 2. Definitions.** The following terms used in this ordinance shall have the
10 definitions stated below, unless the context otherwise clearly requires:
11

- 12 A. "Affordable housing" means residential housing for rental or private individual
13 ownership which, as long as the same is occupied by low-income households, requires
14 payment of monthly housing costs, including utilities, other than telephone, of no more
15 than 30 percent of the household's income.
16 B. "Low-income housing" means housing that will serve "low-income households."
17 C. "Household" means a single person, family or unrelated persons living together.
18 D. "Low-income household" means a household with income less than or equal to eighty
19 percent (80%) of median income.
20 E. "Median income" means annual median family income for the statistical area or division
21 thereof including Bellingham for which median family income is published from time to
22 time by the U.S. Department of Housing and Urban Development, or successor
23 agency, with adjustments according to household size.
24 F. "Very low-income household" means a household with income less than or equal to 50
25 percent of median income.
26

27 To the extent permitted by applicable State law, income determinations may take into
28 account such exclusions, adjustments and rules of computation as may be prescribed or
29 used under federal housing laws, regulations or policies for purposes of establishing
30 income limits, or as may be established in City housing and community development plan
31 documents consistent with federal laws, regulations or policies.
32

33 **Section 3. Proposition to Authorize Levy of Additional Regular Property Taxes;**
34 **Affordable Housing Plan.**
35

36 The City submits to the qualified electors of the City a proposition as authorized by RCW
37 84.55.050(1), to exceed the levy limitation on regular property taxes contained in Chapter
38 84.55 RCW for property taxes levied in 2012 through 2018 for collection in 2013 through
39 2019, respectively. The proposition would also authorize an additional property tax levy for
40 very low-income housing under RCW 84.52.105. The proposition would raise
41 approximately \$3,000,000 per year totaling an estimated \$21,000,000 in aggregate over a
42 period of up to seven years.
43

- 44 A. The proposition would permit the City to increase its regular property tax levy by up
45 to \$0.12 per \$1,000 of assessed valuation, resulting in a regular property tax levy of

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City Attorney
210 Lottie Street
Bellingham, Washington 98225
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1 \$2.62 per \$1,000 for collection in 2013. All the levy proceeds shall be used for the
2 purposes specified in Section 5 of this ordinance.

3 B. The proposition would also authorize the City to impose an additional regular
4 property tax levy of up to \$0.24 per \$1,000 of assessed valuation for very low-
5 income housing pursuant to RCW 84.52.105. The limitations in RCW 84.52.043
6 shall not apply to the tax levy authorized by this part. All the levy proceeds shall be
7 used for the purposes specified in Section 5 of this ordinance and may not be imposed
8 by the City Council until the City adopts an affordable housing financing plan as set
9 forth in Section 6 of this ordinance.

10 C. The taxes authorized by this proposition will be in addition to the maximum amount of
11 regular property taxes the City would have been limited to by RCW 84.55.010 in the
12 absence of voter approval under this ordinance, plus other authorized lid lifts.
13 Thereafter, such levy amount would be used to compute limitations for subsequent
14 years as allowed by chapter 84.55 RCW. Pursuant to RCW 84.55.050(5), the maximum
15 regular property taxes that may be levied in 2019 for collection in 2020 and in later
16 years shall be computed as if the limit on regular property taxes had not been
17 increased under this ordinance.

18
19 **Section 4. Levy Revenues.**

20
21 A. Unless otherwise directed by ordinance, all revenues collected from the additional
22 taxes authorized pursuant to this ordinance shall be deposited initially in the Low-
23 Income Housing Fund to be used as set forth in Section 5 and as described in the Low
24 Income Housing Administrative and Financing Plans, as may be adopted by the City
25 Council under Sections 5 and 6 of this ordinance. The Finance Director is authorized to
26 create other subfunds or accounts within the Low-Income Housing Fund as may be
27 needed or appropriate to implement the purposes of this ordinance.

28 B. Pending expenditure for the purposes authorized in this ordinance, amounts deposited
29 in the Low-Income Housing Fund pursuant to this ordinance may be invested in any
30 investments permitted by applicable law. All investment earnings on the balances shall
31 be deposited into the Low-Income Housing Fund. Amounts received by the City from
32 payments with respect to loans, recovery of grants, insurance proceeds or proceeds of
33 sale or disposition of property ("program income") shall be deposited into the Low-
34 Income Housing Fund unless otherwise specified by ordinance. Any investment
35 earnings and program income derived from revenues collected from the additional
36 taxes authorized pursuant to this ordinance shall be used for the purposes set forth in
37 this ordinance and as authorized by the City Council.

38
39 **Section 5. Administration; Use of Proceeds.**

40
41 A. The levy funds shall be used to pay for affordable housing for low and very low-income
42 households, pay for affordable housing programs, and otherwise to provide for the
43 housing needs of low and very low-income households; provided that all funds raised
44 from the levy authorized by RCW 84.52.105 shall be dedicated to affordable housing
45 for very low-income households.

City of Bellingham
City Attorney
210 Lottie Street
Bellingham, Washington 98225
360-778-8270

- 1 B. The Planning and Community Development Department, or such other department as
2 may be designated by ordinance, shall administer programs funded with the additional
3 taxes authorized pursuant to this ordinance. Any programs adopted by the City Council
4 for use of the funds derived under this ordinance shall be referred to as "Housing Levy
5 Programs." Housing Levy Programs shall be implemented consistent with the Low
6 Income Housing Administrative and Financing Plan, as may be adopted by the City
7 Council and as may thereafter be amended from time to time.
- 8 C. Anticipated Housing Levy Programs are shown in Exhibit 1, attached hereto. The City
9 Council, upon recommendation of the Citizen Advisory Committee described in Section
10 7 of this ordinance, or upon recommendation of the Mayor or on its own motion, may
11 review the allocations to particular Housing Levy Programs and make changes to the
12 programs, including additions and deletions of programs and/or in the timing of or
13 amount of funds allocated to any program, consistent with the purposes of this
14 ordinance and applicable law. Administration funding shown on Exhibit 1 is intended to
15 be used for administration of the use of levy proceeds for all programs, including but
16 not limited to developing the Low Income Housing Administrative and Financing Plan,
17 preparing and reviewing loan and grant applications, monitoring and auditing
18 performance and compliance with loan, grant and program requirements, and paying
19 for financial accounting, legal, and other administrative services necessary to
20 implement the Housing Levy Programs.

21
22 **Section 6. Low Income Housing Administrative and Financing Plan.**

- 23
24 A. The Director of Planning and Community Development, or other such person as may
25 be designated by the Director or the Mayor, shall prepare a Low Income Housing
26 Administrative and Financing Plan ("Plan") covering all of the Housing Levy Programs.
27 The Plan shall cover the period commencing in 2013 and continue through 2019; shall
28 specify the plan for use of funds raised by the levy authorized by RCW 84.52.105; shall
29 be consistent with either the locally adopted or state-adopted comprehensive housing
30 affordability strategy, required under the Cranston-Gonzalez national affordable
31 housing act (42 U.S.C. Sec. 12701, et seq.), as amended; and shall be approved by
32 City Council prior to the additional property tax levy being imposed pursuant to RCW
33 84.52.105.
- 34 B. The expenditure of all funds raised pursuant to this ordinance shall be as set forth in
35 the Plan adopted by City Council. The City Council reserves the right to amend the
36 Plan as it may in the future be determined as necessary or appropriate. The Plan
37 should be done in coordination with the Consolidated Plan and Annual Action Plans
38 required by HUD for expenditure of HOME and CDBG funds for the benefit of low
39 income housing and community development needs in the City.
- 40 C. The City Council shall appropriate from the Low-Income Housing Fund, as part of the
41 City budget or supplementally, such monies derived from the levies authorized in this
42 ordinance as it deems necessary to carry out the Housing Levy Programs.
- 43 D. The Mayor, or other such person as may be designated by the Mayor, is authorized, for
44 and on behalf of the City, to select projects for funding and to approve, make and modify
45 loans, grants or other expenditures to carry out the Housing Levy Programs, provided
46 that such authority is subject to the appropriation of sufficient funds and consistent with

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210 Lottie Street
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1 the Plan approved by City Council pursuant to Sections 5 and 6. The Mayor and his or
2 her designees are further authorized, for and on behalf of the City, to execute and
3 deliver such documents and instruments as he or she may determine to be necessary or
4 appropriate to implement the financing of specific projects or to otherwise carry out the
5 Housing Levy Programs.
6

7 **Section 7. Citizen Advisory Committee.**

8 The Community Development Advisory Board ("CDAB"), established pursuant to BMC
9 2.46.010, shall advise the City Council, Mayor and the Director of Planning and Community
10 Development regarding the Housing Levy Programs authorized by this ordinance. CDAB
11 shall advise the Mayor and City Council on the Low Income Housing Administrative and
12 Financial Plan prepared pursuant to Section 6 of this ordinance. CDAB shall also assist in
13 monitoring the progress, performance and accomplishment of Housing Levy Programs, and
14 report such findings to the Mayor and City Council, including any problems and
15 recommendations on actions to be taken so that the Housing Levy Programs are
16 conducted in a timely and efficient manner for the benefit of low-income households.
17

18 **Section 8. Election - Ballot Title.**

19 The City Council hereby requests that the Whatcom County Auditor, as *ex officio*
20 supervisor of elections, submit to the qualified electorate of the City for a vote, at the
21 November 6, 2012 general election, a proposition substantially in the form set forth in this
22 ordinance. The City Clerk is directed to certify to the Whatcom County Auditor the ballot
23 proposition to the electorate of the City in the form substantially as follows:
24

25 PROPOSITION NO. 1
26 Low-Income Housing Levy

27
28 The City of Bellingham Council adopted Ordinance No. 2012-06-033
29 concerning property taxes for low-income housing assistance.
30

31 This proposition would fund housing and housing services for
32 people with low or very low incomes, including those with
33 disabilities, veterans, seniors, and families with children by (a)
34 authorizing an increase in the City's regular property tax levy by
35 up to \$0.12/\$1,000 to \$2.62/\$1,000 of assessed value as allowed
36 by RCW 84.55; and (b) authorizing a regular property tax levy of
37 up to \$0.24/\$1,000 of assessed value under RCW 84.52.105,
38 each for seven years, generating approximately \$3,000,000
39 annually. Should this proposition be approved?
40

41 Yes?.....

42 No?

43
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City Attorney
210 Lottie Street
Bellingham, Washington 98225
360-778-8270

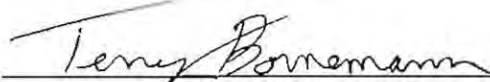
1 **Section 9. Corrections.**

2 The Bellingham City Attorney's Office or the Auditor or her designee is authorized to make
3 necessary clerical corrections to this ordinance including, but not limited to, the correction of
4 scrivener's or clerical errors, references, ordinance numbering, section/subsection numbers
5 and any references thereto.
6


7 **Section 10. Severability.**

8 If any section, sentence, clause or phrase of this resolution should be held to be invalid or
9 unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality
10 shall not affect the validity or constitutionality of any other section, sentence, clause or
11 phrase of this resolution.
12

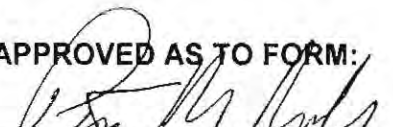
13 **PASSED** by the Council this 18th day of June, 2012.

14
15 
16 _____
17 Council President
18
19
20
21
22

23
24 **APPROVED** by me this 22nd day of June, 2012.

25
26
27 
28 _____
29 Mayor
30

31
32 **ATTEST:** 
33 _____
34 Finance Director
35

36
37 **APPROVED AS TO FORM:**
38 
39 _____
40 Office of the City Attorney
41

42
43 Published:
44
45 June 22, 2012
46

City of Bellingham
City Attorney
210 Lottie Street
Bellingham, Washington 98225
360-778-8270

1
2
3

EXHIBIT 1
2013 HOUSING LEVY PROGRAMS

Program	Total Funding (7 Years)	Estimated Housing Produced/Households Assisted	Program Description/Affordability Levels
Production and Preservation of Homes	\$15,980,000	429 homes (serving 8,500 families over the useful life of these properties).	<ul style="list-style-type: none"> Homes for people working at minimum wage, veterans, seniors on fixed incomes, and people exiting homelessness (households at or below 30% of median income) Homes for local workers, working families up to 60% of median income Affordable and specialized homes for veterans, people with disabilities, and seniors. Rehabilitation and weatherization to increase affordability and preserve existing affordable homes
Rental Assistance and Support Services	\$1,880,000	800 homes	<ul style="list-style-type: none"> Supportive services matched to specialized homes for disabled veterans and chronically homeless individuals to help them retain their homes and reduce costly care in hospital emergency department and other inappropriate systems of care Temporary and long-term assistance to families and individuals to help preserve their housing, prevent eviction and homelessness (targeted households at or below 50% of median income)
Low-income homebuyer assistance	\$940,000	50 homes	<ul style="list-style-type: none"> Assistance to low-income homebuyers, including programs that promote long-term affordability of ownership housing (targeted to households at or below 80% of median income)
Acquisition and Opportunity Loans	\$940,000	50 homes	<ul style="list-style-type: none"> Short-term loans for strategic purchases of buildings or land for rental or homeownership housing development that will serve low-income households
Administration	\$1,260,000	n/a	

4

HOME FUND ORDINANCE

(9)

City of Bellingham
City Attorney
210 Lottie Street
Bellingham, Washington 98225
360-778-8270

ORDINANCE

19-19

ORDINANCE NO. 19- 19

AN ORDINANCE AMENDING HILLSBOROUGH COUNTY CODE OF LAWS AND ORDINANCES PART A, CHAPTER 40, CREATING A NEW ARTICLE IV TITLED THE HOPE AFFORDABLE HOUSING ACT; PROVIDING DEFINITIONS; ESTABLISHING THE HILLSBOROUGH COUNTY LOCAL AFFORDABLE HOUSING PROGRAM AND DESCRIBING THE PURPOSE THEREOF; ESTABLISHING THE HILLSBOROUGH COUNTY AFFORDABLE HOUSING TRUST FUND; PROVIDING FOR ALLOCATION OF FUNDS FOR THE PROGRAM; PROVIDING FOR ADOPTION OF A LOCAL AFFORDABLE HOUSING FUND BIENNIAL PLAN; PROVIDING FOR THE USE OF PROGRAM FUNDS; PROVIDING FOR ADMINISTRATION OF THE PROGRAM; PROVIDING FOR INCLUSION IN THE HILLSBOROUGH COUNTY CODE; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Board of County Commissioners of Hillsborough County recognizes that Hillsborough County has experienced rapid population growth over the past five years and that these growth trends are predicted to continue; and

WHEREAS, such growth places pressure on the housing market and causes an increase in rents and home prices; and

WHEREAS, approximately 40% of households in Hillsborough County are considered cost-burdened because they pay more than 30% of household income for rent or mortgage costs; and

WHEREAS, cost-burdened households have less income to spend on basic needs such as food, transportation, education and medical care; and

WHEREAS, an adequate supply of safe, decent and affordable housing at all income levels is critical to healthy families, helps create and maintain jobs, and impacts the quality of life and economic prosperity of the community; and

WHEREAS, the Board of County Commissioners of Hillsborough County finds that the Federal and State funds received by the County for preserving and producing affordable housing are insufficient to meet community needs; and

WHEREAS, the Board of County Commissioners desires to establish a local program for preserving and developing affordable housing that is sufficiently flexible to meet varied and evolving housing needs and priorities while providing housing that is safe, sound, and financially viable; and

WHEREAS, it is the intent of the Board of County Commissioners that revenue sources for this local affordable housing program be identified during the County's annual budgeting process; and

WHEREAS, on April 17, 2019, the Board of County Commissioners approved a motion directing the drafting of an ordinance establishing an affordable housing trust fund; and

WHEREAS, a duly noticed public hearing was held by the Board of County Commissioners of Hillsborough County, at which public hearing all interested persons were given an opportunity to be heard.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF HILLSBOROUGH COUNTY, FLORIDA, THIS 5TH DAY OF SEPTEMBER, 2019, AS FOLLOWS:

SECTION 1. The recitations above are true and correct and are incorporated herein by reference.

SECTION 2. The Hillsborough County Code of Laws and Ordinances, Part A, Chapter 40, is hereby amended to create a new article to be numbered Article IV and entitled the “HOPE Affordable Housing Act”, which shall hereafter read as follows:

Article IV. HOPE AFFORDABLE HOUSING ACT

Sec. - 40-93. Definitions

For the purposes of this article, the following definitions apply:

Hillsborough County Affordable Housing Trust Fund or Fund means the fund established pursuant to this article.

Hillsborough County Local Affordable Housing Fund Program or Program means the program established pursuant to this article for the purpose of promoting the preservation and production of affordable housing for very low, low and moderate income households in Hillsborough County.

Low income household means one or more natural persons or a family that has a total annual gross household income that does not exceed 80 percent of the median annual income adjusted for family size for households in Hillsborough County within the Tampa-St. Petersburg-Clearwater metropolitan statistical area, as published by the U.S. Department of Housing and Urban Development.

Moderate income household means one or more natural persons or a family that has a total annual gross household income that does not exceed 100 percent of the median annual income adjusted for family size for households in Hillsborough County within the Tampa-St. Petersburg-Clearwater metropolitan statistical area, as published by the U.S. Department of Housing and Urban Development.

Very low income household means one or more natural persons or a family that has a total annual gross household income that does not exceed 50 percent of the median annual income adjusted for family size for households in Hillsborough County within the Tampa-St. Petersburg-Clearwater metropolitan statistical area, as published by the U.S. Department of Housing and Urban Development.

Sec. - 40-94. Establishment of Hillsborough County Local Affordable Housing Fund Program; Purpose

There is hereby established the Hillsborough County Local Affordable Housing Fund Program (the "Program"). The Program is established for the purpose of promoting the preservation and production of affordable housing for very low, low and moderate income households in Hillsborough County.

Sec. 40-95. – Establishment of Hillsborough County Affordable Housing Trust Fund

The Clerk, as accountant for the Board of County Commissioners, is hereby directed to establish and maintain a fund known as the Hillsborough County Affordable Housing Trust Fund within the accounts of the Board of County Commissioners.

Sec. 40-96. - Allocation and Use of Funds for Program; Annual Budget Preparation

(a) All monies allocated by the Board of County Commissioners for the Program shall be appropriated in the Fund. Monies deposited in the Fund, including any interest earnings on such monies and repayments of loans made from such monies, shall be used solely for the purposes of the Program as provided in this article, except that the Board of County Commissioners may determine in a public hearing, by majority vote plus one, that monies allocated to the Program but not committed or expended may be reallocated to meet another urgent community need.

(b) In preparing the proposed annual budget for each fiscal year for submission to the Board of County Commissioners, the County's Budget Officer shall insure that each such budget includes an allocation of at least \$10,000,000 in new Countywide General Fund monies for the Program and the inclusion in the Fund as an account balance of any monies previously allocated to the Program and interest earned on such monies which were not expended for the Program within the prior fiscal year.

Sec. 40-97. – Hillsborough County Local Affordable Housing Fund Biennial Plan

(a) Within three months of the adoption of this Ordinance and then biennially thereafter, the Affordable Housing Services Department shall submit a recommended Local Affordable Housing Fund Biennial Plan, which, for purposes of this article, shall be referred to as the "Plan", to the Board of County Commissioners for consideration. The recommended Plan shall be prepared by the Affordable Housing Services Department with the approval of the County's Affordable Housing Advisory Board.

(b) The Board of County Commissioners shall adopt a Local Affordable Housing Fund Biennial Plan following a public hearing. The first such Plan shall be adopted within six months of the adoption of this Ordinance, and a new Plan shall be adopted every two years thereafter

addressing the approved strategies for and uses of allocated funds. The Board of County Commissioners may consider more frequent updates to the Plan as necessary.

(c) The Plan shall include:

(1) The priorities for the expenditure of funds allocated to the Program.

(2) The strategies which will be eligible for assistance under the Program.

(3) A description of the affordability restrictions and requirements and loan and grant terms applicable for each adopted strategy.

(4) A description of how funds from the Program will be distributed among very low income, low income and moderate income households.

(6) A description of the procedure for selecting projects receiving funding under the Program.

(7) A summary of the use of the Program funds in the immediately preceding two-year period.

Sec. 40-98. - Use of Program Funds

(a) Funds allocated to the Program shall be used to provide loans and grants for projects to create and sustain affordable housing for very low, low or moderate income households in Hillsborough County.

(b) The Program shall include, without limitation, providing assistance through production, acquisition, rehabilitation and preservation of land and/or housing units for rental and homeownership activities. Program funds shall not be used for supportive housing services such as daycare or job training.

(c) Not more than 5 percent of the funds allocated to the Program may be used to cover administrative expenses.

(d) Not less than 30 percent of the funds allocated to the Program shall be spent on affordable housing for very low income households.

(e) Not less than 30 percent of the funds allocated to the Program shall be spent on affordable housing for low income households.

Sec. - 40-99. Program Administration

(a) The Program shall be administered by the Affordable Housing Services Department on behalf of the Board of County Commissioners and consistent with the adopted Plan. It shall be the responsibility of the Affordable Housing Services Department to develop and implement policies and procedures necessary for operation of the Program.

(b) The Affordable Housing Services Department shall disburse Program funds consistent with the Plan and its adopted policies and procedures, and shall monitor the use of Program funds for compliance with the purposes of the Program and the conditions pursuant to which the funds were granted or loaned. The Affordable Housing Services Department shall also maintain the financial and other records of the Program.

(c) All projects to be awarded Program funding shall be approved by the Board of County Commissioners.

SECTION 3. INCLUSION IN THE HILLSBOROUGH COUNTY CODE

The provisions of this Ordinance shall be included and incorporated in the Hillsborough County Code, as an addition or amendment thereto, and shall be appropriately renumbered to conform to the uniform numbering system of the Hillsborough County Code.

SECTION 4. SEVERABILITY

If any section, subsection, sentence, clause, phrase or provision of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such holding shall not be construed to render the remaining provisions of this Ordinance invalid or unconstitutional.

SECTION 5. FILING OF ORDINANCE AND EFFECTIVE DATE

This Ordinance shall be effective immediately upon receipt of acknowledgement that a copy of this Ordinance has been filed with the Secretary of State.

STATE OF FLORIDA

COUNTY OF HILLSBOROUGH

I, PAT FRANK, Clerk of the Circuit Court and Ex-Officio of the Board of County Commissioners of Hillsborough County, Florida, do hereby certify that the above and foregoing is a true and correct copy of an Ordinance adopted by the Board of County Commissioners at its regular meeting of September 5, 2019, as the same appears of record in Minute Book 520 of the Public Records of Hillsborough County, Florida.

WITNESS my hand and official seal this 10th day of September, 2019.

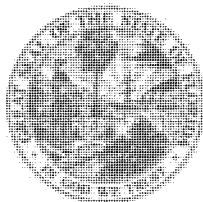
PAT FRANK, CLERK

By: Minda K. Ditt
Deputy Clerk



APPROVED BY COUNTY ATTORNEY

By: [Signature]
Approved as to Form and Legal Sufficiency



FLORIDA DEPARTMENT *of* STATE

RON DESANTIS
Governor

LAUREL M. LEE
Secretary of State

September 10, 2019

Honorable Pat Frank
Clerk of the Circuit Court
Hillsborough County
419 Pierce Street, Room 140
Tampa, Florida 33601

Attention: Midge Dixon

Dear Mrs. Frank:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your electronic copy of Hillsborough County Ordinance No. 19-19, which was filed in this office on September 10, 2019.

Sincerely,

Ernest L. Reddick
Program Administrator

ELR/lb

**STATE OF SOUTH CAROLINA
COUNTY COUNCIL FOR RICHLAND COUNTY
ORDINANCE NO. ###-####**

ORDINANCE TO CREATE A HOUSING TRUST FUND FOR RICHLAND COUNTY

AN ORDINANCE AMENDING THE RICHLAND COUNTY CODE OF ORDINANCES **CHAPTER 40, CREATING A NEW ARTICLE ## TITLED RICHLAND COUNTY AFFORDABLE HOUSING ACT;** PROVIDING DEFINITIONS; ESTABLISHING THE RICHLAND COUNTY LOCAL AFFORDABLE HOUSING PROGRAM AND DESCRIBING THE PURPOSE THEREOF; ESTABLISHING THE RICHLAND COUNTY AFFORDABLE HOUSING TRUST FUND; PROVIDING FOR ALLOCATION OF FUNDS FOR THE PROGRAM; PROVIDING FOR ADOPTION OF A LOCAL AFFORDABLE HOUSING FUND BIENNIAL PLAN; PROVIDING FOR THE USE OF PROGRAM FUNDS; PROVIDING FOR ADMINISTRATION OF THE PROGRAM; PROVIDING FOR INCLUSION IN THE RICHLAND COUNTY CODE; PROVIDING FOR SEVERABILITY;
PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Council of Richland County recognizes the lack of affordable housing is a major concern of its citizens; and

WHEREAS, the Council of Richland County recognizes that approximately 45% of households in Richland County are considered cost-burdened because they pay more than 30% of household income for rent or mortgage costs; and

WHEREAS, cost-burdened households have less income to spend on basic needs such as food, transportation, education, and medical care; and

WHEREAS, an adequate supply of safe, decent and affordable housing at all income levels is critical to healthy families, helps create and maintain jobs, and impacts the quality of life and economic prosperity of the community; and

WHEREAS, the Council of Richland County desires to establish a local program for preserving and developing affordable housing that is sufficiently flexible to meet varied and evolving housing needs and priorities while providing housing that is safe, sound, and financially viable; and

WHEREAS, it is the intent of the Council of Richland County that revenue sources for this local affordable housing program be identified during the County's annual budgeting process and through a county-wide public referendum; and

WHEREAS, on **(DATE)** the Council of Richland County approved a motion directing the drafting of an ordinance establishing an affordable housing trust fund; and

WHEREAS, a duly noticed public hearing was held by the Council of Richland County, at which public hearing all interested persons were given an opportunity to be heard.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF RICHLAND COUNTY OF RICHLAND COUNTY, SOUTH CAROLINA, THIS #TH DAY OF (MONTH), 2020, AS FOLLOWS:

The recitations above are true and correct and are incorporated herein by Reference #, is hereby amended to create a new article to be numbered Article # and entitled the "Richland County Affordable Housing Act", which shall hereafter read as follows:

Article #. RICHLAND COUNTY AFFORDABLE HOUSING TRUST FUND ACT

SECTION 1: Definitions

For the purposes of this article, the following definitions apply:

“Richland County Affordable Housing Trust Fund” or “Fund” means the fund established pursuant to this article.

“Richland County Affordable Housing Fund Program” or “Program” means the program established pursuant to this article for the purpose of promoting the preservation and production of affordable housing for very low and households in Richland County.

“Affordable Housing” means residential housing for rent or sale that is appropriately priced for rent or sale to a person or family whose income does not exceed 80% of the median income for the local area (AMI), with adjustments for household size, according to the latest figures available from the United States Department of Housing and Urban Development (HUD), so that no more than 30% of that person’s income is spent on rent/mortgage and utilities.

“Low-Income Household” means one or more natural persons or a family that has a total annual gross household income that does not exceed 80 percent of the median annual income adjusted for family size for households in Richland County within the Columbia, SC metropolitan statistical area, as published by the U.S. Department of Housing and Urban Development.

“Very Low Income Household” means one or more natural persons or a family that has a total annual gross household income that does not exceed 50 percent of the median annual income adjusted for family size for households in Richland County within the Columbia, SC metropolitan statistical area, as published by the U.S. Department of Housing and Urban Development.

SECTION 2: Establishment of Richland County Affordable Housing Fund Program and Purpose

There is hereby established the Richland County Affordable Housing Trust Fund Program (the "Program"). The Program is established for the purpose of promoting the production and preservation of affordable housing for very low- and low-income households in Richland County.

SECTION 3: Establishment of Richland County Affordable Housing Trust Fund

The Clerk, as accountant for the Board of County Commissioners, is hereby directed to establish and maintain a fund known as the Richland County Affordable Housing Trust Fund within the accounts of a nonprofit organization to be created and entitled the “Richland County Affordable Housing Trust Fund.”

SECTION 4: Funding

The Affordable Housing Trust Fund shall be funded by an annual budgeted allocation of funds from the County (specificity of source) and by millage amounts determined by public referenda. Other sources of funding may include, but are not limited to:

- A. Private cash donations from individuals and corporations designated for the Richland County Affordable Housing Trust Fund.
- B. Payments from developers in lieu of participation in current or future affordable housing programs.
- C. Matching funds from a federal or state affordable housing trust fund; or a state program designated to fund an affordable housing trust fund.
- D. Principal and interest from Affordable Housing Trust Fund loan repayments and all other income from Trust Fund activities.
- E. The sale of real and personal property.
- F. Local government appropriations, development fees, and other funds as designated from time to time by the county council.
- G. Tax Increment Finance (TIF) pooled funds.

SECTION 5: Allocation and Use of Funds for Program; Annual Budget Preparation

(a) All monies allocated by the Council of Richland County for the Program shall be appropriated in the Fund. Monies deposited in the Fund, including any interest earnings on such monies and repayments of loans made from such monies, shall be used solely for the purposes of the Program as provided in this article.

(b) In preparing the proposed annual budget for each fiscal year for submission to the Council of Richland County, the County's Budget Officer shall insure that each such budget includes an allocation of at least \$500,000 in new Countywide General Fund monies for the Program and the inclusion in the Fund as an account balance of any monies previously allocated to the Program and interest earned on such monies which were not expended for the Program within the prior fiscal year.

Section 5.1: Use of Program Funds

(a) Funds allocated to the Program shall be used to provide grants and low-interest, long term loans for projects to create, rehabilitate and sustain affordable housing for very low- or low-income households in Richland County.

(b) The Program shall include, without limitation, providing assistance through production, acquisition, rehabilitation and preservation of land and/or housing units for rental and homeownership activities. Program funds shall not be used for supportive housing services such as daycare or job training.

(c) Not more than **X** percent of the funds allocated to the Program may be used to cover administrative expenses.

(d) Not less than 50 percent of the funds allocated to the Program shall be spent on affordable housing for very low-income households.

(e) Not less than 30 percent of the funds allocated to the Program shall be spent on affordable housing for low income households.

SECTION 6: Program Administration

(a) The Program shall be administered by a publicly chartered nonprofit organization created on behalf of the Council of Richland County and consistent with the adopted Plan. It shall be the responsibility of the Board of the nonprofit organization to develop and implement policies and procedures necessary for operation of the Program.

(b) The Board of the Richland County Affordable Housing Trust Fund shall disburse Program funds consistent with the Plan and its adopted policies and procedures and shall monitor the use of Program funds for compliance with the purposes of the Program and the conditions pursuant to which the funds were granted or loaned. The Affordable Housing Services Department shall also maintain the financial and other records of the Program.

(c) All projects to be awarded Program funding shall be approved by the Board of the Richland County Affordable Housing Trust Fund.

SECTION 7: Governance

The Program shall be administered by an administrative board of 11 members representing the following fields and interests.

1. Development/Constructions or Real-Estate
2. Banking/Finance
3. Legal
4. Non-Profit Organization
5. For-Profit Organization
6. Low-Income Individual
7. Very Low-Income Individual
8. Education and/or Medical
9. Community Advocate
10. Columbia City Council
11. Richland County Council

Section 7.1: Powers and Duties of the Board

The Program Board may use its funds to assist proposed projects or programs to develop or preserve affordable housing for persons of very low- and low- income to include:

- A. Providing gap financing for affordable housing developments.

- B. Making loans at interest rates below or at market rates in order to strengthen the financial feasibility of proposed projects.
- C. Guaranteeing of low-interest, long term loans.
- D. Financing the acquisition, demolition, and disposition of property for affordable housing projects.
- E. Financing construction of public improvements and utilities to aid proposed affordable residential developments.
- F. Financing the rehabilitation, remodeling, or new construction of affordable housing.
- G. Tenant and project based rental assistance.
- H. Funding for acquisition and rehab in conjunction with related housing trust fund projects.
- I. Funding to facilitate affordable homeownership opportunities including down payment assistance, second mortgages, closing costs, etc.
- J. Administrative costs associated with affordable housing programs.
- K. Interim financing of public costs for affordable housing projects in anticipation of a permanent financing source (i.e. construction financing, bond sale, etc.)

Section 7.2: Director

There is hereby created the position of Richland County Affordable Housing Trust Fund (AHTF) Executive Director. The Executive Director shall be hired by and report to the county administrator. The Executive Director shall be a person with education, training, skills, and/or experiences that are satisfactory to the county administrator and a majority of the Program Board.

Section 7.3: Staff, Personnel, and Compensation

The Executive Director shall have staff and assistants as are necessary to the operation of the Fund and the performance of his/her duties. They shall be subject to the county personnel system and their compensation determined accordingly.

SECTION 8: Accountability and Reporting

The Program shall report annually, or as requested, to the Richland County Council on the use of the Affordable Housing Trust Fund account including, but not limited to:

- A. The number of grants and loans made,
- B. The number and types of residential units assisted through the account,
- C. The number of households for whom rental assistance payments were provided,
- D. Amount of funds leveraged,
- E. Amount of funds used

Richland County shall provide the full report to the public annually and post the report on its website.

SECTION 9: Inclusion in The Richland County Code

The provisions of this Ordinance shall be included and incorporated in the **Richland County Code**, as an addition or amendment thereto, and shall be appropriately renumbered to conform to the uniform numbering system of the **Richland County Code**.

SECTION 10: Severability

If any section, subsection, sentence, clause, phrase, or provision of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such holding shall not be construed to render the remaining provisions of this Ordinance invalid or unconstitutional.

SECTION 11: Filing of Ordinance and Effective Date

This Ordinance shall be effective immediately upon receipt of acknowledgement that a copy of this Ordinance has been filed with the Secretary of State.

HOUSING FACT SHEET

Prepared by the MORE Justice Housing Committee (April 2020)

THE “WORKING POOR” CAN’T FIND AFFORDABLE HOUSING

- More than 16,000 households in Columbia pay more than 30% of their income on rent and utilities. (Columbia City Consolidated Plan)
- In Richland County, nearly half of renters (44.8%) pay more than a third of their income on rent and utilities. (Richland County Consolidated Plan)
- A person earning minimum wage in Lexington or Richland County would have to work 89 hours a week in order to afford an average one-bedroom apartment at the average price. (NLIHC)
- Often, it is simply a one-time emergency that causes a family to not be able to pay their rent for the month, which can lead to eviction.

THERE IS NOT ENOUGH AFFORDABLE HOUSING TO MEET THE NEED

- There is a significant gap in availability of affordable rental properties for very-low income residents.
 - Rental market gaps are the difference between the number of rental units available in a given price range compared to the number of renters for whom the given price range is the maximum that can be considered affordable.
- In Richland County, less than 4,000 units are available at \$370 per month, even though this is the maximum affordable rent for 13,500 families. That means, there is only one affordable unit per every three families that desperately need it. (Richland County Consolidated Plan)
- There are more than 23,000 families currently on the waiting list for public housing through the Columbia Housing Authority. Additionally, registration for public housing programs has been closed for more than two years. (Columbia City Officials)
- Richland Two School Officials estimate that half of their 28,000 students are “housing insecure.” (Richland 2 McKinney Vento Representative)

PEOPLE ARE GETTING EVICTED AT HIGH RATES

- Columbia, SC has the 8th highest eviction rate of any city in the nation. (Eviction Lab)
- An average of 19 households are evicted every day in Richland County. In Lexington County, it is seven households. (Eviction Lab)
- The main reason that these families are getting evicted at these high rates is because rent prices are too high.
- Racial disparities in access to affordable, quality housing are commonplace – for example, while only about 25% of the local population is made up of black women, black women make up more than 90% of all those evicted in Richland County. (Newberry College Professor)

THERE ARE HIGH SOCIAL COSTS TO UNSTABLE HOUSING

- Not having access to stable housing can lead to different health and social problems.
- In Richland One and Richland Two alone, there are more than 1,500 students registered as “homeless” under the McKinney Vento Act. Homelessness or unstable/unsafe housing leads to poorer academic achievement and health outcomes. (Richland 2 McKinney Vento Rep; Newberry College Professor)
- When students move schools (for example, due to unstable housing) it takes six months to catch up. (Richland 2 McKinney Vento Representative)
- Over a six-year period in the Midlands, less than 500 chronically homeless people accumulated more than \$245 million dollars in Medicaid costs. That is nearly \$600,000 per person. Communities are finding that one way to drive down these medical costs is through the creation of safe, stable housing. (United Way of the Midlands Study)

SOURCES CITED:

- **Richland County Consolidated Plan:**
<http://www.richlandcountysc.gov/Portals/0/Departments/CommunityDevelopment/20170823RCConsolidated.PDF>
- **City of Columbia Consolidated Plan:**
<https://www.columbiasc.net/depts/communitydevelopment/Columbia%20ConPlan%2005-14-2018.pdf>
- **Eviction Lab:** evictionlab.org
- **United Way of the Midlands Healthcare and Homelessness Data Linkage Study:**
<https://www.uway.org/sites/default/files/files/Health%20Care%20and%20Homelessness.pdf>
- **National Low Income Housing Coalition (NLIHC):** <https://nlihc.org/oor/south-carolina>

What is an Affordable Housing Trust Fund (HTF)?

What is a Housing Trust Fund (HTF)?

- HTF's are established by elected governmental bodies (at the city, county, or state level). A source or sources of public revenue are dedicated, by ordinance or law, to a distinct fund with the express purpose of providing affordable housing.
- HTF's have been enacted by hundreds of governments across the United States.
- There are more than 780 housing trust funds in existence in the US that generate more than \$1.5 billion a year for affordable housing.

How is the HTF funded?

- HTF's are funded by various public revenue sources. Housing Trust Funds are flexible in that they can be funded from multiple public revenue sources. Some examples are:
 - General fund
 - Bond proceeds
 - Grants
 - Loans from the state and federal government
 - State capital budget
 - Residential impact fees
 - Developer impact fees
 - Document recording fee
 - Tax foreclosure sale
 - Hotel/Motel tax
 - Accomodation tax
 - Inclusionary in-lieu of fees
 - Parking fees

Why are housing trust funds successful?

- HTF's are successful because of their flexibility. The public money allocated to the HTF is a down payment that is backed by sources of other public and private funds. This is called leveraging, because the money in the HTF attracts public and private funds from a variety of sources that would not be available without the trust fund.
 - Sources Leveraged by the Housing Trust Fund
 - Governmental bonds
 - Grants
 - State Funding
 - Federal Funding
 - Low Income Tax Credits
 - Philanthropic Donations
 - Bank Loans

- According to the Center for Community Change, the average amount of public and private funds leveraged for every \$1 in the HTF is \$8.50. The HTF offers a huge return on investment.
 - Examples from across the country
 - In 2004, the Milwaukee Housing Trust Fund used a \$5 million allocation and leveraged \$25 million in other funding to create 200 units of housing. The construction of these new homes resulted in: 200 jobs created during construction, \$1.2 million in new fee and tax revenue, and \$10 million into the local economy. After construction: 94 jobs remained, \$760,000 in new fee and tax revenue, and \$4.4 million in the local economy.
 - In five years, the Connecticut Housing Trust fund used \$57 million in allocations and leveraged \$519 million in other federal, state, local, and private funding to create 2,200 units. This led to over 4,000 jobs created, \$14 million in recurring state and local revenue, and hundreds of millions in economic activity.

How is the housing trust fund administered?

- **Non-Governmental Agency Model:** Typically established by governmental action and then administered by a separate nonprofit or community foundation. Under this model, a board oversees and hires the staff for the nonprofit.

How are the funds distributed?

- There are a variety of ways that funds can be distributed, but the most common are in the form of: grants, loans, forgivable or deferred loans, lines of credit, or rental assistance.
- Requests for proposals (RFP) or notices of funding availability (NOFA) are issued periodically for prospective applicants.

Who can apply for housing trust fund dollars?

- HTF's attract a diverse group of applicants: non-profit developers, for-profit developers, housing authorities, governmental agencies, and regional organizations.

What is the target income?

- Because HTF's utilize public funds, it should meet the public need.
- Most HTF's target a specific income area - generally households at 50% and below of the area median income (AMI), as defined by the U.S. Department of Housing and Urban Development (HUD).

MORE Justice Housing Committee
Affordable Housing Trust Fund Priorities

Qualities we would like to see in the Trust Fund:

- Have a significant portion of funds (around 70-75%) reserved for serving those at or below 50% AMI. (\$34,450/annually for family of four)
- Oversight Board with participation from the Richland County Council, City of Columbia Council, MORE Justice, and other nonprofit stakeholders (ex: Habitat for Humanity, Homeless No More, SC Uplift, etc.)
- Funding to be designated to housing in local municipalities (City of Columbia/Richland County).
- Funds can be used for multiple purposes, including the creation and rehabilitation of affordable housing.
- Funds will be dispersed as grants or low-interest, long and short-term loans (at or below market rate).
- Projects retain an affordability period of at least 30 years.
- Trust Fund will report annually on its activity to the oversight board, the city, and the county.
- Publicly-chartered 501c3.
- Board will be governed by SC Conflict of Interest Laws (https://www.lawserver.com/law/state/south-carolina/sc-code/south_carolina_code_34-28-440)
- All meetings of the board will be open to the public.

Affordable Housing Task Force Report

City of Columbia, South Carolina

Affordable housing is a continuum of equitable, inclusive, and quality rental and homeownership opportunities for people at every income level, which is critical to creating safe, complete, and thriving communities.

Councilwoman Tameika Isaac Devine, Chair
John Andoh, The Comet
Jeff Armstrong, Family Promise
Julie Ann Avin, MIRCI
Reggie Barner, The Barner Group
Sue Berkowitz, SC Appleseed Legal Justice Center
Brenna Bernardin, Fast Forward
Dr. Bryan P. Grady, SC State Housing
Dylan Gunnels
Tonya Isaac, North Columbia Resident
Ivory Matthews, Columbia Housing Authority

Mary Louise Resch, Habitat for Humanity
Jeff Larimore, Midlands Housing Trust Fund
Jennifer Moore, United Way
Shayla Riley, Coldwell Banker
Lila Anna Sauls, Homeless No More
Gregory Sprouse, Central Midlands COG
Councilwoman Allison Terracio, Richland County
Regina Williams, Booker Washington Heights
Lester Young, Just Leadership
Jim Zieche, More Justice
Chris Zimmer, Truist Bank

Facts:

- There is a statewide shortage of over 87,000 homes affordable and available to extremely low-income (ELI) households, those earning no more than 30 percent of area median income, according to the National Low Income Housing Coalition, making this group uniquely unlikely to have access to safe, decent, and affordable housing.
- Nearly 7,500 low-income renter households in Columbia are experiencing particularly unaffordable or substandard housing conditions, representing 30 percent of all renters citywide. This includes all cost burdened ELI renters, as well as severely cost burdened very low-income renters and all low-income renters living in homes that are overcrowded or lacking the most basic amenities.

Affordable Housing Unit Goal:

To adequately address the needs of affordable housing in our community, it is imperative that we set aggressive but realistic goals to help add or preserve affordable housing units giving special attention to low income and extremely low income resident needs. The AHTF will monitor 2021 building permits and certificates of occupancy to establish unit goals for 2022, 2023, and 2024.

Committee Priorities:

Accessibility - Julie Ann Avin, Chair

The accessibility committee will delve into solutions for making access to quality affordable housing a reality for people within special populations i.e., people with mental illness, formerly incarcerated persons, people with disabilities, seniors and other populations.

Financing - Mr. Reggie Barner, Chair

The financing committee will identify effective affordable housing financing tools that can be utilized. Current tools under consideration include, but are not limited to the City of Columbia local affordable housing tax abatement program, social impact fund for private investors, an affordable housing bond, one cent sales tax program, tax increment financing, multi-county industrial park legislation, unclaimed state funds, land banks, an affordable housing impact fee, and a county-wide trust fund.

Legal & Zoning - Sue Berkowitz and Ms. Lila Anna Sauls, Co-Chairs

The legal & zoning committee will review laws needed to advance affordable housing opportunities, laws that are an impediment to affordable housing, and zoning changes necessary to support the development of more affordable housing. Other areas of focus include mechanisms to address the issue of providing assistance and funding for persons facing eviction and innovative ideas for the reuse of abandoned properties like hotels and motels.

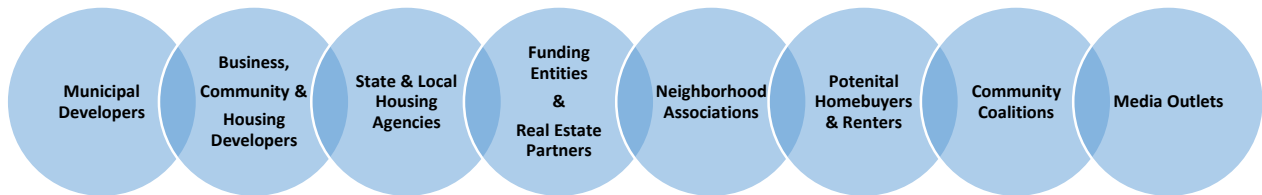
Partnerships - Jennifer Moore, Chair

The partnerships committee will bring together partners, such as other nonprofits and community based organizations that can help support the mission of the Affordable Housing Task Force.

Public Education & Awareness Committee - Brenna Bernadin, Chair

In collaboration with the partnerships committee, the public education & awareness committee will develop a strategy to help communicate the message of what affordable housing is and why it is needed, while working to dispel negative stereotypes about affordable housing and who we serve. We want to start a success story model. The goal is to demonstrate the worth and positive side of affordable housing, to debunk the myths, and work with opposition.

OUTREACH CATEGORIES



Richland County Council Request for Action

Subject:

Amend the County's current ordinance, in order to allow lighting on Broad River Road
[DICKERSON]

Notes:

June 22, 2021 – The D&S Committee recommended tabling this item until it is determined if it will fit into the Broad River Plan.



Agenda Briefing

Prepared by:	Clayton Voignier	Title:	Director
Department:	Community Planning & Development	Division:	Planning Services
Date Prepared:	February 09, 2021	Meeting Date:	February 23, 2021
Legal Review	Elizabeth McLean via email	Date:	February 10, 2021
Budget Review	James Hayes via email	Date:	February 10, 2021
Finance Review	Stacey Hamm via email	Date:	February 16, 2021
Approved for consideration:	Assistant County Administrator	Ashley M. Powell, Assoc. AIA, AICP	
Committee	Development & Services Committee		
Subject:	Street Lighting		

STAFF’S RECOMMENDED ACTION:

Staff recommends the following:

1. Identify a funding source other than the Neighborhood Redevelopment Fund for the provision of street lighting service County-wide in accordance with §21-12 of the County Code of Ordinances.
2. Discontinue paying for street lighting service currently paid for through the Neighborhood Redevelopment Fund until such time as another appropriate funding source is identified.

Request for Council Reconsideration: Yes

FIDUCIARY:

Are funds allocated in the department’s current fiscal year budget?	<input type="checkbox"/>	Yes	<input checked="" type="checkbox"/>	No
If no, is a budget amendment necessary?	<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>	No

Currently, the County pays for street lighting on a select number of roadways from the Neighborhood Redevelopment Fund, GL1210650000.522000. As such, if Council were to approve the motion and choose the Neighborhood Redevelopment fund as the funding source, a budget amendment would be necessary.

ADDITIONAL FISCAL/BUDGETARY MATTERS TO CONSIDER:

At this time, payments for the operation of street lighting have been occurring from the Neighborhood Redevelopment Fund. For FY20, the County paid a total of \$35,511 for street lighting. This fiscal year the County has paid a total of around \$18,927 as of February 1, 2021. Staff anticipates that these figures are likely to increase moving forward, which has been the trend from prior fiscal years.

If the Neighborhood Redevelopment Fund were to continue as the funding source for street lighting service, the Neighborhood Improvement Program (NIP) in the Planning Services Division would not be able to fund many of the various neighborhood projects and programs, primarily related to Council adopted Neighborhood Master Plans.

COUNTY ATTORNEY’S OFFICE FEEDBACK/POSSIBLE AREA(S) OF LEGAL EXPOSURE:

None.

REGULATORY COMPLIANCE:

Chapter 21 of the Richland County Code of Ordinances generally deals elements which fall under the purview of the Department of Public Works, particularly roads, drainage, and other infrastructure. The current chapter was adopted as part of an overall rewrite with amendments under Ordinance No. 005-03HR, with an effective date of January 21, 2003. Section 21-12 was first enacted as part of this amendment to Chapter 21. Section 21-12 pertains to street lighting on roadways. The Code states:

“The County shall not provide street lighting on any highway, street or road until such time as sufficient funds are appropriated to provide that service county-wide. Homeowners or homeowner’s associations may obtain street lighting through contractual arrangements with the electric utility serving their area.”

No amendments or changes have been made to this section of Chapter 21 since it was adopted. Since the ordinance was enacted, County Council has, via subsequent motions, directed that the County establish and pay for street lighting in certain areas thereof, thus entering into agreements which appear to violate the aforementioned ordinance and section of the Code.

MOTION OF ORIGIN:

“Amend the County's current ordinance, in order to allow lighting on Broad River Road.”

Council Member	Joyce Dickerson, District 2 (Former Councilperson)
Meeting	Special Called Council Meeting
Date	November 10, 2020

STRATEGIC & GENERATIVE DISCUSSION:

In October of 2018, the Planning Services Division hosted an event entitled “Tea and Talks with Planners.” This event was held to serve as an informal setting for staff to brief Council on upcoming issues, initiatives, and projects. The event was also an opportunity for Council members to ask questions of staff about upcoming work as pertained to planning. Council members in attendance mentioned that a comprehensive lighting plan would be beneficial for the County and that it would be helpful for staff to provide information regarding such. Staff researched how the County could establish such a plan. The research consisted of what street lighting entails and how to conduct, implement, and potentially finance a lighting plan. Out of this research, an issue arose wherein staff believed the County to be in violation of its own Code of Ordinances as relates to the payment and provision of street lighting. These violations were brought to the attention of the then County Administrator.

There have been at least four motions, which were passed between February 1, 2011 and July 1, 2014, for approving and enacting lease agreements which provided street lighting. During this time, no funds were appropriated that would satisfy the requirement under Section 21-12 to provide street lighting to the entirety of the County, nor have such funds been allocated for that purpose since that time. Each of the items or motions were brought before Council after having been routed through Committees and reviewed by various Departments with no comments pointing to the street lighting provisions within County Code. Two other lighting agreements appear to have been made through County Administration

and/or Departments. In total, staff is aware of at least five lighting agreements for street lighting for which the County is paying. These include lighting agreements on Decker Boulevard, Broad River Road, Monticello Road, two lights at Susan Road near Arrowwood Drive, and a streetlight at 102 Stoney Point Lane (102 Stoney Point Lane is listed as County property, per Assessor records). Each of these roads, except Stoney Point Lane, are maintained by SCDOT.

As noted above, §21-12 states that the County will not provide any street lighting until a dedicated funding source is identified and available. The ordinance has an approval date of January 21, 2003, which predates the lighting the County is currently providing and leasing. Current practice appears to conflict with the County Code, where street lighting is being provided though no dedicated funding source is available to provide service county-wide.

Staff does not believe an amendment to the motion is warranted at this time. Staff believes the current language is appropriate but that a funding source, per the Code, needs to be identified for providing lighting service. Based upon the original motion, the request is allowable but a funding source needs to be identified that could allow the service County-wide in order for staff to proceed.

ADDITIONAL COMMENTS FOR CONSIDERATION:

Street lighting infrastructure could be provided along Broad River Road, as it is within a Neighborhood Master Plan and therefore could potentially occur as an implementation project in the future. However, the costs for the service would need to be passed on to the businesses, homeowners, and property owners where such lighting is installed.

ATTACHMENTS:

1. Minutes from November 10, 2020 Special Called Meeting
2. Section 21-12 and Ordinance No. 005-03HR
3. Street Lighting Report (Draft Document from 2018)
4. Memorandum to then Administrator Gomeau (Sent for Routing, Feb. 2, 2019)
5. Agenda & Minutes from February 1, 2011 Council Meeting
6. Agenda & Minutes from November 13, 2012 Council Meeting
7. Agenda & Minutes from July 1, 2014 Council Meeting



Richland County Council

SPECIAL CALLED MEETING
November 10, 2020 – 6:00 PM
Zoom Meeting
2020 Hampton Street, Columbia, SC 29204

COUNCIL MEMBERS PRESENT: Paul Livingston, Chair; Dalhi Myers, Joyce Dickerson, Bill Malinowski, Jim Manning, Yvonne McBride, Chakisse Newton, Allison Terracio, and Joe Walker

OTHERS PRESENT: Michelle Onley, Dale Welch, John Thompson, Ashiya Myers, Larry Smith, Ashley Powell, Sandra Haynes, Leonardo Brown, Judy Carter, Brad Farrar, Tamar Black, Jennifer Wladischkin, Tariq Hussain, Michael Niermeier, Randy Pruitt, Clayton Voignier, James Hayes, Stacey Hamm, Michael Maloney, Stephen Staley, Ronaldo Myers, Michael Byrd, Kerry Smyser, Brittney Hoyle-Terry, Quinton Epps, Jeff Ruble Dwight Hanna and Geo Price

1. **CALL TO ORDER** – Mr. Livingston called the meeting to order at approximately 6:00 PM.
2. **INVOCATION** – The Invocation was led by the Honorable Joyce Dickerson.
3. **PLEDGE OF ALLEGIANCE** – The Pledge of Allegiance was led by the Honorable Joyce Dickerson
4. **APPROVAL OF MINUTES**
 - a. **Special Called Meeting: October 6, 2020** – Ms. Dickerson moved, seconded by Mr. Walker, to approve the minutes as distributed.

In Favor: Malinowski, Dickerson, McBride, Livingston, Terracio, Walker, Myers and Newton

Not Present: Kennedy

The vote in favor was unanimous.
 - b. **Regular Session: October 20, 2020** – Ms. McBride moved, seconded by Ms. Terracio, to approve the minutes as distributed.

In Favor: Malinowski, Dickerson, McBride, Livingston, Terracio, Walker, Myers and Newton

Not Present: Kennedy

The vote in favor was unanimous.
 - c. **Zoning Public Hearing: October 27, 2020** – Ms. McBride moved, seconded by Ms. Dickerson, to approve the minutes as distributed.

Mr. Livingston made a substitute motion, seconded by Mr. Walker, to reconsider the portion of the minutes related to Case # 20-022MA.

The vote was in favor.

Council went into Executive Session at approximately 9:34 PM and came out at approximately 10:56 PM

Mr. Manning moved, seconded by Mr. Walker, to come out of Executive Session.

In Favor: Malinowski, Dickerson, McBride, Livingston, Terracio, Walker, Manning, Myers and Newton

Not Present: Kennedy

The vote in favor was unanimous.

- a. Compensation for Interim Clerk to Council – Ms. Newton moved, seconded by Mr. Walker, to update the contract, as discussed in Executive Session.

In Favor: Malinowski, Dickerson, McBride, Livingston, Terracio, Walker and Newton

Not Present: Kennedy

The vote in favor was unanimous.

Mr. Malinowski moved, seconded by Mr. Livingston, to reconsider this item.

Opposed: Malinowski, Dickerson, McBride, Livingston, Terracio, Walker and Newton

Not Present: Kennedy

The motion for reconsideration failed.

23. **MOTION PERIOD**

- a. Amend the County's current ordinance, in order to allow lighting on Broad River Road [DICKERSON]
– This item was referred to the D&S Committee.

24. **ADJOURNMENT** – The meeting adjourned at approximately 11:07 PM

Sec. 21-12. Street lighting.

The county shall not provide street lighting on any highway, street or road until such time as sufficient funds are appropriated to provide that service county-wide. Homeowners or homeowner's associations may obtain street lighting through contractual arrangements with the electric utility serving their area.

(Ord. No. 005-03HR, § I, 1-21-03)

STATE OF SOUTH CAROLINA
COUNTY COUNCIL FOR RICHLAND COUNTY
ORDINANCE NO. 005-03HR

AN ORDINANCE AMENDING THE RICHLAND COUNTY CODE OF ORDINANCES, CHAPTER 21, ROADS, HIGHWAYS AND BRIDGES, BY THE DELETION OF THE LANGUAGE CONTAINED THEREIN AND THE SUBSTITUTION OF THE FOLLOWING LANGUAGE.

Pursuant to the authority granted by the Constitution and the General Assembly of the State of South Carolina, BE IT ENACTED BY THE COUNTY COUNCIL FOR RICHLAND COUNTY:

SECTION I. The Richland County Code of Ordinances, Chapter 21, Roads, Highways and Bridges, is hereby amended by the deletion of the language contained therein and the substitution of the following language:

**CHAPTER 21
ROADS, HIGHWAYS AND BRIDGES**

ARTICLE I. IN GENERAL

Sec. 21-1 Purpose.

The purpose of this Article is to define the mission, responsibilities and limitations of the Department of Public Works with regard to maintenance and construction of road and drainage infrastructure in Richland County.

Sec. 21-2 Jurisdiction.

The provisions of this Article shall apply to all lands within the jurisdiction of Richland County, South Carolina, and within the jurisdiction of those municipalities that agree, through intergovernmental service contracts, to have these provisions administered within their corporate limits.

Sec. 21-3 Definitions.

The following definitions apply to words and terms used in this Article. All other words shall have their customary meanings:

(a) *“C” Construction Program:* A State program by which State gasoline tax revenues are shared with Counties for transportation and road construction activities. The funds involved are commonly referred to as “C” funds and they are used at the discretion of a County Transportation Committee (CTC) appointed by the County’s Legislative Delegation pursuant to Section 12-28-2740 of the S.C Code of Laws.

(b) *County:* Richland County, South Carolina, its County Council or its administrative staff acting on its behalf.

(c) *County Road Maintenance System:* All those public highways, streets and roads, paved and unpaved, that have been dedicated for public use and accepted by the County as prescribed in this chapter and which have not been accepted for maintenance by any other public entity.

(d) *Driveway:* Any paved or unpaved way located on a single parcel of property and intended for vehicular access from a highway, street or road to one or more residences located on that parcel.

(e) *Easement*: A grant to the general public, a corporation, a specific person or persons or a public entity of the right to use a strip or parcel of land for a specific purpose. Fee simple title to the land remains with the grantor.

(f) *Easement and Right-of-Way Deed*: A legal document by which an easement or right-of-way, as defined herein, is granted by a property owner to the County. This document is executed by the property owner (grantor) and the County and recorded in the office of the Richland County Register of Deeds so that the easement or right-of-way becomes a permanent part of the public record and binds the grantor's successors in title to its provisions.

(g) *Highway, Street or Road*: The terms "highway", "street", and "road", as used herein, shall be general terms denoting a public way for the purpose of vehicular travel. The terms shall refer to the entire area within the right-of-way to include roadways, pedestrian facilities, bridges, tunnels, viaducts, drainage structures and all other facilities commonly considered component parts of highways, streets or roads. These terms are used interchangeably herein.

(h) *Prescriptive Easement*: An easement acquired for a specific purpose by long continued enjoyment or usage of property for that purpose. To a certain extent, it resembles title by adverse possession but differs to the extent that the adverse user acquires only an easement and not title. To create an easement by "prescription", the use must have been open, continuous, exclusive and under claim of right for the statutory period, which in South Carolina is twenty (20) years.

(i) *Private Road*: As it is used in this article, a private road refers to a road that is not maintained by any public entity such as the County, the South Carolina Department of Transportation (SCDOT) or a municipality. Depending upon the granting of easements and accepted use, private roads *may* be used by those other than the property owners.

(j) *Public Road*: A public road refers to a road that is maintained by a public entity. This would include all roads in the County Road Maintenance System. In this case, the public is clearly entitled to use the road.

(k) *Quit-Claim Deed*: A deed of conveyance that is intended to pass any title, interest or claim which the grantor may have in the premises, but not professing that such title is valid, nor containing any warranty or covenants for title.

(l) *Right-of-Way*: A strip or parcel of land occupied or intended for occupancy by a street, road, railroad or other special use. Fee simple title may or may not be granted to the agency or entity acquiring the right-of-way, but the property is dedicated exclusively for the intended use and is platted separately and distinct from the adjoining lots or parcels.

Sec. 21-4 Drainage on private property.

(a) Drainage improvements and/or maintenance will be undertaken by County forces on private property only:

- (1) When the drainage system involved has been designed, approved and constructed in accordance with the County's Stormwater Management, Erosion and Sediment Control Ordinance (Chapter 8) and accepted by the County, or
- (2) When there is a clear and substantial public interest served in doing so and drainage easements are granted to the County on all of the property involved. For the purpose of this section, a public interest is defined as:
 - a. The correction of a serious health hazard, as designated by county or state health officials, affecting multiple residences and beyond the responsibility of an individual property owner.

- b. The correction of a malfunction or inadequacy of the drainage system within the right-of-way of a publicly maintained street or road.
- c. The correction of drainage problems associated with projects constructed by the County.
- d. The maintenance of the structural integrity of the existing drainage infrastructure of the County.
- e. The improvement of drainage for the benefit of the community. To benefit the community, drainage improvements must eliminate flooding that directly affects a minimum of four (4) residences and/or businesses situated on individual lots or inundates a public road.

Note: Correction of minor ditch erosion problems on private property will not be considered a substantial public interest.

(b) Easements will be obtained for any existing or proposed drainage facilities on private property before any work is performed thereon by County forces. Easements for maintenance of drainage facilities constructed without the County's approval of plans or inspections will not be accepted unless the property owners hold harmless and release the County from all claims resulting from deficiencies of the facilities.

(c) Except where the County has accepted an easement for maintenance of drainage facilities on private property as provided herein, maintenance is the responsibility of the property owner.

Sec. 21-5. Maintenance of unpaved roads.

(a) The Department of Public Works shall maintain all unpaved roads of the County which have been dedicated for public use regardless of whether or not the dedication was by law or usage. Those roads determined to have been dedicated shall be considered to be a part of the County Road Maintenance System.

(b) For purposes of ascertaining dedication by usage or by maintenance by the County, all unpaved roads which have been used by the public and/or maintained by the County for a period of twenty (20) years or more shall be deemed dedicated and shall be maintained by the Department of Public Works.

(c) Richland County will claim a prescriptive easement for all unpaved roads deemed to be dedicated as public roads by usage. Such easements will be considered as comprising the land actually maintained by the County as part of the road.

(d) All unpaved roads which have been marked in either red or green on the map presented to the County Council on March 5, 1975, shall be brought within a systematic identification process as soon as practicable and maintained by County forces.

(e) Unpaved roads not maintained by the County under the provisions of (a) through (d) above, will be accepted for maintenance only when such maintenance will provide a substantial public benefit. For the purpose of this section, one or more of the following characteristics will constitute "substantial public benefit":

- (1) Provides access to a publicly owned facility, or
- (2) Comprises an integral part of the comprehensive transportation plan adopted by the County's planning agency, or
- (3) Comprises a part of an existing street/road network as of January 21, 2003, and is used by the surrounding community, or

- (4) Provides the principle access to a minimum of three (3) occupied residences situated on individually owned parcels that are lots of record for tax purposes and does not exceed one fifth (1/5) mile in length per residence served.

(f) No work will be performed pursuant to subsection (e), above, except on the basis of a right-of-way deed for rights-of-way fifty (50) feet in width whenever possible, but in no case less than thirty (30) feet, having been executed and accepted in accordance with section 21-7.

(g) Only established, passable roads with an unobstructed width of twelve (12) feet may be accepted pursuant to subsection (e) above. Such roads will be maintained only up to a minimum serviceable condition and will not be substantially improved by the County.

(h) Any road in the County, including those created as a part of a private driveway subdivision pursuant to the County's land development regulations, may be accepted by the County and brought up to paved or unpaved road standards as set forth in this Article; provided that eighty (80) percent of all property owners within the subdivision agree to same and that all costs incurred by the County to bring the road up to County paved or unpaved standards are paid by the property owners. Such costs may be included as an assessment on the tax bill of the property owners, to be paid over no more than a fifteen year period with an interest charge equal to that paid by the County for bonds issued to fund construction. The total costs plus interest of the improvements shall be allocated between the property owners by each lot being assessed an equal share of the costs and interest. Any unpaved road deeded to the County under these provisions may be eligible for "C" fund improvements.

(i) The County engineer and his staff shall periodically update the existing County road map and shall add such unpaved roads which are not presently shown thereon and attempt to determine the ownership of such unpaved roads.

(j) The Department of Public Works shall maintain those unpaved roads determined to be dedicated under the provisions of this section. Such maintenance shall include, but not be limited to:

- (1) Grading,
- (2) Applying crusher-run or gravel,
- (3) Installing street name and traffic control signs,
- (4) Installing driveways,
- (5) Cutting back overhanging branches,
- (6) Mowing shoulders, and/or
- (7) Drainage improvements.

Sec. 21-6. Standards for streets and drainage.

(a) Except as provided for in Sections 21-4 and 21-5 above, no drainage systems or streets will be accepted for maintenance by the County that have not been designed and constructed in accordance with the standards prescribed herein.

(b) Streets: The minimum acceptable street is paved, and the pavement design will be in accordance with the design standards adopted by the County Engineer. Provided, however, that an exception may be allowed whenever the County Council deems that the variance in design is minimal or of such nature that it will not otherwise pose an undue burden or risk upon the County. Where determined necessary and in the sole discretion of the County Council, the County, with the agreement of those property owners served by such roadway, may consent to accept a roadway with special conditions as to any particular non-conforming aspects with regard to county road standards.

(c) Storm Drainage: Drainage systems will be designed in accordance with the County's Stormwater Management, Erosion and Sediment Control Ordinance (Chapter 8) and the design standards adopted by the County Engineer.

(d) Specifications: Materials and construction of streets and drainage systems will be in accordance with the applicable sections of the current edition of the Standard Specifications for Highway Construction published by South Carolina Department of Transportation.

(e) Acceptance: County acceptance of new streets and drainage systems shall be accomplished through the acceptance of easement and right-of-way deeds. The County accepts no responsibility for the streets or drainage system until the deeds are executed by both parties and recorded.

(f) Warranty: As a prerequisite to the County's acceptance of new streets and drainage systems, the grantor (or an assigned agent thereof) shall provide the County with a bond in an amount equal to the construction cost, with surety and conditions satisfactory to the County, as a warranty for a period of three (3) years. The warranty shall pertain to the design and construction of the streets and drainage system in accordance with these standards and their satisfactory performance during the warranty period. The warranty period shall commence with the formal acceptance of the roads by the County. The grantor (or an assigned agent thereof) is not responsible for repairing damage done to the roads subsequent to acceptance that was not a result of design or construction failure. The County may accept a bond in any one of the following forms:

- (1) A surety bond issued by a bonding company licensed to do business in the State of South Carolina, or
- (2) Escrow funds in an account in the name of Richland County, or
- (3) An irrevocable letter of credit issued by a responsible financial institution, or
- (4) A cash bond.

(g) Only those streets and drainage systems located in subdivision developments where individually owned lots front directly on the street rights-of-way will be accepted by the County. This will apply to residential, commercial and industrial subdivisions. Streets and drainage systems serving group developments such as shopping centers, apartment complexes, condominiums and mobile home parks will not be accepted for maintenance by Richland County.

Sec. 21-7. Easement and/or right-of-way acceptance authority.

The County Administrator and/or his designee(s) are hereby authorized to accept any easement or deed for rights-of-way, drainage easements, and sewer easements; emergency maintenance easements, dirt road rights-of-way, additional rights-of-way, sewer extension agreements, water line easements and other instruments authorized by the County Code of Ordinances; and is authorized to establish procedures for the acceptance and recording of such instruments.

Sec. 21-8. Driveways.

Driveway connections from the roadway to the right-of-way line will be provided on County maintained roads by the Department of Public Works, subject to the following limitations:

(1) Only one driveway connection per residence, and a maximum of two per individual parcel of property, will be provided by the County. The Public Works Department will not install additional driveway connections.

(2) Apron finish will match the finish of the County road to which it is attached.

(3) A maximum of twenty-four (24) feet of pipe, not exceeding twenty-four (24) inches in diameter, will be provided by the County. Larger diameter pipe may be installed by the Public Works Department provided the property owner pays the additional costs incurred for materials.

(4) Pipe diameter required will be determined by the County Engineer.

Sec. 21-9. Surplus dirt.

Surplus dirt excavated on County projects, which must be hauled away and disposed of off-site, may be placed on private property, with the property owner's consent, provided that:

(1) Disposal there is more economical than hauling the dirt to the nearest County owned disposal site, and

(2) The property owner releases and holds the County harmless for any damages or liability resulting from placement of the dirt on his property, and

(3) All applicable permitting requirements (including the requirements of Chapter 12, Article III, regarding beneficial landfills) have been or will be met.

(4) A reasonable effort is made to insure a fair and equitable distribution among property owners who want the dirt.

Sec. 21-10. Street name signs.

(a) The Department of Public Works shall erect and maintain street name signs on all public streets within the jurisdiction and authority of the County. Signs will be metal blanks on metal posts fabricated in a standard design established by the Director of Public Works. They will have white reflective lettering a minimum of four inches high on a reflective background. A green background will denote a public road. A blue background will denote a private road.

(b) The developer of any new subdivision constructed within the jurisdiction and authority of the County is responsible for the initial installation of street name signs in accordance with an approved signage plan. All street signs shall comply with the County's design standard for retro-reflectivity.

(c) The Department of Public Works may erect street name signs at the intersections of private streets with public streets, at no cost to the residents, when there are residences with addresses on that private street.

(d) Overhead signs may be installed at selected intersections at the discretion of the Director of Public Works.

(e) In conjunction with subsection (a) above, the County standard for street name signs shall be included in published road design standards developed by the County Engineer. The standard shall address sign material, installation, visibility, and color. The Department of Public Works shall maintain street name signs to the County standard after acceptance of the streets.

Sec. 21-11. Traffic engineering.

(a) Traffic engineering on County maintained highways, streets and roads shall be in accordance with the *South Carolina Manual on Uniform Traffic Control Devices*.

(b) Traffic control signs on County maintained highways, streets and roads shall comply with the standards contained in the *South Carolina Manual on Uniform Traffic Control Devices*.

(c) The developer of any new subdivision constructed within the jurisdiction and authority of the County is responsible for the initial installation of all necessary traffic

control signs in accordance with an approved signage plan. The Department of Public Works shall maintain the signs after acceptance of the streets.

(d) Speed bumps, humps or tables are not recognized in the *South Carolina Manual on Uniform Traffic Control Devices* as devices for controlling speed and will, therefore, not be installed or permitted on County maintained highways, streets or roads.

Sec. 21-12. Street lighting.

The County shall not provide street lighting on any highway, street or road until such time as sufficient funds are appropriated to provide that service county-wide. Homeowners or homeowner's associations may obtain street lighting through contractual arrangements with the electric utility serving their area.

Sec. 21-13. Emergency maintenance of roads.

(a) No work may be performed on any roadway not already maintained by the County unless the County Administrator determines that access to such roadway is necessary for the performance of one (1) or more public functions, and the following conditions exist:

- (1) Such a roadway is the only access for one (1) or more property owners or residences, and
- (2) Emergency medical services, sheriff department vehicles, and other county vehicles cannot, in the lawful performance of their duties, gain full and immediate access to at least one (1) residence unless road scraping is performed, and
- (3) At least one (1) of the properties to be accessed is used as a primary residence.

(b) Any work pursuant to this Section will be done on a one-time basis only. In such cases, the County Department of Public Works is limited to the minimum improvements that will allow full and immediate access to the affected residences. Crusher-run, gravel, pipe or other materials will not be routinely provided.

(c) This Section is not applicable to roads providing access to private driveway subdivisions that were created under the County's land development regulations.

Sec. 21-14. Abandonment of public roads and right-of-ways.

(a) Any person or organization wishing to close an existing public street, road, or highway in Richland County to public traffic shall petition a court of competent jurisdiction in accordance with Section 57-9-10, et seq. of the South Carolina Code of Laws. The petition shall name Richland County as a respondent (unless the County is the petitioner). The County Attorney shall advise the court with regard to the County's concurrence or opposition after consultation with the County's planning, public works, and emergency services departments, and after consideration by County Council. It shall be the responsibility of the petitioner to physically close the roadway if a petition is successful. The County Attorney may submit such petition on behalf of Richland County if so directed by County Council.

(b) Any person or organization wishing the County to abandon maintenance on an existing County-maintained street, road, or highway shall submit to the Public Works Department a petition to do so signed by the owners of all property adjoining the road and by the owners of all property who use the road as their only means of ingress/egress to their property. The petition shall state that the property owners release and indemnify the County from any duty to maintain the road. At the recommendation of the County Engineer, the County Administrator shall have the authority to act on a petition that involves a dead-end road; County Council shall have the authority to approve petitions under all other circumstances. If the petition is approved, the County Engineer may require the property owners to place an appropriate sign alongside or at the end of the road.

(c) Any person or organization wishing to acquire ownership of an unused road right-of-way in the County (including a public right-of-way that is dedicated either by deed, prescription, or recordation of a plat) may submit a petition for consideration by County Council. If it is determined by the County's planning department and public works department that the right-of-way will not be utilized by the County for road purposes, County Council may approve a quit-claim deed conveying the County's interest to the owners of the adjoining property. Unless the owners of the adjoining property agree to another division, each may acquire that portion of the right-of-way adjacent to his/her property on his/her side of the right-of-way's centerline. The grantee(s) of the quit-claim deed(s) shall be responsible for preparing the deed(s) prior to County Council's consideration of the request. Upon approval and execution of the deed(s), the grantee(s) shall be responsible for recording the deed(s) in the office of the Register of Deeds and for returning a filed copy to the office of the County Attorney. The County Council may require the grantee(s) to pay up to the fair market value, as determined by the County Assessor's Office, in exchange for the conveyance of the right-of-way. Upon recordation of the deed, the County Assessor's Office shall adjust the appraisal of the adjoining parcels to reflect the value of the additional property.

Sec. 21-15. Temporary closing of streets and roads.

(a) *Request.* Any party desiring to have any street or road temporarily closed in the County shall submit a written request to the County Administrator.

(b) *Deadlines for requests.* All written requests must be submitted to the County Administrator at least ten (10) days prior to the requested closing date.

(c) *Appointment of person accountable.* All parties requesting such temporary closure shall designate one (1) person who shall act as spokesman for the party, as well as supervise all activities for the duration of such closing.

(d) *County Administrator consideration.* The County Administrator shall consider, within five (5) days, all timely submitted requests made by such parties. If approved, the County Administrator shall request the Sheriff to take appropriate action to blockade the requested streets and/or roads and the Clerk of Council shall advertise to the public through the news media all approved temporary closings. The cost of such advertising shall be borne by the parties requesting the temporary closures.

(e) *Duration.* All streets and roads closed pursuant to this Section shall be blockaded for a period normally not to exceed twenty-four (24) hours. Such duration, however, may be amended by the County Administrator at his/her discretion on an event basis.

(f) *Emergency closings.* Requests for temporary closing received less than ten (10) days prior to the requested closing date may be considered as an emergency closing if, in the opinion of the County Administrator, such closing is warranted; provided, that such action would not conflict with the public interest and, further, that there exists sufficient time for appropriate action to blockade requested streets and/or roads. All applicants will be placed on notice that future requests must be submitted to the County Administrator ten (10) days prior to the requested closing date.

Sec. 21-16. Work on private property.

The County Department of Public Works is prohibited from performing any work on private property not specifically authorized under the provisions of this Section except in emergency situations involving public health or safety and authorized, in writing, by the County Administrator.

Sec. 21-17. Cutting of roads.

No roads will be cut by the County Department of Public Works unless specifically directed by the County Council.

Sec. 21-18. Trees on private property.

The County Department of Public Works may remove dead trees on private property when there is a clear danger that they will fall onto a public road.

Sec. 21-19. "C" construction program.

(a) All funds available to the County Council through the "C" construction program will be used exclusively for maintenance and construction of publicly owned streets and roads in the county, and the drainage facilities directly related thereto.

(b) The Director of Public Works will be responsible for implementing systematic programs for resurfacing of existing streets and new construction funded with "C" funds. New construction may include any of the following:

- (1) Paving existing unpaved roads,
- (2) Widening existing roads,
- (3) Intersection improvements,
- (4) Transportation Improvement Projects,
- (5) Traffic Safety Projects,
- (6) Drainage Improvements, or
- (7) Sidewalks.

(c) The Director of Public Works may provide staff support to the County Transportation Committee as requested for coordination of the "C" Construction Program for Richland County.

(d) The County Finance Department may provide all financial services required for administration of the County's "C" fund allocation if requested by the County Transportation Committee.

Sec. 21-20. Road paving program.

(a) Road construction and paving projects administered by the County and funded from public funds shall be accomplished in accordance with a consistent, systematic program established and administered by the Director of Public Works. Such program shall have the following basic characteristics:

- (1) Only County maintained roads will be paved utilizing public funds,
- (2) All County maintained dirt roads are eligible for paving, and
- (3) Paving will be accomplished in priority order at a rate permitted by availability of funding.

(b) The County Engineer will acquire and maintain the following data on all roads proposed for paving:

- (1) Name,
- (2) County Road Number,
- (3) Map location code,
- (4) Beginning and ending points,

- (5) Length in miles and hundredths of a mile, and
- (6) Council District.

(c) In addition, the following data pertaining to the roads priority for paving will be obtained and recorded for each road:

- (1) Number of homes accessed from the road,
- (2) Number of businesses accessed from the road,
- (3) Number of Churches accessed from the road, and
- (4) Maintenance difficulty factor

For the purpose of determining the number of homes, business and churches accessed from a road, only those on parcels with no existing paved road frontage will be counted except when the distance from the paved road to the building exceeds 1320 feet.

(d) Roads will be prioritized in accordance with the following procedure:

A road’s priority for paving will be established by the number of points accredited to it as described below divided by it’s length, with the highest total of points per mile constituting the highest priority. The points per mile (P) is calculated by the formula:

$$P = \frac{H + B + C + T + M}{L} \quad \text{Where:}$$

H=Number of points accredited for homes.

One point is accredited for each home accessed from the road. This will include mobile homes as well as permanent homes. It should be noted that the number of homes on a road is an indicator of the number of people using it as well as the importance of the road as a possible school bus route.

B=Number of Points accredited for businesses.

Two points are accredited for each business accessed from the road. To be eligible for these points, a business must occupy a building separate from any residence and rely on the road for either customer traffic or routine use by company vehicles.

C=Number of points accredited for churches.

Two points are accredited for each church accessed from the road.

T=Number of points accredited for a through road.

Five points are accredited if the road is a through road connecting two different paved roads. It should be noted that a through road has the potential for people other than the residents to use it and it is also more likely to be utilized as a school bus route.

M=Number of points accredited for difficult maintenance.

From 0 to 10 points may accredited to a road based on the difficulty of maintaining it in serviceable condition as determined through consultation with the Roads and Drainage Manager.

L=Length of the road in miles and hundredths.

(e) A road’s paving may be given top priority provided that all costs incurred by the County to pave it are paid by its adjacent property owners. Such costs may be included as an

assessment on the tax bill of the property owners, to be paid over no more than a fifteen (15) year period with an interest charge equal to that paid by the County for bonds issued to fund construction. The County Council may elect to have the total costs, plus interest, of the improvements allocated between the property owners either by a front footage assessment ratio, or by each lot being assessed an equal share of the costs and interest. Establishment of this assessment shall require approval of eighty percent (80%) of the property owners.

(f) Highways, streets or roads constructed or paved under the County's jurisdiction and maintained by Richland County shall meet the design and construction standards contained in Section 21-6, above.

(g) The Director of Public Works shall, within the best judgment of the engineering staff, establish appropriate alternate design and construction standards for low volume rural roads as a means of ensuring maximum cost effectiveness of road paving funds.

(h) Road paving funds will be distributed by County Council district based on that district's portion of total County dirt road mileage. Pro rata fund distribution will be calculated as follows:

$$\text{District dirt road paving funds} = \text{Total dirt road paving funds} \times \frac{\text{District dirt road mileage}}{\text{Total dirt road mileage}}$$

Mileage refers to dirt road mileage in the County Road Maintenance System (i.e. public dirt roads that are routinely maintained by County Public Works forces). Roads will be selected for paving based on distribution/availability of funds and priority within that Council district, as determined by the uniform road rating system contained in this Section.

Sec. 21-21. Transportation improvement program.

All public funds available to Richland County for transportation system improvements shall be expended in accordance with a comprehensive transportation improvement plan. This would apply to:

- (a) Connector roads,
- (b) Intersection improvements,
- (c) Widening,
- (d) Turn lanes, and
- (e) Alignment improvements.

Sec. 21-22. Sidewalks.

(a) Public funds will be used by the County for construction of sidewalks only on arterial and collector streets. The Director of Public Works shall be responsible for establishing a systematic program for identifying, prioritizing, and implementing sidewalk construction projects. The principal focus for such program will be the safety of children walking to school, to school bus stops, or to neighborhood / public recreation facilities.

(b) Sidewalks on local residential streets may be constructed by the County provided that all costs incurred by the County are paid by the property owners on the streets. Such costs may be included as an assessment on the tax bill of the property owners, to be paid over no more than a fifteen (15) year period with an interest charge equal to that paid by the County for bonds issued to fund construction. The County Council may elect to have the total costs, plus interest, of the improvements allocated between the property owners either by a front footage assessment ratio, or by each lot being assessed an equal share of the costs and interest. Establishment of this assessment shall require approval of eighty percent (80%) of the property owners.

Sec. 21-23. Condemnation / compensation.

(a) In general, Richland County will not compensate property owners for easements or rights-of-way on public works projects from which they directly benefit. Exceptions may be made, however, when:

- (1) Unusual circumstances make payment of a reasonable amount of compensation more economical than resorting to condemnation,
- (2) Deadlines for completion of a project preclude the expenditure of time required for condemnation, or
- (3) Compensation is awarded through the condemnation process.

(b) Condemnation of easements or rights-of-way on any County public works project shall require the prior approval of the County Council. An appraisal of affected property parcels shall accompany a staff recommendation to County Council for condemnation of property.

Sec. 21-24. Encroachments on county maintained roads.

(a) *Generally.*

- (1) An encroachment permit, approved by the County Engineer's office, shall be required for all construction, undertaken by parties other than the Richland County Public Works Department or its authorized contractor, within or affecting the right-of-way of any County maintained highway, street or road. This requirement shall apply, but not be limited, to:
 - a. Driveway connections involving a curb cut or pipe installation,
 - b. Curb cuts,
 - c. Utility taps,
 - d. Utility installations,
 - e. Excavations within rights-of-way,
 - f. Storm drainage installation,
 - g. Storm drainage discharge, and
 - h. Subdivision entrance signs or gateways.
- (2) The permittee shall indemnify the County for any liability incurred or damages sustained as a result of the encroachment.
- (3) The permittee shall be responsible for:
 - a. Notifying the County Engineer's office when construction begins on an encroachment,
 - b. Ensuring that a copy of the encroachment permit is on the construction site, and
 - c. Ensuring that the construction and the restoration of the roadway have been approved by the County Engineer's office.

(b) *Excavations in streets.*

- (1) An encroachment permit shall be required for each excavation in a County road before the work is commenced. Work under such permit shall be commenced within the time specified on the permit, otherwise the permit shall become void. All permits shall be kept at the place of excavation while the work is being done and exhibited whenever called for by any person having the authority to examine the same. There shall be no more than one-half (1/2) the width of any street or alley opened or obstructed at any one time; tunneling may be allowed, provided that no authorized underground construction shall be damaged or interfered with. All portions of the street excavated shall be put in as good condition as before the excavation was made. The trench or excavation shall be refilled, thoroughly rammed and puddled within the time specified on the permit after making the connection or repairs. When an excavation is made in any paved County road where it is necessary to remove paving, the person to whom the permit was issued for such excavation shall leave a written notice with the County Department of Public Works and such notice shall state that the excavation has been properly filled, tamped, and is ready for repaving. Whenever any person making any excavations in the street or alley fails to refill, in the proper manner, as required by this Section or fails to maintain the same for a period of one (1) year, then the County Council shall cause the work to be done and the cost thereof shall be charged against the bond as heretofore provided in section 6-68 of this Code.
- (2) Where such excavations occur in a state or federal highway, permission shall be obtained from the state or federal highway department before any work is commenced.
- (3) Public protection requirement.
 - a. It is hereby required that for every excavation made on public property, proper safeguards shall be provided against injury to the public; barricades shall be provided at five (5) foot distances, and such barricades shall completely encircle all open excavations or trenches. All barricades, as required by this Section, shall have at least one sign placed thereon in a conspicuous manner, indicating the name of the person causing such excavation. When approved, steel plates of sufficient strength may be used to cover excavation to prevent blocking of street.
 - b. From sunup to sundown there shall be placed, at a distance of not less than one hundred (100) feet, sufficient numbers of red flags to warn the public of dangerous excavation. From sunset to sunrise there shall be placed, at a distance of not less than one hundred (100) feet, sufficient red lights or flambeaux to indicate the length of the excavation in the public thoroughfare and to warn the public of dangerous excavation; in addition, there shall be placed on or by the barricades sufficient red lights or flambeaux to indicate the point of excavation and size.

(c) Anyone who encroaches on the right-of-way of a County maintained highway, street or road without securing an encroachment permit or who fails to adequately restore the road and right-of-way after an encroachment shall be deemed guilty of a misdemeanor, and shall be subject to the general penalty provisions of this Code. Each day that the unauthorized encroachment exists, or that the inadequacy exists following notification, shall be considered a separate offense.

Secs. 21-25--21-33. Reserved.

ARTICLE II. EASEMENTS ON PUBLIC STREETS

Sec. 21-34. Easements on, over, under and across public streets and property.

(a) *Generally.*

- (1) Easements over, under and across public streets and property controlled by the County shall be granted only for a public purpose, convenience, necessity, or to facilitate the provision of water, sewer, electricity, transportation or other utility.
- (2) The grantee of such easement shall certify the purpose of such easement, the area affected, the necessity and the fact that the area affected does or does not receive similar services from another public or private utility.
- (3) Prior to the granting of such easement, the grantee shall provide a written assurance that he, she, or it will comply with all applicable local, state and federal laws and regulations including, but not limited to, public safety, job safety, wage and hour laws, health standards and such other requirements as are necessary to ensure the public's safety at any time, during construction, repairs, or otherwise, should injury to person or property occur as a result of acts and/or omissions to act by such grantee, his, her, or its heirs, executor, successors or assigns.
- (4) Prior to any construction, installation, erection or repair of any such improvements and appurtenances on, over, under or across such streets or property as may be authorized by such easement, the grantee shall notify the County Department of Public Works, the County Sheriff's Department and the County Administrator at least forty-eight (48) hours in advance.
- (5) The grantee shall provide the Director of Public Works or his designee with certificate(s) of insurance verifying the grantee currently has the insurance required by the County. All such insurance policies shall be issued by an insurer satisfactory to the County, and the insurer shall have a rating in the A categories of Best Insurance Reports. The certificate(s) shall include a provision that not less than 30 days notice will be given to the County prior to cancellation, termination or reduction in coverage. In addition, the grantee shall also provide such prior notice to the Director of Public Works. The term of all insurance shall be not less than any time the grantee or anyone with a contract to perform work on the grantee's projects shall be performing such work. Insurance shall consist of the following:
 - a. At its expense the grantee shall for the term required by the County maintain a commercial general liability policy for bodily injury, personal injury, completed operations and property damage in a coverage amount of not less than \$1,000,000 per occurrence and \$2,000,000 annual aggregate, and a business auto policy for bodily injury and property damage in a coverage amount of not less than \$1,000,000 per occurrence. The forms shall be ISO (Insurance Services Office, Inc.) or comparable to them. Richland County Government shall be named an additional insured, except when the grantee is a governmental entity. Grantee shall provide its insurer a copy of any agreement with or requirement by the grantee regarding insurance.
 - b. At its expense the grantee shall for the term required by the County maintain the workers' compensation coverage required by S.C. law. The grantee shall provide a certificate for insurance for this coverage in the manner required by this subsection (5).
- (6) The grantee shall indemnify and hold harmless the County, its successors and assigns, from and against all loss, costs, expenses, including attorneys' fees,

claims, suits and judgments whatsoever in connection with injury to or death of any person or persons or loss of or damage to property, and further claims, suits and judgments whatsoever in connection with injury to or death of any person or persons or loss of or damage to property, and further claims, suits and judgments whatsoever by third parties resulting from the interruption of traffic caused by or in any way connected with the construction, installation, erection, repair or maintenance, use or presence of any such improvements or appurtenances, however caused.

- (7) The grantee shall bear all costs of furnishing flagging protection, warning devices and inspection services, as well as the costs of restoring the affected area to its original condition.

(b) *Fees, charges or water rents.*

- (1) In consideration for the granting of such easements by the County, the grantee shall pay to the County such fees, charges, or portions of fees and water rents as shall be from time to time established by the County Council.
- (2) Initial fees, charges, water rents or portions thereof shall be those as are in force and effect at the time the easement is granted and shall be remitted to the County Finance Department on a monthly basis.
- (3) Prior to any increase in fees, charges or water rents, at least thirty (30) days' notice prior to the effective date shall be given to those grantees so affected.
- (4) Any grantee affected by any such increase may request a hearing by County Council or its duly authorized representative, provided such hearing is requested in writing within twenty (20) days of the giving of notice as required in subsection (b)(3) of this Section.
- (5) Such request for hearing shall stay the implementation of such increase for an additional fifteen (15) days beyond the thirty-day notice period, but thereafter such increase shall go into effect and so continue until such time as changed by County Council, general law, or a court of competent jurisdiction.
- (6) Such increase as is collected subsequent to such request for hearing shall be placed in escrow pending a ruling by County Council. In the event of a reduction of the increase, such difference shall be refunded to the grantee.
- (7) Only that increase collected from a grantee that has requested a hearing shall be so escrowed. Increases collected from grantees that do not request a hearing will not be escrowed.
- (8) In the event County Council, after hearing, refuses to reduce the increase, the funds so escrowed shall immediately revert to the general fund or such other fund as has been designated by County Council.
- (9) In the event the hearing provided for in subsection (b)(4) of this Section is held by the duly authorized representative of County Council, the representative shall report his/her findings and recommendations to County Council within ten (10) working days thereafter.
- (10) The failure of County Council to affirmatively reduce the increase by the second meeting after a receipt of such report shall constitute a ratification of its previous action establishing such increase.

Sec. 21-35. Adoption not to constitute waiver.

- (a) The adoption of this chapter shall not be deemed an acceptance of liability nor a waiver of the doctrine of sovereign immunity.

(b) The adoption of this chapter shall not be deemed a waiver of the release clause contained in the standard easement and right-of-way deed.

SECTION II. Severability. If any section, subsection, or clause of this ordinance shall be deemed to be unconstitutional or otherwise invalid, the validity of the remaining sections, subsections, and clauses shall not be affected thereby.

SECTION III. Conflicting Ordinances Repealed. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION IV. Effective Date. This ordinance shall be enforced from and after January 21, 2003.

Roadway Lighting

Scope

Council has requested information regarding lighting issues within the County. As part of this, Council would like to determine what constitutes adequate lighting, which areas are not adequate and how to assess cost and establish priority regarding how to address such issues. Due to the nature of roadway lighting being a highly specialized field, recommendations stemming from research may be limited in scope toward what may be achievable by Planning Services staff and their expertise in regards to comprehensive roadway lighting. Further work and outsourcing to consultants will likely be necessary to fully determine and accurately reflect values, quantities, metrics and results for addressing the wishes of Council. As a result, this document primarily provides research and background on roadway lighting for informational and decision-making purposes and, therefore, should not be construed as providing professional engineering opinion or know-how. In facilitating this task, staff will also be looking at potential conflicts and issues which may arise in implementing street lighting, based upon the research, along with potential steps on how to move forward if Council so chooses.

Roadway Lighting

Need for Engineering Expertise

From the *Roadway Lighting Design Guide* by the American Association of Highway and Transportation Officials (AASHTO), it is explicitly understood that roadway and street lighting design and studies should be undertaken by a licensed engineer.¹ Design documents require the signature and seal of a registered professional engineer. Likewise, the premier body regarding roadway lighting, the Illuminating Engineering Society (IES), has been publishing the guidelines for road lighting since 1928 and has been the standard since.² Other organizations that provide information on roadway lighting is the International Commission on Illumination, who is an international body of professionals devoted to the international exchange and cooperation of information regarding the art and science of lighting. It consists of membership from among 40 countries and is recognized as an authority on all aspects of light and lighting. All lighting designs should be developed to engineering specifications required of a seal.³ Expertise in roadway lighting and electrical systems is a necessary facet for performing roadway lighting design as it would include a plethora of highly coordinated features where engineering practice and judgement need be applied to the various characteristics.⁴

Five [5] major publications exist which provide information regarding roadway lighting of varying detail and content. One publication is RP-8-14 *Roadway Lighting* by IES/ANSI. It is one of two primary documents for roadway lighting in the United States. Another, which is the other primary guide, was noted above. The GL-5 *Roadway Lighting Design Guide* by AASHTO is heavily used alongside the IES publication. The CEI publishes Technical Report CIE 115:2010 *Lighting of Roads for Motor and Pedestrian Traffic* for authoritative guidance on road lighting. The other two documents are produced by the Federal

¹ AASHTO (2005), pg. 1.

² IES (2014), pg. 1.

³ AASHTO (2005), pg. 1.

⁴ AASHTO (2005), pg. 1; IES (2014), pg. 1 and 12.

Highway Administration (FHWA). FHWA-SA-11-22 *Lighting Handbook* is a general guide on road lighting, which refers back to the IES and AASHTO guides. The other FHWA document is FHWA-HRT-14-050 *Guidelines for the Implementation of Reduced Lighting on Roadways* which is mostly used for adaptive lighting and supplements existing guidelines. Each of these documents are written by and made for engineers in the practice of road lighting design.⁵

General Process for Lighting Design

The design for road lighting systems is a process of applying known or specified photometric characteristics of selected lamp-luminaire combinations.⁶ Two accepted methods, luminance or illuminance, allow for the analysis of alternatives regarding lamps, luminaires, mounting heights, luminaire spacing, energy consumption and other facets, to determine a preferred design. A trial-and-adjust process of assumed settings is utilized to make calculations on the overall lighting design. The various photometric data of possible outcomes is utilized to determine best-case scenarios for the desired illumination effect.

Purpose of Roadway Lighting

The general purpose of roadway lighting is to provide improved safety, security and aesthetics for the various users of the roadways and associated facilities.⁷ IES expounds upon this further stating, “the principal purpose of roadway and street lighting is to allow accurate and comfortable visibility at night of potential hazards in sufficient time to allow appropriate action.”⁸ Lighting is intended to help the motorist remain on the roadway and help with the detection of obstacles within and beyond the range of the vehicles headlights.⁹ It is also intended to help the motorist identify obstacles, provide adequate visibility of pedestrians and cyclists and assist in the visual search tasks both on and adjacent to the street.¹⁰ The International Commission on Illumination (CIE) gives three main purposes of road lighting: (1) to allow all road users, including motor vehicle operators, cyclists and even animal drawn vehicles, to proceed safely on roadways; (2) to allow pedestrians to see hazards, orientate themselves, recognize other pedestrians and give pedestrians a sense of security; and (3) to improve the day-time and night-time appearance of an environment.¹¹ Being able to adequately see the road/street and observe traffic and the roadway layout is integral to driving. Lighting significantly improves the visibility of the roadway, increases sight distance, and makes roadside obstacles more noticeable. Likewise, roadway lighting is a proven safety measure for personal security. Lighting along roadways helps provide personal safety to pedestrians, cyclists and transit users. As such, ensuring that lighting meets minimum acceptable levels of illumination is important for all users of a roadway during the design process.¹²

⁵ IES (2014), pg. 1; AASHTO (2005), pg. 1-2.

⁶ AASHTO (2005), pg. 13.

⁷ AASHTO (2005), pg. B-1.

⁸ IES (2014), pg. 1.

⁹ *Ibid.*, pg. 2.

¹⁰ *Ibid.*, pg. 2.

¹¹ CIE (2010), pg. 3.

¹² Lutkevich, Mclean, & Cheung (2012), pg. 5.

Generally, roadway lighting achieves four objectives: (1) to supplement vehicle headlights, extending the visibility range beyond their limits both laterally and longitudinally; (2) to improve visibility of roadway features and objects on or near the roadway; (3) to delineate the roadway ahead and improve visibility of the surroundings; and (4) to reduce apprehension of those using the roadway.¹³

Master Lighting Plans¹⁴

A master lighting plan is a formal arrangement to coordinate and standardize the design, operation and maintenance of public lighting established through analysis, study and planning. A master lighting plan helps create a blueprint and show a dedicated commitment to establishing lighting if such a process is desirable for a community. Often, master lighting plans are regionally based so as to include coordination between area authorities, governments and utility agencies. Master lighting plans combine a breadth of information that is leveraged as the basis for lighting projects. Items addressed vary, but typically involve safety and security issues, capital and operating costs, daytime and nighttime aesthetics, lighting design criteria, environmental issues and constraints, energy use, preservation of areas of darkness and maintenance requirements. Plans should take into account anticipated economic and cultural changes, a community's public image, economic development goals and technological advancements. Master lighting plans and transportation related lighting is viewed as a core concept of government management. Likewise, lighting plans should not dictate the quantity or quality of light for a roadway facility since it will vary based upon the needed requirements of that facility.

Master lighting plans provide three major benefits of safety, beautification, and security for people and property. Other additional benefits include system identification, energy management, sky glow and light trespass control, aid in lighting curfews and coordinated maintenance, among others. Further potential benefits may also be identified throughout the plan development process.

AASHTO recommends a three step process for developing a master lighting plan. Step one would be to coordinate with other participants to set goals. Step two would be to consult with and consider concerns of groups having a stake in public lighting. Step three would be to conduct studies regarding current systems and operations, feasibility of any potential strategies and justification of such strategies. Participants often will include local government agencies, the state DOT, emergency service departments including fire, sheriff/police, EMS, traffic management centers, parks and recreation and other regional entities. This participation will allow for coordination of public lighting systems through joint goals and how to achieve them. Other groups that may have concerns about lighting would be property owners, retailers and businesses, school districts, civic organizations and environmental groups. As part of this step would be to develop goals for the lighting plan. AASHTO notes that a lighting plan should have five [5] major goals: (1) improved safety; (2) environmentally judicious use of resources; (3) judicious energy use; (4) attracting tourists, businesses and nighttime activities, as appropriate; and (5) planned maintenance.

¹³ Kennaugh (n.d.), para 5; Henson (2012), pg. 1.

¹⁴ AASHTO (2005), pg. 3-12; Lutkevich, McClean, & Cheung (2012), pg. 55-56.

Following the goal identification and conversations with stakeholders, studies should then be conducted by traffic and lighting engineers. Such studies are needed to determine how various lighting systems currently operate and how they can be optimized and coordinated. Likewise, they are used to justify implementing any lighting curfews and justify expenditures for technological improvements. Generally, the scope of lighting studies in conjunction with master lighting plans will typically cover the electrical system, purpose of the lighting system, benefits and effects of curfews and dimming, traffic studies, surrounding land use and lighting, security concerns, negative effects of lighting, community goals, traffic management, lighting controls, system implementation and lighting budget. Studies should also evaluate electrical energy use and potential savings in both use and cost. Another important aspect of studies will be budgetary factors including budget for installation and maintenance and effect on other traffic issues.

Lighting Criteria, Adequacy and Inadequacy

Illumination Levels

There are two metrics for measuring light. One is illuminance, which is the amount of light that falls onto a surface, and luminance, which is the amount of light that reflects from a surface in the direction of the observer. Illuminance is measured as the amount of lumens per unit area in footcandles (lumens/ft²) or in lux (lumens/m²). Illuminance is a simple lighting metric to calculate and measure as it does not take into account reflection.¹⁵ Illuminance occurs in two variations, vertical illuminance and horizontal illuminance, which have the same properties. Vertical illuminance is a primary criterion for determining the amount of light needed for pedestrians as it helps with facial recognition.¹⁶ Luminance (candela (ca)/m²) is often referred to as the “brightness” of the surface and is considered a more complete metric than illuminance because it factors in the amount of light that reaches the surface but how much of that light is reflected back towards the driver.¹⁷

Important to understanding illumination levels are several metrics which help to measure and evaluate lighting systems. Uniformity of lighting is an indication of the quality of illumination and can be defined by either the average-to-minimum, maximum-to-minimum or maximum-to-average ratios of light levels. Uniformity of illuminance is the ratio of average footcandles/lux of illuminance on the pavement area to the footcandles/lux at the point of minimum illuminance on the pavement.¹⁸ Uniformity of Luminance is expressed as the ratio average-to-maximum point of luminance or the maximum-to-minimum point, known as overall uniformity or longitudinal uniformity, respectively. Each of these only considers the traveled portion of roadway, except for divided roadways which have separate designs. Overall uniformity uses the average luminance of the roadway design area between two adjacent luminaires, divided by the lowest value at any point in the area and is an important criterion regarding the control of minimum visibility on roads. Longitudinal uniformity uses the maximum and minimum values along a line or lines

¹⁵ Lutkevich, McClean, & Cheung (2012), pg. 27; AASHTO (2005), pg. 14 and 63; IES (2014), pg. 11 and 27-36.

¹⁶ Lutkevich, McClean, & Cheung (2012) pg. 27; IES (2014), pg. 4-5, 11-12 and 27-36.

¹⁷ Lutkevich, McClean, & Cheung (2012) pg. 28; AASHTO (2005), pg. 14 and 64; IES (2014), pg. 4-5, 11-12 and 27-36.

¹⁸ AASHTO (2005), pg. 66.

parallel to a road.¹⁹ Longitudinal uniformity relates primarily to comfort with a purpose of preventing repeating patterns of high and low luminance becoming too pronounced.²⁰

Two additional metrics deal with disability glare, which is scattering of light within the eye which reduces contrast. Veiling luminance is a ratio used to determine the amount of glare generated by a lighting system and helps in understanding contrast among objects in a visual field.²¹ Similar to this is Threshold Increment (TI), which is a measure of the loss of visibility caused by disability glare due to road lighting luminaires.²² TI is based upon the amount of contrast between an object and its background and expressed as the percentage of contrast needed to reach a visible threshold, i.e., fifty percent [50%], when glare is introduced.²³

Lighting Types (Bulbs)²⁴

There are three general types of light sources which are used for roadway lighting. The first is LEDs. LEDs are considered to be an integrated light where the luminaire and fixture are not separated parts. Usually, LED roadway lights have a rectangular pattern, casting majority of the light on the street side. LEDs are considered highly energy efficient compared to other fixtures, as they use less energy and have a longer life. One disadvantage is the likelihood of increased glare. LEDs typically operate at a range of 2-90 lumens with a lifespan of around 50,000 hours.

The second type is filament lamps. These consist primarily of incandescent lamps. These types of lamps have an electrical resistance wire filament enclosed in a gas filled bulb. A current is passed through the filament to heat it until the incandescence produces light. The gases act as a thermal barrier and reduce evaporation of the filament as its heated. Incandescent lamps typically operate at a range of 10-15 lumens with a lifespan of around 12,000 hours.

The third type is discharge lamps. Discharge lamps produce light by exciting gases or metal vapors in a bulb or tube situated between electrodes in the fixture and ballast. The gas is ionized as current flows between the electrodes. The ballast is used to maintain and regulate input power for the lamp due to the negative resistance of the discharge lamps. A variety of discharge lamps are utilized for roadway lighting. One type is fluorescent lamps. Fluorescent lamps produce light through the activation of a fluorescent coating on the inside of the tube via ultraviolet energy generated by an arc. Typically, fluorescent lamps produce 60-70 lumens with a lifespan of around 7,500-24,000 hours. Another discharge lamp is mercury vapor which consists of an arc tube inside an outer bulb containing mercury vapor and electrodes. Light is produced from the mercury vapor ionization. Often these lamps will have a phosphorus coating to improve color retention. Mercury vapor bulbs/lamps typically produce a range of 50-65 lumens and a lifespan of around 24,000 hours. Another variety of discharge lamp is metal halide, which is produced by

¹⁹ AASHTO (2005), pg. 66; CIE (2010), pg. 2.

²⁰ CIE (2005), pg. 2-3.

²¹ Lutkevich, McClean, & Cheung (2012), pg. 29; AASHTO (2005), pg. 16 and 66; IES (2014), pg. 4-5, 11-12 and 27-36.

²² CIE (2010), pg. 3.

²³ Lutkevich, McClean, & Cheung (2012), pg. 29.

²⁴ Kennaugh (n.d.), para. 10-18.

applying an electrical current to metallic vapors. Metal halides have increased potential for color retention, but short lifespans at around 10,000-20,000 hours. It typically operates at 90-110 lumens. High pressure sodium is another variety of discharge lamps. High pressure sodium lamps produce light from sodium vapor, where an arc tube is filled with sodium, mercury and xenon. The gas is used for starting the light and the mercury for coloring. The lamp has no electrode and produces a high voltage pulse of 2,500-4,000 volts. High pressure sodium lamps typically produce 125-140 lumens with a lifespan of around 24,000 hours. Low pressure sodium in another type of discharge lamp used for roadway lighting. Low pressure sodium lamps are highly efficient, though are monochromatic, large in size, have a hard to control pattern and a lower lamp life at around 18,000 hours. Typically, it produces around 180 lumens.

Lighting Warrants

Lighting warrants are analytical evaluation methods for the purpose of establishing a basis on which lighting may be justified. Warrants are based on defined conditions or rating systems. Meeting warrants does not mean an obligation to provide lighting, but simply provide minimum conditions to be met when contemplating lighting for new or existing facilities. Warrants indicate where lighting may be beneficial but should not be interpreted as an absolute indication of whether or not lighting is required. They indicate situations where lighting should be investigated. Warrants are not to be construed as the only criteria for justifying lighting. Warrants are intended to be an easily understood tool to assist administrators and designers in considering lighting for roadways. The need for lighting should be determined by sound engineering judgement and, ultimately, rests with the decision-making body with jurisdiction over the roadway.²⁵

Warranting conditions vary among roadway classifications. AASHTO provides for warranting criteria for continuous freeway lighting, complete interchange lighting, partial interchange lighting and for streets and localized roadways, among others. Warranting criteria for each of the various classification differs. Most deal with traffic volumes, spacing of interchanges, lighting in adjacent areas and crash ratios. For streets and localized highways, criteria vary with location as local authorities will often have specific criteria of their own, though, generally consist of crash ratios, traffic volumes, pedestrian activity, intersections and other components.²⁶

Adequacy and Inadequacy – Design Values

Qualification for adequate or inadequate roadway lighting varies depending on numerous factors such as road classification, pavement type, adjacent activities, land uses and/or potential conflicts. General adequacy also varies based on the method of illumination utilized, e.g., illuminance or luminance. Likewise, the class of lighting whether normal lighting, which consists of the same level of lighting throughout an entire period of darkness, or adaptive lighting, which is also known as transition lighting, allows for variable lighting levels throughout a time period and/or over areas.²⁷ Level of adequacy is not

²⁵ Lutkevich, McClean, & Cheung (2012), pg. 31; AASHTO (2005), pg. 17 and 23.

²⁶ AASHTO (2005), pg. 17-23.

²⁷ CIE (2010), pg.7-8; Gibbons, et. al., pg. XXXX.

easily defined and should be determined in conjunction with a lighting study undertaken by a licensed engineering professional.²⁸

The three major bodies who produce lighting standards, the IES, AASHTO and CEI, all have differing standards for what constitutes as minimum criteria for designing roadway lighting and the preferred method of illumination. IES and AASHTO are the main bodies which apply to, and most heavily influence, practice in the United States. CEI influences and provides guidance for lighting in the US, but normally, standards set forth by IES and AASHTO are consulted. The FHWA provides guidance in regards to adaptive lighting design criteria further than that prescribed by AASHTO or IES.²⁹ The values each organization provides are not guarantees of adequacy or inadequacy, nor are they requisite levels. Professional lighting engineers will be able to more accurately provide what constitutes adequate or inadequate lighting.³⁰

AASHTO Design Values³¹

AASHTO divides values between roadway classification, pavement type, illumination method and via the off-road general land use, categorized as commercial, intermediate and residential. The values utilized in the *AASHTO Roadway Lighting Design Guide* are for continuous lighting at non-intersections. Special conditions may warrant different luminance or illuminance levels, such as pedestrian activity, curbs, luminaire structures, bridges/islands/divisions or other considerations. The selection of light source, luminaire distribution, mounting height and luminaire overhang are each an engineering decision which should be based on factors such as road geometry and character of the roadway, environment, proposed maintenance, economics, aesthetics and overall lighting objectives.

The area classifications play an important factor in identifying how much lighting should or should not be utilized. The three different classifications range in part by how pedestrianized each class would normally be. Commercial consists of mostly densely populated areas, such as a central business district, where there are large numbers of pedestrians and a heavy demand for parking during peak hours or sustained periods of high pedestrians and parking demand throughout a day. Intermediate consists primarily around activity centers, such as hospitals, libraries and recreation centers, that are characterized by moderate nighttime pedestrian traffic and lower parking turnover than commercial areas. Residential consists of low density developments, whether residential or commercial, that is characterized by few pedestrians with single family homes. These classifications play a large role in determining the appropriateness of associated design values for the types of roads, streets and walkways in the AASHTO guidelines.

For interstates and other limited access highways or freeways, using the illuminance method, the average maintained illuminance varies between a minimum 0.6-1.1 footcandles (6-12 lux), a minimum illuminance at 0.2 footcandles (2 lux) and a max illuminance uniformity ratio of 3:1 to 4:1. Using the luminance

²⁸ IES (2014), pg. 1 and 12; AASHTO (2005), pg. 1, 6 and 10.

²⁹ Gibbons, et. al.

³⁰ AASHTO (2005); CIE (2010); IES (2014); Gibbons, et. al. (2014).

³¹ AASHTO (2005), pg. 20-25.

method, the minimum average luminance ranges from 0.4-1.0 cd/m² and max ratios of 3.5:1 overall uniformity and 6:1 longitudinal uniformity.

For major arterials, under the illuminance method, the minimum average maintained illuminance ranges from 0.6 to 1.6 footcandles (6-17 lux) and a maximum illuminance ratio of 3:1. Minimum illuminance is determined by the uniformity ratio for all non-limited access roadways. Under the luminance method, major arterials have a minimum average luminance of 0.6-1.2 cd/m² and maximum ratios of 3:1-3.5:1 for overall uniformity and 5:1-6:1 for longitudinal uniformity.

For minor arterials, using the illuminance method, the minimum average maintained illuminance ranges from 0.5-1.4 footcandles (5-15 lux) and have a max uniformity ratio of 4:1. The luminance method sets a minimum luminance average of 0.6-1.2 cd/m² with max uniformity ratios of 3:1-3.5:1 for overall and 5:1-6:1 for longitudinal uniformity.

Collector streets have a minimum average maintained illuminance of 0.4-1.1 footcandles (4-12 lux) and a max uniformity ratio of 4:1 under the illuminance method. Collectors have a range of 0.4-0.8 cd/m² for the minimum average maintained luminance and max ratios of between 3:1-4:1 for overall uniformity and 5:1-8:1 for longitudinal uniformity.

Local streets, via the illuminance method, have a minimum average maintained illuminance of 0.3-0.8 footcandles (3-9 lux) and a max uniformity ratio of 6:1. Via the luminance method, local streets have a minimum average maintained luminance of 0.4-0.6 cd/m² and max ratios of 6:1 for overall and 10:1 for longitudinal uniformity.

Design guidelines are also included for alleys by AASHTO. Alleys have a minimum average maintained illuminance of 0.2-0.6 footcandles (2-6 lux) and have a maximum illuminance uniformity ratio of 6:1. Alleys have a minimum average maintained luminance of 0.2-0.4 cd/m² with a max overall uniformity ratio of 6:1 and a longitudinal uniformity ratio of 10:1.

Sidewalks have design values for the illuminance method only, as this will take into consideration vertical and horizontal illuminance and facial recognition which luminance does not. Sidewalks have a minimum average maintained illuminance of 0.3-1.3 footcandles (3-14 lux) and a max uniformity ratio ranging between 3:1-6:1. Additionally, pedestrian and bicycle ways are given values as well, though, these are assumed to be a separate facility from roads and streets and using an R3 pavement type. For pedestrian or bicycle ways which are adjacent to roads or streets, the road and street design values should then be utilized. The minimum average maintained illuminance should be a range between 1.4-2.0 footcandles (15-22 lux) with a max illuminance uniformity ratio of 3:1.

IES Design Guidelines³²

As noted previously, each of the primary groups who provides standards regarding road lighting has different methods and approaches to determining appropriate levels of illumination. The IES recommends three methods of luminance, illuminance and Small Target Visibility for evaluating continuous street and roadway lighting design. For the IES, luminance is the selected design method for straight roadways and streets, horizontal and vertical illuminance is the method for pedestrian areas and horizontal illuminance is used for intersections and interchanges. Unlike AASHTO, IES makes clear distinction between “roadway” and “street” lighting systems. “Roadways” include freeways, expressways, limited access highways and roads which pedestrians, cyclists and parked vehicles are normally not present. “Streets” include major (minor arterials), collectors and local roads where pedestrians and cyclists are generally present. As with AASHTO, IES divides the streets classification into three classes based on pedestrian conflicts, which is responsible for a disproportionate number of nighttime fatalities. High pedestrian conflict areas are those with significant numbers of pedestrians expected to be on sidewalks or crossing streets during darkness. Medium pedestrian conflict areas are those with lesser numbers of pedestrian use streets at night. Low pedestrian conflict areas are areas with low volumes of night pedestrian usage. IES states that the choice of the appropriate pedestrian activity level for a street is an engineering decision. Lighting design recommendations through IES are given as minimum values, or maximums for uniformity ratios, which have been arrived at through practical experience and agreed upon by consensus of lighting experts. Variations and exceptions to the values are not addressed as they should be evaluated with the necessary engineering study. IES provides design values for numerous types of lighting such as pedestrian underpasses, intersections, high mast lighting and crosswalks among others.

Lighting design criteria for roadways utilized the luminance method, though it is recommended that illuminance calculations be performed for the resultant design to provide values that can be used for field validation of an installed system’s performance. For Freeway Class A roads, minimum average luminance is 0.6 cd/m^2 with a max overall uniformity ratio of 3.5 and a max longitudinal uniformity ratio of 6.0. For Freeway Class B roads, the minimum average luminance is 0.4 cd/m^2 with max overall uniformity ratios of 3.5 and 6.0 for overall and longitudinal uniformity respectively. Expressway roads have a minimum average luminance of 1.0 cd/m^2 and uniformity ratios of 3.0 and 5.0 respectively for overall and longitudinal uniformity.

Lighting design criteria for streets uses the luminance method for the motor vehicle traveled portion of the roadway and are based on the pedestrian area classification. For major (minor arterials) streets the minimum average luminance ranges from $0.6\text{-}1.2 \text{ cd/m}^2$ with maximum uniformity ratio ranges from 3.0-3.5 and 5.0-6.0 for overall and longitudinal uniformity respectively. Collectors have a minimum average luminance range of $0.4\text{-}0.8 \text{ cd/m}^2$ with ranges of 3.0-4.0 and 5.0-8.0 maximum uniformity ratios for overall and longitudinal uniformity, respectively. Local streets have a minimum average luminance range of $0.3\text{-}0.6 \text{ cd/m}^2$ with a maximum overall uniformity ratio of 6.0 and a maximum longitudinal uniformity ratio of 10.0.

³² IES (2014), pg. 2-4 and 11-27.

Lighting design criteria for the pedestrian portion of streets utilizes the illuminance method for each of the three pedestrian conflict areas. Vertical illuminance should be measured at a height of 1.5m (5 ft.) in both directions and parallel to the main pedestrian flow. High pedestrian conflict areas consists of two types for walkways. One is mixed vehicle and pedestrian which has a minimum average illuminance of 20.0 lux (2.0 footcandles), a minimum vertical illuminance of 10.0 lux (1.0 footcandles) and a maximum illuminance uniformity ratio of 4.0. The other type is pedestrian only which calls for a minimum average illuminance of 10.0 lux (1.0 footcandles) with a vertical illuminance of 5.0 lux (0.5 footcandles) and a maximum average illuminance of 4.0. The medium pedestrian conflict area provides only a pedestrian area with a minimum average illuminance of 5.0 lux (0.5 footcandles) with a vertical illuminance of 2.0 lux (0.2 footcandles) and a maximum uniformity illuminance of 4.0. Low pedestrian conflict area consists of three types which rely heavily on pedestrian environments based on housing density. The low pedestrian conflict area of rural/semi-rural areas has a minimum average illuminance of 2.0 lux (0.2 footcandles), vertical illuminance of 0.6 lux (0.06 footcandles) and a maximum illuminance uniformity ratio of 10.0. The next type of low density residential, defined as 2 or fewer dwelling units per acre, has a minimum average illuminance of 3.0 lux (0.3 footcandles), vertical illuminance of 0.8 lux (0.08 footcandles) and a maximum illuminance uniformity ratio of 6.0. The last type of medium density, defined as 2.1 to 6.0 dwelling units per acre, has an average illuminance of 4.0 lux (0.4 footcandles), vertical illuminance of 1.0 lux (0.1 footcandles) and an illuminance uniformity ratio of 4.0.

CIE Design Guidelines³³

CIE uses a different process for selecting how road lighting should be applied and at what levels. CIE utilizes three classes of roadways for which lighting is suggested. They are identified as M, C and P classes. M lighting classes are intended for drivers of motorized vehicles on traffic routes and some residential roads with medium to high driving speeds. C lighting classes are conflict areas where vehicle streams intersect each other or run into areas frequented by pedestrians, cyclists or other users, or when there is a change in road geometry, such as a lane reduction. P lighting classes are roads and streets characterized by low vehicle speeds and are highly pedestrianized. Each of the lighting classes have six types which necessitate a different level of lighting. The lighting class for each is derived at using a series of weighted criteria based on certain parameters that affect each class. Generally, the outcome of the appropriate values is determined by the sum of the weighted factors, or: $class X = 6 - V_{ws}$; within this scheme, the more points means greater lighting level. After the selectin of the appropriate weighting values, the sum will yield values between either 1-6 for M and P or 0-5 for C. Where the sum does not result in a whole number, the next lower whole number is to be used. CIE recommends the use of the luminance method for motor traffic and does not recommended illuminance except in special situations, such as lighting for pedestrian design and very low speeds.

M lighting classes range from M1-M6. M1 would be the highest class roadway, such as an interstate with high speeds, a large separation of traffic and modes and controlled access, and M6 would be lowest class. The parameters for determining classes are speed, traffic volume, traffic composition, separation of

³³ CIE (2010), pg. 7-19.

carriageways, intersection density, parked vehicles, ambient luminance and visual guidance/traffic control. M1 roads have an average luminance of 2.0 cd/m², an overall luminance uniformity ratio of 0.40 and a longitudinal luminance uniformity ratio of 0.70. M2 roads have an average luminance of 1.5 cd/m², an overall luminance uniformity ratio of 0.40 and a longitudinal uniformity ratio of 0.70. M3 roads have an average luminance of 1.0 cd/m², an overall uniformity ratio of 0.40 and a longitudinal uniformity ratio of 0.60. M4 roads have an average luminance of 0.75 cd/m², an overall uniformity ratio of 0.40 and a longitudinal uniformity ratio of 0.60. M5 roads have an average luminance of 0.50 cd/m², an overall uniformity ratio of 0.35 and a longitudinal uniformity ratio of 0.40. M6 roads have an average luminance of 0.30 cd/m², an overall uniformity ratio of 0.35 and a longitudinal uniformity ratio of 0.40.

C lighting classes range from C0-C5. C0 is the highest class for conflict areas and C5 is the lowest. This differs from M and P because conflict areas should have a lighting level higher than connecting roads. It is suggested that the luminance method be used for conflict area, however, due to the nature of conflict areas, illuminance may be utilized. The parameters for C classes are speed, traffic volume, traffic composition, separation of carriageways, ambient luminance and visual guidance/traffic control. Each C class has an illuminance uniformity ratio of 0.40. C0 has an average illuminance of 50 lux. C1 has an average illuminance of 30 lux. C2 has an average illuminance of 20 lux. C3 has an average illuminance of 15 lux. C4 has an average illuminance of 10 lux. C5 has an average illuminance of 7.5 lux.

P lighting classes range from P1-P6. P1 would be highly pedestrianized with lots of foot traffic or other pedestrian activities. P class lighting is intended for pedestrians and cyclists on footways, cycleways and other road areas lying separately or along a traffic route, and for residential roads, pedestrian streets and parking places, among others. Lighting for pedestrians should enable users to discern obstacles and other hazards in their path and be aware of the movements of other pedestrians who are in close proximity. This leads toward the utilization of the illuminance method for both horizontal and vertical surfaces. As by the IES, CIE uses 1.5 m height (5 feet) as the standard measure for vertical illuminance. The parameters for P classes are speed, traffic volume, traffic composition, parked vehicles, ambient luminance and facial recognition. P1 has an average illuminance of 15 lux, a minimum illuminance of 3.0 lux and a vertical illuminance of 5.0 lux. P2 has an average illuminance of 10 lux, a minimum illuminance of 2.0 lux and a vertical illuminance of 3.0 lux. P3 has an average illuminance of 7.5 lux, a minimum illuminance of 1.5 lux and a minimum vertical illuminance of 2.5 lux. P4 has an average illuminance of 5.0 lux, a minimum illuminance of 1.0 lux and a vertical illuminance of 1.5 lux. P5 has an average illuminance of 3.0 lux, a minimum horizontal illuminance of 0.6 lux and a vertical illuminance of 1.0 lux. P6 has an average illuminance of 2.0 lux, a horizontal illuminance of 0.4 lux and a vertical illuminance of 0.6 lux.

FHWA Adaptive Lighting Design Values³⁴

FHWA provides the process by which an agency or lighting designer can select the required lighting level for a road or street and implement adaptive lighting for a lighting installation or lighting retrofit. Adaptive lighting allows lighting to be turned off or reduced when few or no vehicles or pedestrians are using the roadway. Likewise, lighting can be increased or turned on when needed. The objective for roadway

³⁴ Gibbons, et. al. (2014), pg. 1-31.

lighting is to use lighting only when it is required and at an appropriate level to provide for the safety of roadway users that does not result in over-lighting. Adaptive lighting therefore provides lighting only when and where it is needed, managing the roadway lighting level as an asset, controlling and managing the light level on the roadway. Typically, the process for determining a lighting level is to choose the road classification and then the potential for conflict, such as the AASHTO and IES methods. These do not provide a good basis for adaptive lighting as they only rely upon maximum conditions, or worst-case scenarios, to keep a sustained level throughout a period using that type. As such, elements such as AASHTO's land use, do not allow for variability in the change throughout a day. Similarly, IES's design values for roadways are the same way, though the street classification could allow for variability. Due to this the FHWA sought to develop a more complete classification beyond the IES and AASHTO guidelines to implement adaptive lighting and obtain the requisite benefits from such. The methodology is heavily adapted from the CIE method presented in CIE 115:2010 *Roadway Lighting*. FHWA separates facilities into three categories: roadways (H), streets (S) and residential/pedestrian (P). Roadway lighting is provided for freeways, expressways, limited access highways and other roads where pedestrians, cyclists and parked vehicles are not generally present. Street lighting includes major (minor arterials), collectors and local roads on which pedestrians and cyclists are normally present. Residential/pedestrian lighting is provided primarily for the safety and security of pedestrians, not necessarily for drivers/motorists, with slow speeds. As with the CIE methods, the level of facility is determined through the weighting of factors. Points are provided for certain parameters and the lighting class for the various type is decided based on the sum of all factors; or $Lighting\ Class = Base\ Value - \sum Weighting\ Values$.

H lighting classes range from H1-H4. H1 would be higher order roadways and H4 being lower. The purpose of H class lighting is to help the motorist remain on the roadway and aid in detection of obstacles within and beyond the range of headlights. H lighting classes have parameters of speed, traffic volume, median, intersection/interchange density, ambient luminance and guidance. The luminance method is used for H class lighting. H1 has an average luminance of 1.0 cd/m², an overall uniformity ratio of 3 and a longitudinal uniformity ratio of 5. H2 has an average luminance of 0.8 cd/m², an overall uniformity ratio of 3 and a longitudinal uniformity ratio of 6. H3 has an average luminance of 0.6 cd/m², an overall uniformity ratio of 3.5 and a longitudinal uniformity ratio of 6. H4 has an average luminance of 0.4 cd/m², an overall uniformity ratio of 3.5 and a longitudinal uniformity ratio of 6.

S lighting classes range from S1-S6, with S1 being more heavily trafficked and S6 being less. The purpose of S class lighting is to help motorists identify obstacles, provide visibility of and for pedestrian and cyclists and assist all users in visual search tasks on and adjacent to the roadway. Parameters for S class lighting consist of speed, traffic volume, median, intersection/intersection density, ambient luminance, guidance, pedestrian/bicycle interaction and parked vehicles. The luminance method is used for S class lighting. S1 has an average luminance of 1.2 cd/m², an overall uniformity ratio of 3 and a longitudinal uniformity ratio of 5. S2 has an average luminance of 0.9 cd/m², an overall uniformity ratio of 3.5 and a longitudinal uniformity ratio of 6. S3 has an average luminance of 0.6 cd/m², an overall uniformity ratio of 4 and a longitudinal uniformity ratio of 6. S4 has an average luminance of 0.4 cd/m², an overall uniformity ratio of 6 and a longitudinal uniformity ratio of 8. S5 has an average luminance of 0.3 cd/m², an overall uniformity ratio of 6 and a longitudinal uniformity ratio of 10.

P lighting classes range from P1-P5, with P1 being high and P5 being low. The purpose of P class lighting is to provide guidance, safety and security for pedestrian users as headlights are appropriate for motorized traffic. The parameters for P class lighting are speed, traffic volume, intersection/intersection density, ambient luminance, pedestrian/bicycle interaction, parked vehicles and facial recognition. P lighting classes use the illuminance method with horizontal and vertical illuminance taken into account. P1 has an average illuminance of 10 lux, a vertical illuminance of 5 lux and an illuminance uniformity ratio of 4. P2 has an average illuminance of 5 lux, a vertical illuminance of 2 lux and an illuminance uniformity ratio of 4. P3 has an average illuminance of 4 lux, a vertical illuminance of 1 lux and an illuminance uniformity ratio of 4. P4 has an average illuminance of 3 lux, a vertical illuminance of 0.8 lux and an illuminance uniformity ratio of 6. P5 has an average illuminance of 2 lux, a vertical illuminance of 0.6 lux and an illuminance uniformity ratio of 10.

Lighting control and policies

Of the 34,500 or so roads and road sections throughout the County, paved or unpaved, Richland County maintains about eighteen percent [18%] of those. The remainder fall under the jurisdiction of either SCDOT, the various municipalities or private owners and HOAs. SCEG is the main utility company which provides electricity across the various portions of unincorporated Richland County. This creates an amalgam of levels of control, regulations and policies affecting lighting.

County Ordinances of Richland County

For the roads over which Richland County has jurisdiction, County ordinances and policies apply to those streets. Two sections of the Richland County Code of Ordinances relate to lighting. No further policies have been identified as pertaining to lighting or street lighting. The two ordinances provide for local control in regards to lighting for unincorporated Richland County.

§21-12 (Roads, Highways and Bridges)

Chapter 21 (Roads, Highways and Bridges) of the Richland County Code of Ordinances defines the mission, responsibilities and limitations of County public works regarding maintenance and construction of road and drainage infrastructure in the jurisdiction of the County. Section 21-12, with the catchline titled “Street Lighting”, states “the County shall not provide street lighting on any highway, street or road until such time as sufficient funds are appropriated to provide that service county-wide.”³⁵ It expands further to state “homeowners or homeowner’s associations may obtain street lighting through contractual arrangement with the electric utility servicing their area.”

§26-177 (LDC)

Chapter 26 (Land Development Code) of the Richland County Code of Ordinances specifies in §26-177 the requirements for lighting throughout the County. This section of the LDC applies to all new development in the unincorporated areas of Richland County unless otherwise specified, i.e., building expansion.

³⁵ Code of Ordinances of Richland County, South Carolina §21-12.

Section 26-177 of the LDC does not address lighting along streets and rights-of-ways but focuses on buildings, structures and the general parcel, which may include the pedestrian zone as applicable.³⁶

Code of Laws of South Carolina and Code of Regulations of South Carolina

There appear to be no relevant state codes which relate to roadway lighting beyond outdoor advertising for signage along or near highways in *Title 57, Highways, Bridges and Ferries*, South Carolina Code of Laws. Similarly, this portion of the State Code authorizes the state highway department (SCDOT). Otherwise, policy discretion falls under the purview of local jurisdictions.

Likewise, the Code of Regulations of South Carolina, *Chapter 63, Departments of Highways and Public Transportation*, which speaks to highways and roadways, is limited beyond sign illumination for lighting along roadways.

SCDOT

SCDOT follows guidelines set forth in AASHTO's *Roadway Lighting Design Guide* (2005) and other materials when it comes to warranting criteria and design values for lighting.³⁷ The ARMS manual provides limited details in regards to roadway lighting installation, though it is not meant to be a comprehensive guide. Additionally, the *Utilities Accommodation Manual* dedicates one limited section toward lighting.³⁸ It refers back to the ARMS Manual for requirements necessary for permitting and installation procedures, though, it does provide slight guidance about what types of lamps can be utilized and other such features. The ARMS Manual notes that further guidance and requirements regarding roadway lighting can be obtained from the Director of Traffic Engineering with SCDOT.³⁹

Estimated Costs of Lighting

SCEG Rates

SCEG provides rates to municipal customers using the electric service for area and street lighting. Three different rates exist which would potentially apply to Richland County, Rate 17, Rate 18 and Rate 26. SCEG lighting rates are based on several factors, such as fixture, bulb and/or facility/system. Most of these require an initial contract lease up to ten [10] years, with the exception of Rate 26 with five [5] years. Rate 17 regards municipal street lighting for area and street lighting. Most of the lighting fixtures within this rate use the standard wood poles or post-top mounted luminaires for SCEG's overhead distribution. Two bulb types of metal halide (MH) and high pressure sodium (HPS) are available at varying rates and kilowatt hours (kWh) per the rate. The rate notes other fixtures for new installations but only to maintain pattern sensitive areas. The charges range from \$10.21 – \$18.26 per month for the standard wooden poles at various bulb types, lumens and kWh. For post-top mounted luminaires, charges range from \$22.36 – \$26.58 per month at various lumens, bulb type and kWh.

³⁶ Code of Ordinances of Richland County, South Carolina, §26-177.

³⁷ SCDOT (2015), pg. 76.

³⁸ SCDOT (2011), pg. 30.

³⁹ SCDOT (2015), pg. 76

Rate 18 regards underground street lighting through the use of underground distribution facilities. Rate 18 is only applicable to high intensity discharge fixtures with outdoor lighting and poles conforming to SCEG specifications at locations that are readily accessible for maintenance per SCEG. With underground lighting, there are numerous bulbs that can be utilized along with different pole types that are more aesthetic-driven than the standard wooden pole. Two different rate structures apply under the underground street lighting, one per luminaire and one per pole for a combined total. The rate per luminaires range from \$12.56 – \$47.31 per month at various levels of lumens, bulb type and kWh. The rate per pole varies from \$9.95 – \$37.60 per month at various heights and materials.

Rate 26 applies to overhead private street lighting for all night street lighting service where fixtures are mounted on the standard SCEG wooden poles. The rates range from \$9.40 – \$18.83 per month which varies by bulb type, lumens and kWh. An additional charge is added for extra poles at varying heights and material ranging from \$5.20 – \$10.65 per month.

Example Lighting Costs (Monticello Rd)

Richland County currently pays for lighting along Monticello Rd as part of the Ridgeview Neighborhood Revitalization Plan by the Community Planning and Development Department's Community Development Division. The County leases from SCEG forty-five [45] street lights along a 0.68-mile stretch of Monticello Rd. The lighting was first given approval in March of 2010 as part of the Ridgewood Streetscape Design, where Council approved the agreement of a lease with SCEG for two five [5] year sequential agreements. At that time, it was expected that the cost of the 45 lights would be \$13,678.2 annually, or \$1,139.85 per month. These costs would be subject to rate changes. In November of 2012, the project was given approval again when it was revisited after facing several delays. Due to the delays, the 2010 agreement was never executed. During the 2012 approval, the two 5 year agreements were replaced by a single ten [10] year agreement. An upfront installation charge of \$3,200 was added to the contract which would then be paid using CDBG funds. A rate increase occurred between the two years (which any agreement would be subject to even if executed) from \$25.33 to \$26.16. This increased the cost of the 45 lights to approximately \$14,126.4 annually, or \$1,177.20 per month. It was decided to use Neighborhood Redevelopment funds to pay for this annual lighting expense for the term of the agreement.

The Ridgewood Streetscape lighting on Monticello Rd is under SCEG's Rate 18. This rate structure allows for more aesthetically pleasing luminaries and poles, as was fitting of the Streetscape project. The lighting consists of 150W HPS Acorn Style luminaires with 17' Standard Fiberglass Poles. At the time of the agreement in 2012 the cost of each luminaire was \$16.86 and the cost per pole was \$9.30, which amounts to the total rate of \$26.16. Presently, the rate for the luminaire is \$16.78 and \$9.95 for the pole for a total of \$26.73 without taxes. This amounts to a total charge of around \$1,202.85 per month (\$1,299.08 with tax), or about \$14,434.20 annually (\$15,589.64 with taxes) for this one 0.68-mile section of roadway.

Monticello Rd lighting is one example where the County is currently paying for street lighting. Following this example, depending on how new or updated lighting were to be implemented throughout the County, reasonable estimates could put the cost at \$100,000 - \$500,000 annually for the cost of leasing lamps and poles, not including any construction costs that may be associated with any new lighting.

Potential Funding Sources

Currently, no dedicated funding mechanism exists for street lighting within the County budget. Two potential fund sources would be applicable from governmental funds from the County budget. One source would be to utilize General Funds for the operation and maintenance of lighting through a lease agreement. As of the current fiscal year, FY 18-19, all revenues within the general fund had been appropriated for use, leading towards a balanced budget. If general funds were to be utilized for lighting, funds would need to be reallocated or appropriated from current budget items as funding requests exceeded available amounts. As these dollar amounts were prioritized based upon available funding, need and Council's will, introducing a new leased system in need of funding would either allow for budget shortfalls or take away critical funding from other necessary sources. The second source would be to utilize Special Revenue Funds. Special revenue funds provide consistent funding, through the set millage, for specific, dedicated purposes. One current special revenue fund, the Hospitality Tax, may be appropriate for funding street lighting throughout the County. The Hospitality Tax, which allows for the improvement of services and facilities related to tourism, which lighting systems would likely fall under. Hospitality Tax funds could provide for necessary funds to cover certain portions of lighting, but as with the general fund, would take away from other uses of the fund which are often allocated to communities for tourism promotions and other types of events, or back into the general fund itself. Likewise, this fund is limited in the dollar amount provided and for the specific use. Another special revenue fund, the Neighborhood Redevelopment fund is currently being used to pay for four [4] lighting leases with SCEG which totals approximately \$3,800 per month, or approximately \$45,600 annually. This special revenue fund would not be an appropriate special revenue fund for funding lighting, as it would not be able to adequately fund lighting to cover the whole county and such lighting would not be toward redevelopment efforts. Likewise, it is dedicated for the purpose of redevelopment efforts throughout the County, particularly Neighborhood Master Plans, that require the funding for their implementation. In no way, could all of these funding sources pay for street lighting throughout the unincorporated portions of Richland County.

Two additional funding options exists that could allow for adequate funding of street lighting. One would be to create a special purpose tax district or districts which solely deal with street lighting issues. Funding street lighting would fall under an appropriate use via SC enabling legislation under County powers, however, it would need voter approval to be realized. The other option would be to create a new special revenue fund dedicated solely toward paying for lighting within the unincorporated areas of Richland County. A new special revenue fund seems the most viable as it would allow for a millage amount set at the needed limit to pay for any potential lighting while not limiting or diminishing funds from other sources. It could also only be applied to the unincorporated areas. A drawback to this option would be the increase in taxes from establishing the new fund.

Foreseeable Issues and Conflicts

Several issues and conflicts currently exist as it relates to street lighting. Generally, issues involve phenomena associated with light trespass, or obtrusive lighting, such as spill light, glare and skyglow. Spill light is light that falls outside the area intended to be lit. Glare is light that is viewed at the light source

which reduces one's visibility. Skyglow is when light is reflected from one source, road or other surface upward into the atmosphere, in effect casting unwanted light into the sky reducing the ability to view and keep a dark night sky. Light trespass is an overall issue that perpetuates from the introduction or expansion of lighting systems. Likewise, the type of luminaire can cause unwanted light trespass depending on how light is directed. Light trespass can often only be reduced and not eliminated. As such, lighting systems have a profound effect upon the general character area of an area where lighting is introduced. Urban, suburban and rural environments have certain character aspects which make it so and the amount of lighting and light trespass are often a part of those characteristics, such as star gazing in a pasture or viewing a highly illuminated skyline around a downtown.

Likewise, the character area aspect of implementing lighting is also an issue. Lighting for denser, more heavily populated areas makes sense unlike in areas that become sparser and less populated. Provisionally, this would likely lead to conflict in regards to area spending for services with certain environs requiring much high spending than in other areas which would likely not require street lighting. Service provision would likely stem based on the lighting warrant measures and design criteria noted above.

Another issue/conflict arises specifically within the County Code of Ordinances. As noted above, §21-12, "Street Lighting", states that the County will not be providing any street lighting until a dedicated funding source is identified and available. The ordinance has an approval date of January 21st, 2003, which appears to predate many of the lighting projects which the County is currently providing and leasing. County practice appears to be in clear conflict with the County Code, where street lighting is being provided, though no dedicated funding source is available to provide service county-wide. This is the greatest conflict which would need to be remedied, as one it allows for no county lighting without dedicated funding for a county-wide system and, two, means the County has been operating against its code of ordinances in regards to lighting projects.

Stemming in part from §21-12 of the County Code, and generally, warrants the need for a dedicated funding source to pay for any potential lighting systems the County could seek to implement. No current funding sources would be available to pay for any type of street lighting system operation. Any installation costs could possibly be covered by capital funds or bonds, though funds for the dedicated operation of the system would need to be identified and established. As mentioned earlier, the most reasonable method for creating a dedicated funding source would be through a new special revenue fund for street lighting. Creating a new fund would allow for service needs to be met from a dedicated millage that could be set each budget year for any anticipated costs and potential rate changes. Beyond the conflict with the code, having a dedicated funding source would be paramount for any type of street lighting throughout the County. Establishing a new fund in order to make street lighting work and available, costs would be passed onto County citizen taxpayers. Because of an increase in taxes, property owners may be apprehensive to provide buy-in for any potential lighting systems.

Another conflict comes from jurisdictional control of streets and roadways. Majority of roads and streets across the County belong to SCDOT. This limits what the County is able to do within and along right-of-ways (ROW) for highways, major thoroughfares and even local streets. County would have limited

authority to enact successful changes for any potential lighting. Additionally, the County is then limited geographically where and how improvements could be made. It would have the potential to disrupt systems or not allow for the appropriate design that would be warranted. Unless specific agreements were made with SCDOT, and coordination were undertaken on each section of ROW, the feasibility of a comprehensive lighting scheme seems to diminish.

Recommendations for Steps Forward

As Planning Services is not subject matter experts on roadway lighting, nor can staff adequately state what constitutes adequate or inadequate lighting, the task of providing a recommendation on whether or not to move forward with comprehensive lighting for roadways cannot be definitively addressed. In general, staff is of the opinion implementing comprehensive lighting should not be pursued as it would be antagonistic to County ordinances; annual costs on a year to year basis would be exorbitantly high; implementation and design would be constrained due to lack of jurisdictional control; there exists no available funding or future funding which could cover any necessary costs for installation or leasing; and costs would likely be forced onto county residents.

However, staff can provide recommendations for how to move forward with any comprehensive lighting should it be the will of Council to do so. Alternatively, to not pursuing comprehensive lighting, staff is recommending a multi-step approach to allow for obtaining a better understanding of lighting conditions, development of Council goals regarding lighting, public feedback for lighting installation, lighting costs and potential funding sources as well as how to implement any such lighting should Council wish to pursue the matter further. Major components include:

- Clarification of § 21-12, “Street Lighting”, of the Richland County Code should be obtained from the Legal Department and County Attorney. Currently, it appears likely to be a barrier to any such implementation of street lighting throughout the County. If Council were to decide to move forward with implementing comprehensive roadway lighting, it would need to likely repeal or amend §21-12 depending on the opinion of the Legal and on the will of Council. Once this conflict is addressed further steps could then be pursued with greater finality.
- Contracting with an engineering consultant through the Procurement Office to perform a comprehensive assessment and study of current lighting conditions for the unincorporated roadways of Richland County. A comprehensive assessment by a licensed engineer should provide Council with further answers to questions regarding lighting conditions, such as level of adequacy or inadequacy, potential ways to optimize and up-fit current lighting systems, feasibility of and costs for new lighting systems and more detailed recommendations regarding comprehensive lighting implementation.
- Determination of a funding source for any potential lighting should be performed by the Office of Budget and Grants Management to ascertain if any current funding source can be utilized for the leasing and installation costs. This should be done after or concurrent to any type of assessment

and/or study, once potential cost estimates have been attained. By having estimates ready it would allow for Budget to know the dollar amount annually would be needed to be dedicated to lighting and if it is feasible to use current funding without taking dollar amounts from current programs. If no sufficient funds can be dedicated or discovered, a new funding source should be explored to be dedicated to funding any potential lighting in conjunction with the Finance Department and Budget Office.

- Development of a comprehensive lighting master plan should be completed with help from a professional lighting engineer. Developing a master lighting plan could be accomplished in part by the same process and consultant from the lighting assessment. The lighting plan should follow general practiced standards such as the process and steps listed earlier in this document. A plan could function and develop in a manner similar to the Sewer Master Plan process being undertaken by the Utilities Department and their consultant.

These four major items should provide a general path forward if Council decides to move toward implementing comprehensive lighting for the County. Likewise, a lighting professional and assessment would be able to more adequately address Councils questions regarding lighting and more definite steps which need to be taken to realize any goals Council may have for lighting. These steps should provide a guideline of how to move forward with understanding and realizing comprehensive roadway lighting should Council wish it necessary.

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MEMORANDUM

To Edward Gomeau, Interim County Administrator

CC Dr. Sandra Yudice, Assistant County Administrator

From Ashley Powell, Interim Director;
Brian Crooks, Comprehensive Planner

Date

Subject Street Lighting Non-compliance

Mr. Gomeau,

This memo serves to bring to your attention, as Interim Administrator and the executive head of the County, a discovered issue regarding the violation of and non-compliance with the Richland County Code of Ordinances for the payment/provision of street/roadway lighting for select areas of the County. This memo provides background on the issue at play, the ordinance in question, and known violations of said ordinance.

In October of 2018, the Planning Services Division (PSD) hosted an event entitled "Tea and Talks with Planners." This event was held to serve as an informal setting for PSD to brief Council on upcoming issues, initiatives and projects. Likewise, it was a chance for Council members to ask questions of staff about upcoming work as pertains to planning. Council members in attendance mentioned that a comprehensive lighting plan would be beneficial for the County and that it would be helpful if PSD could put together some information regarding such. Planning Services went about researching how the County could go about establishing such a plan. The research consisted of what street lighting entails and how to conduct, implement and potentially finance a lighting plan. Out of this research, an issue has arisen wherein PSD believes the County to be in violation of its own Code of Ordinances as relates to the payment/provision of street lighting.

Chapter 21 of the Richland County Code of Ordinances generally deals elements which fall under the purview of the Department of Public Works, particularly roads, drainage and other infrastructure. The current chapter was adopted as part of an overall rewrite with amendments under Ordinance NO. 005-03HR, with an effective date of January 21, 2003. Section 21-12 was first enacted as part of this amendment to Chapter 21. Section 21-12 pertains to street lighting on roadways. The Code states:

"The County shall not provide street lighting on any highway, street or road until such time as sufficient funds are appropriated to provide that service county-wide. Homeowners or homeowner's associations may obtain street lighting through contractual arrangements with the electric utility serving their area." Richland County Code of Ordinances, §21-12



No amendments or changes have been made to this section of Chapter 21 since it was adopted. Since the ordinance was enacted, County Council has, via subsequent motions, directed that the County establish and pay for street lighting in certain areas of thereof, thus entering into agreements which appear to violate the aforementioned ordinance and section of the Code.

There have been at least three motions, which were passed between February 1, 2011 and November 13, 2012, for approving lease agreement which provided street lighting. During this time, no funds were appropriated that would satisfy the requirement under Section 21-12 to provide street lighting to the entirety of the County, nor have such funds been allocated for that purpose since that time. Each of the items/motions were brought before Council after having been routed through Committees.

The first agreement of which PSD is aware involves street lighting along Decker Blvd. This motion was brought forth during the Motion Period of the October 19, 2010 Council meeting. The motion, put forth by Current Councilman Jim Manning and past Councilman Norman Jackson, stated "Council allocate \$12,000 from Hospitality funds for Highway Lighting to be established for Richland County's International Corridor." This motion was directed to the Administration and Finance (A&F) Committee for review. At the following A&F Committee meeting, it was listed on the agenda as an item pending discussion/information. The committee directed staff to study the item further and place it on the January A&F agenda for action. At the January 2011 A&F meeting, the committee approved staff's recommendation to fund lighting for 5 years from the Neighborhood Redevelopment fund, and then require the Decker Boulevard Business Coalition (DBBC) to fund the remaining five years. Under the review of the staff recommendation, Legal and Administration both recommended approval of this option, neither of which noted §21-12 and its stipulations. The committee recommendation was then approved at the following February 1, 2011, Council meeting. The lighting agreement for Decker Blvd is a 10-year recurring monthly lease of \$599.30 per month (subject to rate changes) for 26 lights plus a one-time installation fee of \$1,040. Though currently funded by the County, the lease agreement for this lighting is held by the DBBC and SCEG. It was signed on April 25, 2011 by then DBBC President James Manning. PSD has found a non-executed contract agreement between the County and the DBBC which states that the County would pay for the first 5 years of lighting and that the DBBC would provide such for the remainder. PSD does not have an executed copy of this document in its files. As this contract would have been effective in April of 2011, the County should have stopped payment of the lease agreement in April 2016, per the motion (and the contract if executed). The County continues to pay for the lighting service against the motion, the contract and §21-12 of the County Code. The most recent bill for the Decker Blvd lighting is from January 22, 2019 for a total of \$627.73.

The second agreement is for the Ridgeway Streetscape Project (Phase I) along Monticello Rd. This item/motion originated out of A&F Committee in February of 2010. This item was brought before the committee by the Community Development Department. The item involved a request to approve two 5-year lease agreements to install and maintain 45 lights (28 lights under the first phase) along Monticello Rd for a cost of \$709.24 per month (subject to rate changes). Administration and Legal both recommended approval of the request for the County to provide lighting for 10-years with no mention of §21-12. Finance recommended denial of the request and to, instead, determine a dedicated funding source or to have the end-users (e.g., contiguous property) pay for the lighting. The Committee recommended approval, as recommended by Community Development, for the County to pay for lighting for 10-years, that staff would need to determine the cost of making an outright purchase versus leasing and that Legal should finalize lease agreement language. This recommendation was brought forward at the March 2, 2010 County Council meeting under the Report of the Administration & Finance Committee/Consent Agenda. Council approved the recommendation as brought forth out of the committee to approve the lease agreement and provide the lighting for 10-years under two 5-year leases.



Even though Council gave approval for the lease agreements they were never enacted due to disagreement with language for the leases and an extended time-lapse since approval. The item, Ridgeway Streetscape Project (Phase 1) was brought before the A&F Committee again in October of 2012. This item carried two parts. One was to approve a bid for a construction project totaling \$315,815.20 and the other for a 10-year recurring monthly lighting agreement for 30 lights along Monticello Rd for a cost of \$784.80 per month (subject to rate changes). Legal and Administration again recommended approval of this item without any mention of §21-12. The Committee recommended approval for this item. It was then brought forward at the November 13, 2012 Council meeting under the Approval of Consent Items/Committee Reports. It was given approval under the Approval of Consent Items. The lease agreement for the 30 lights was signed on December 31, 2012 by then County Administrator McDonald. The most recent bill for this portion of lighting is from December 21, 2018 for a total of \$1,318.57 (includes the bill for all 45 lights, Phase I and II lighting).

As with the Phase I Ridgeway Streetscape Project, the third lease agreement given Council approval was an item brought before the A&F Committee in October of 2012 at the same meeting. This item was brought before the Committee by the Planning Department to request approval of a 5-year recurring monthly lease agreement for 33 street lights along Broad River Rd for \$664.95 per month (subject to rate changes). Legal and Administration again recommended approval without mention of §21-12, and it was noted further that the item was considered during the FY12 budget session where funding was allocated and rolled-over as part of the FY13 process. The committee recommended Council approve the item. It was brought forward at the November 13, 2012 Council meeting under the Approval of Consent Items/Committee Reports. During the meeting, it was given approval by Council after several attempts to defer the item. The lease agreement was signed on November 20, 2012 by then County Council Chair Washington. The most recent bill for the Broad River Rd lighting is from January 8, 2019 for a total amount of \$619.24.

In addition to these three items which went before Council for approval, there have been at least two other street lighting agreements which have been entered into, with either Administrative or Departmental approval, in order to pay for road lighting. Limited background information is available for these two lease agreements, though the Ridgewood Streetscape Phase II/Monticello Rd can be partly identified in Council documents from 2014. Each of these agreements are being funded out of the Neighborhood Redevelopment fund. One is a lighting agreement for Phase II of the Ridgewood Streetscape Project which pays for an additional 15 street lights under a 10-year recurring monthly lease of \$408.90 per month (subject to rate changes) and a one-time installation fee of \$1,276.00. This agreement was signed on August 19, 2014 by then County Administrator McDonald. Funds from the Neighborhood Redevelopment fund were used to pay for this lease agreement. The current monthly payment is noted previously. The second agreement is a recent leasing agreement entered into by the County, which was signed on January 1, 2018 by then County Administrator Seals, for a 5-year recurring monthly lease of \$20.42 per month (subject to rate changes) for two lights on Susan Rd and Arrowwood Rd off of Broad River Rd. The most recent bill for this portion of lighting is from January 7, 2019 for a total of \$22.38.

It is likely there may be other lease agreements for roadway lighting which the County is currently paying, however, these are the only agreements for which the County is utilizing Neighborhood Redevelopment funds. There is one other agreement for the Crane Creek Nature Trail Park being paid with Neighborhood Redevelopment funds, but it is for area lighting of the park, in accordance with an implementation project out of the adopted Crane Creek Neighborhood Master Plan, and not roadway lighting; thus it does not appear to violate the aforementioned ordinance.

Through the lighting agreements, the County has been paying a total of around \$27,000 per year since June of 2013 for street lighting on these stretches of roadway. In total, for all payments to date, the County has paid around \$167,000 for all of the agreements since they were signed. The rates for the lighting agreements have changed since they were enacted. The table below shows the original rates at the time of the agreements and the current rates (as of May of 2018):

Description	Agreement Rate	Current Rate	Value Change	% Change
Decker Blvd	\$23.05	\$22.02	\$1.03	4
Monticello Rd I	\$26.16	\$26.73	\$0.57	2
Luminaire	\$16.86	\$16.78	\$0.08	0
Pole	\$9.30	\$9.95	\$0.65	7
Monticello Rd II	\$27.26	\$26.73	\$0.53	2
Luminaire	\$17.31	\$16.78	\$0.53	3
Pole	\$9.95	\$9.95	\$0.00	0
Broad River Rd	\$20.15	\$18.83	\$1.32	7
Susan Rd/Arrowwood Rd	\$10.21	\$11.72	\$1.51	15

So far for this fiscal year, the County has paid a total of around \$16,000 as of mid-January 2019. By the end of this fiscal year the County will end up likely having paid a total of about \$31,500 for street lighting. This total seems likely to increase moving forward, which is the trend from prior fiscal years.

Each contract has a stipulation that it can be cancelled at any time with 30-day notice. However, each of the contracts have a requirement of cancellation fees for premature cancellation outside of the initial agreement period. Each contract has a varying amount for early termination of that contract. Early termination of the Monticello Rd agreements would have the largest termination fees associated with them. As each of the two contracts were for a 10-year period about 3 and 5 ½ years remain on each agreement. The Decker Blvd Rd agreement still has about 2 years remaining and would result in a fee, though likely minor. The Decker Blvd lease agreement has also exceeded the timeframe which the County agreed to provide payment. The lighting cost should now be provided by the DBBC, otherwise, the lease agreement should be terminated if the County would continue providing payment. The Susan Rd/Arrowwood Rd agreement is only a year old, however, it only carries a \$150 early termination fee per the lease agreement, about a year’s worth of payment. The Broad River Rd lease agreement is the only agreement which has exceeded its full agreement term and will continue year to year unless the 30-day notice for termination is provided.

If all of the contracts were to be terminated prior to the end of stipulated length a total termination fee of approximately \$57,000 would be required per the lease agreements. This includes a \$150 fee for Susan Rd, \$30,605.36 for Monticello Rd Phase I, \$22,395.67 for Monticello Rd Phase II, and an undetermined, though likely minimal, amount for Decker Blvd, such as \$1,500 to \$5,000. This total amount to terminate the lease agreements prematurely would be less than the yearly amount if all the contracts were paid through the remainder their leases.

As such, the Planning Services Division requests the Administrator make a determination on non-compliant street lighting lease agreements and provide approval to discontinue the payment of the aforementioned from the Neighborhood Redevelopment budget. Further, PSD requests administrative processes be put in place that aid in ensuring future roadway lighting projects are not charged against the Neighborhood Redevelopment budget preventing the use of these funds for the purpose(s) for which they were intended – the drafting and implementation of Neighborhood Master Plans.



5. a. Contractual Matter
- b. Lexington County Transportation Request **[PAGE 23]**

Open/Close Public Hearings

6. a. An Ordinance Amending the Richland County Code of Ordinances, Chapter 6, Buildings and Building Regulations; Article II, Administration; Division 3, Permits, Inspection and Certificate of Approval; Section 6-43, Permits, Required/Exemption; so as to add a new paragraph to require an evacuation plan for certain entities within the "Emergency Planning Zone (EPZ)" of the V. C. Summer Nuclear Plant, which is located in Fairfield County
- b. An Ordinance Amending the Richland County Code of Ordinances, Chapter 6, Buildings and Building Regulations; Article II, Administration; Division 5, Building Codes Board of Adjustment; Section 6-75, Building Codes Board of Adjustment; so as to empower the Board to hear appeals under the International Fire Code
- c. An Ordinance Authorizing, pursuant to Chapter 44 of Title 12, South Carolina Code of Laws, 1976, as amended, the execution and delivery of a fee-in-lieu of tax agreement, between Richland County, South Carolina, and Mars Petcare US, Inc., as sponsor, to provide for a fee-in-lieu of ad valorem taxes incentive; and other related matters

Approval Of Consent Items

7. An Ordinance Amending the Richland County Code of Ordinances, Chapter 6, Buildings and Building Regulations; Article II, Administration; Division 3, Permits, Inspection and Certificate of Approval; Section 6-43, Permits Required/Exemption; so as to add a new paragraph to require an evacuation plan for certain entities within the "Emergency Planning Zone (EPZ)" of the V. C. Summer Nuclear Plant, which is located in Fairfield County **[THIRD READING] [PAGES 26-29]**
8. An Ordinance Amending the Richland County Code of Ordinances, Chapter 6, Buildings and Building Regulations; Article II, Administration; Division 5. Building Codes Board of Adjustment; Section 6-75, Building Codes Board of Adjustment; so as to empower the Board to hear appeals under the International Fire Code **[THIRD READING][PAGES 31-35]**
9. An Ordinance Amending the Richland County Code of Ordinances, Chapter 26, Land Development; Article VII, General Development, Site, and Performance Standards; Section 26-180, Signs; Subsection (g), On-Premises Signs Permitted in Rural And Residential Districts; so as to establish the maximum height and square footage of signs for institutional uses in the RU Rural District **[THIRD READING] [PAGES 37-38]**
10. An Ordinance Authorizing, pursuant to Chapter 44 of Title 12, South Carolina Code of Laws, 1976, as amended, the execution and delivery of a fee-in-lieu of tax agreement, between Richland County, South Carolina, and Mars Petcare US, Inc., as sponsor, to provide for a fee-in-lieu of ad valorem taxes incentive; and other related matters **[SECOND READING] [PAGES 40-66]**
11. 10-33MA
Odom Enterprise
Steven Odom
RU to LI (2.33 Acres)

5771 Lower Richland Blvd. [**SECOND READING**] [**PAGE 68**]

12. An Ordinance the Richland County Code of Ordinances; Chapter 26, Land Development; Article IV, Amendments and Procedures; Section 26-53, Land Development Permits; Subsection (A), General; so as to require notification to the Building Inspections Department and to the Emergency Services Department whenever plans are submitted that affect the "Emergency Zone (EPZ)" of the V. C. Summer Nuclear Plant, which is located in Fairfield County [**SECOND READING**] [**PAGES 70-71**]
13. An Ordinance Amending the Richland County Code of Ordinances; Chapter 26, Land Development; Article VII, General Development, Site and Performance Standards; Section 26-180, Signs; Subsection (I), On-Premises Signs Permitted in the General Commercial District; Paragraph (4), Height; so as to the maximum height for on-premise signs in the GC (General Commercial) District [**SECOND READING**] [**PAGE 73**]
14. Construction Services/Detention Center Chiller Project [**PAGES 75-76**]
15. Judicial Center and Administration Building Lighting Upgrades [**PAGES 78-79**]
16. Kershaw County IGA Screaming Eagle Landfill [**PAGES 81-85**]
17. Recreation for Adults/Seniors [**PAGES 87-88**]
18. Richland County North Paving Contract RC-008-CN-1011 [**PAGES 90-91**]
19. A Resolution in support of the Central Midlands Council of Governments' pursuit of grant funding from the Department of Defense [**PAGES 93-95**]
20. Decker International Corridor Lighting [**PAGES 97-98**]
21. Jim Hamilton-L.B. Owens Airport Master Plan Update Executive Summary [**PAGES 100-106**]

First Reading Items

22. Sale of Property to Vulcan [**PAGE 108**]

Report Of Development And Services Committee

23. Richland County membership in the U.S. Green Building Council [**TO DENY**] [**PAGES 110-111**]
24. The Town of Irmo Animal Care Intergovernmental Agreement [**PAGES 113-118**]
25. To amend the existing Intergovernmental Agreement with the Town of Arcadia Lakes for Road Maintenance, Drainage Maintenance, Plan Review, Inspection, and NPDES Stormwater Permit Compliance, dated July 14, 2003 [**PAGES 120-122**]

Report Of Administration And Finance Committee

- 26.

Richland County Council Request of Action

Subject: Decker International Corridor Lighting

A. Purpose

Councilmen Norman Jackson and Jim Manning made a motion on October 19, 2010 to allocate \$12,000 from Hospitality funds for highway lighting to be established on Decker Boulevard. At the November 23, 2010 Administration and Finance Committee meeting, the Committee directed staff to investigate alternative funding options to add street lighting along Decker Boulevard and report the findings within two months.

B. Background / Discussion

SCE&G requires a 10 year contract commitment to operating costs, but is willing to waive the upfront installation costs for this lighting project. Staff investigated several options for funding, several of which were determined to not be feasible. For example, Planning Legal Counsel researched the potential of attaching an assessment to the Decker business licenses to cover the operating costs.

C. Financial Impact

The annual operating cost for the lighting is approximately \$7,000.

D. Alternatives

1. Set up a “special purpose district” to fund the lighting on Decker Boulevard (which would require a referendum).
2. Fund the lighting program for five (5) years from the Neighborhood Improvement Program budget, and then require the Decker Boulevard Business Coalition to fund the remaining five (5) years.
3. Fund the lighting cost for the full ten (10) year contract term from the Neighborhood Improvement Program budget.
4. Do not fund the Decker Boulevard lighting program.

E. Recommendation

Staff recommends Alternative #2. This option would provide 5-year start-up funding for the lighting program. Using this option would create a true public-private partnership, which is a necessity as Richland County moves forward with implementation of the Neighborhood Master Plans.

Recommended by: Anna F. Almeida Department: Planning Date: 1/18/11

F. Reviews

(Please **SIGN** your name, ✓ the appropriate box, and support your recommendation before routing. Thank you!)

Finance

Reviewed by: Daniel Driggers

Date: 1/19/11

Recommend Council approval

Recommend Council denial

Comments regarding recommendation: Council Discretion

Legal

Reviewed by: Larry Smith

Date:

Recommend Council approval

Recommend Council denial

Comments regarding recommendation: Recommend approval of option #2

Administration

Reviewed by: Sparty Hammett

Date:

Recommend Council approval

Recommend Council denial

Comments regarding recommendation: Recommend approval of Option 2.

MINUTES OF



RICHLAND COUNTY COUNCIL REGULAR SESSION TUESDAY, FEBRUARY 1, 2011 6:00 p.m.

In accordance with the Freedom of Information Act, a copy of the agenda was sent to radio and TV stations, newspapers, persons requesting notification, and was posted on the bulletin board located in the lobby of the County Administration Building.

MEMBERS PRESENT:

Chair	Paul Livingston
Vice Chair	Damon Jeter
Member	Gwendolyn Davis Kennedy
Member	Joyce Dickerson
Member	Valerie Hutchinson
Member	Norman Jackson
Member	Bill Malinowski
Member	Jim Manning
Member	L. Gregory Pearce, Jr.
Member	Seth Rose
Member	Kelvin Washington

OTHERS PRESENT – Michelle Cannon-Finch, Milton Pope, Tony McDonald, Sparty Hammett, Roxanne Ancheta, Randy Cherry, Sara Salley, Stephany Snowden, Tamara King, Melinda Edwards, Larry Smith, Daniel Driggers, Donald Chamblee, Anna Almeida, Anna Lange, Dale Welch, Amelia Linder, Chris Eversmann, Michael Byrd, Dwight Hanna, Rodolfo Callwood, Monique Walters, Michelle Onley

CALL TO ORDER

The meeting was called to order at approximately 6:00 p.m.

INVOCATION

The Invocation was given by the Honorable Damon Jeter

by Mr. Pearce, to amend the resolution by deleting the word any in the last two paragraphs. The vote in favor was unanimous.

Decker International Corridor Lighting – Mr. Malinowski moved, seconded by Mr. Pearce, to approve this item. A discussion took place.

The vote was in favor.

Jim Hamilton-L. B. Owens Airport Master Plan Update Executive Summary – Mr. Malinowski moved, seconded by Ms. Dickerson, to approve this item. A discussion took place.

The vote in favor was unanimous.

Consultant Services for Employee, Retiree, and Medicare Group Benefits & Insurance RFP – Mr. Pearce stated that the committee recommended approval of this item. The vote in favor was unanimous.

An Ordinance Authorizing the issuance and sale of General Obligation Refunding Bonds, in one or more series, with appropriate series designations, in an aggregate amount sufficient to refund certain maturities of outstanding bonds of Richland County, South Carolina; fixing the form and details of the bonds; delegating to the County Administrator certain authority related to the other bonds; providing for the payment of the bonds and the disposition of the proceeds thereof; and other matters relating thereto [FIRST READING] – Mr. Washington moved, seconded by Ms. Hutchinson, to approve this item. The vote was in favor.

An Ordinance Authorizing the issuance and sale of Sewer System General Obligation Refunding Bonds, with an appropriate series designation, in an amount sufficient to refund certain maturities of outstanding bonds of Richland County, South Carolina; fixing the form and details of the bonds; delegating to the County Administrator certain authority related to the bonds; providing for the payment of the bonds and the disposition of the proceeds thereof; other matters relating thereto [FIRST READING] – Mr. Washington moved, seconded by Mr. Manning, to approve this item. The vote was in favor.

REPORT OF THE ECONOMIC DEVELOPMENT COMMITTEE

Pass Through Grants:

- a. Project P—SC Energy Office Clean Green Investment Incentives
- b. Project P—SC Department of Commerce Closing Grant Fund
- c. Project Cyrus—SC Department of Commerce Closing Grant Fund



**RICHLAND COUNTY COUNCIL
REGULAR SESSION AGENDA**

**NOVEMBER 13, 2012
6:00 PM**

CALL TO ORDER HONORABLE KELVIN E. WASHINGTON, SR., CHAIR

INVOCATION THE HONORABLE VALERIE HUTCHINSON

PLEDGE OF ALLEGIANCE THE HONORABLE VALERIE HUTCHINSON

Approval Of Minutes

1. Regular Session: October 16, 2012 [PAGES 8-19]
2. Zoning Public Hearing: October 23, 2012 [PAGES 20-23]

Adoption Of The Agenda

Report Of The Attorney For Executive Session Items

3. a. Palmetto Utilities Update
- b. Landfill Contractual Matter [PAGES 25-32]
- c. Personnel Matter
- d. SOB Update
- e. Legal Advice - Elections

Citizen's Input

4. For Items on the Agenda Not Requiring a Public Hearing

Report Of The County Administrator

5. a. Transportation Penny Update

18. An Ordinance Amending the Richland County Code of Ordinances; Chapter 26, Land Development; Article VII, General Development, Site, and Performance Standards; Section 26-176, Landscaping Standards; Subsection (J), Protection of Existing Trees During Development; Paragraph (3), Exemption - Protection; so as to remove buffer and BMP requirements for forestry activities **[SECOND READING] [PAGES 110-112]**
19. General Obligation Bonds for the Richland County Recreation Commission **[PAGES 113-126]**
20. Changes to Employee Handbook - Promotion Probation **[PAGES 127-129]**
21. Santee Wateree Transit Authority Motion and COG Transit Analysis **[PAGES 130-139]**
22. IT Server Room HVAC Upgrade **[PAGES 140-144]**
23. Ridgewood Monticello Road Streetscape Project (Bid Award Approval and Commercial Lighting Fee Increase) **[PAGES 145-157]**
24. Broad River Road Corridor Lighting Project **[PAGES 158-169]**
25. An Ordinance Amending the Fiscal Year 2012-2013 General Fund Annual Budget to add a Full-Time Paralegal position in the Public Defender's Office **[FIRST READING] [PAGES 170-175]**
26. An Ordinance Amending the Richland County Code of Ordinances, Chapter 26, Land Development; Article X, Subdivision Regulations; Section 26-224, Certain Subdivisions Exempt from Road Standards; so as to delete the requirement of county review fees **[FIRST READING] [PAGES 176-181]**
27. Develop a Master Plan for the Olympia Neighborhood **[TO TABLE] [PAGES 182-186]**
28. Council Members to Review the Comprehensive Plan's Current and Future Land Use Maps **[RECEIVE AS INFORMATION] [PAGES 187-189]**
29. Water Line Installation on Larger Street **[PAGES 190-193]**
30. Broad River Sewer Monthly User Fee **[TO TABLE] [PAGES 194-207]**
31. An Ordinance Authorizing a Quit-Claim Deed to Mary Tyler Robinson for an unnamed road shown on a plat in Plat Book "13" at Page 147 and recorded in the Richland County Register of Deeds; and being further described as Richland County TMS# 07313-07-01 **[FIRST READING] [PAGES 208-222]**
32. An Ordinance Authorizing a Utility Easement/Right-of-Way to South Carolina Electric & Gas Company on property identified as TMS# 15209-01-04, also known as 218 McNulty Street **[FIRST READING] [PAGES 223-236]**

Third Reading Items

33. An Ordinance Authorizing the issuance and sale of not to exceed \$9,000,000 Fire Protection

Richland County Council Request of Action

Subject

Ridgewood Monticello Road Streetscape Project (Bid Award Approval and Commercial Lighting Fee Increase) [**PAGES 145-157**]

Notes

October 23, 2012 - The Committee recommended that Council approve the award of contract in the amount of \$315,815.20 to Cherokee Construction for the Monticello Road Streetscape project (Phase I of II). The Committee also recommended Council approve the revised lighting fee agreement between SCE&G and Richland County, contingent upon the requested revisions by the Legal Department being resolved.

Richland County Council Request of Action

Subject: Ridgewood Monticello Road Streetscape Project (Bid Award Approval
And Commercial Lighting Fee Increase)

A. Purpose

County Council is requested to approve two items related to the Ridgewood Monticello Road Streetscape Project. Approval is requested for the bid to be awarded to Cherokee Construction and to approve changes to the lighting agreement made by South Carolina Electric & Gas (SCE&G).

B. Background / Discussion

The Ridgewood Monticello Road Streetscape design is focused on repair of existing infrastructure, safety and beautification. There are residents, businesses, schools and churches directly impacted by the project. The community is located immediately south of Interstate 20 at Monticello Road near the Exit 68 interchange (see map). Updates to this area are reflective of the 2004 Council-approved Ridgewood Master Plan.

County Council is requested to approve two items related to the Ridgewood Monticello Road Streetscape Project.

1. Approval is requested for the Phase I (of II) bid to be awarded to Cherokee Construction. This vendor was vetted through the County's Procurement Department and determined to be the lowest, responsible, responsive bidder at \$315,815.20 for Phase I of the Ridgewood Monticello Road Streetscape Project. This project will be bid and constructed in two phases. Initially, the Monticello Road Streetscape Project was estimated to cost \$500,000. (The entire project (Phase I and II) was estimated by BP Barber to cost \$500,000. At this time we have a bid for Phase I. Phase I is approximately 75% of the project.) The construction will be phased over 2 years (FY's 2012-2013). This plan of action was chosen due to the availability of CDBG funding. Richland County Community Development has allocated Community Development Block Grant (CDBG) funds for Phase I of construction.

Phase I consists of the demolition of 5219 Ridgeway St; replacement of 1,818 SF retainer wall; construction of sidewalk and curb ramp; creation of detectable warning surfaces including cross walks and stamped asphalt at 3 intersections; construction of a pocket park and installation of a shelter at bus stop. Phase I is expected to take 120 days to complete.

2. County Council is also requested to approve changes made to the lighting agreement to include a fee increase for 30 decorative streetlights (Phase I) along Monticello Road commercial corridor and a one-time installation charge of \$3,200.

Please note that on March 16, 2010 Council approved a 10 year Lease Agreement for lighting for this project with SCE&G. The overall project had several delays and now the project is proceeding again. (For more than a year, staff was negotiating acquisitions of two properties needed for project construction. The project was also delayed by end of County's fiscal year.)

The original 2010 Terms of the Agreement with SCE&G were negotiated by Richland County Legal Department and SCE&G Legal before approval by Council. In March 2010, there were two five-year Agreements that would run consecutively for the installation and maintenance of 45 lights. Those agreements were not executed due to project construction delays.

Because two years have passed since Council’s initial approval of the agreement, the 2 five-year agreements have been replaced by a ten year agreement. The new agreement reflects that the total number of lights is 45. Lighting under Phase I construction was increased from 28 to 30 lights. In addition, there is now an up-front, one-time installation charge of \$3,200, which can be paid by CDBG funds. Also, there is a rate increase for lights from a monthly charge of \$25.33 per light to \$26.16 per light (30 lights total in Phase I) and the fee for early termination increased. If Richland County decided to terminate the agreement prior to the fifth year of service, there would be termination penalty. No other changes have been made to the agreement.

A comparative table reflecting changes over this two year period are found in the following table:

2009/2010 Phase 1 Agreement	2012 Phase 1 Agreement
Contract was for 28 Lights/Poles	Contract is for 30 Lights/Poles
The monthly lease rate for each light/pole was \$25.33	The current monthly lease rate for each light/pole is \$26.16
The was no required up-front installation charge	We now will require an up-front installation charge of \$3,200.00
The termination value at 5 years was \$40,660.32	The current termination value at 5 years is now \$41,581.24
Total Annual Budget \$8,510.88	Total Annual Budget \$9,417.60

The new agreement will be effective when signed by both parties for a period of 10 years and must be signed prior to installation of lighting. Richland County will need to sign the Agreement (attached) for Phase I lighting and Richland County will only be charged for lights as they are installed and operational. Language highlighted in yellow indicate document changes. A separate agreement will be presented to Council at a later date for Phase II which includes 15 lights, of which eight (8) are in the County. The City of Columbia has agreed to fund a portion of the Phase II construction, once we begin to reach the end of Phase I. (We have a letter of financial commitment from the City Manager. Community Development staff has been instructed to create an MOU for Phase II, which is forthcoming.)

C. Legislative / Chronological History

March 16, 2010 – Council approved the SCE&G lighting agreement and agreed to pay for leasing fees and maintenance of the lighting for a total of 10 years with Neighborhood Improvement Program funds.

March 20, 2012 – Council approved the acquisition of two properties for this project along Monticello Road. The funds to pay for the acquisition will come from CDBG funding.

D. Financial Impact

The financial impact to the Community Development Department for Phase I of the Monticello Road Streetscape Project for acquisition, construction (\$315,815.20), and lights installation (\$3,200) is \$319,015.20. CDBG grant funds have been reserved for this purpose.

The financial impact to the Neighborhood Improvement Program to lease 30 underground, decorative lights along Monticello Rd for 10 years is \$94,176.00. The annual cost will be \$9,417.60 or \$784.80 per month. Please note that SCE&G Lighting Rates are subject to change within this ten year period. By signing SCE&G's 10 Year Lighting Agreement, Richland County will be responsible for the monthly lease for 10 years at a minimum. Neighborhood Improvement Program (NIP) funds will be used to pay for service and maintenance.

**See attached SCE&G rate schedule and written agreements.

Ridgewood Monticello Road Streetscape Project

Streetscape Construction (FY 2011 & 2012 CDBG)	\$315,815.20
Light Installation Fee (FY 2011 & 2012 CDBG)	\$ 3,200.00
Ten year lighting service and maintenance (*Neighborhood Improvement Program)	<u>\$ 94,176.00*</u>
TOTAL	\$413,191.20

Note: Projected cost for Phase II construction is \$234,184.80 and \$47,088 for installation, service and maintenance of 15 Lights. Phase II construction will be funded using CDBG and the City of Columbia has committed \$71,000 for Phase II construction.

E. Alternatives

- Approve the bid of \$315,815.20 to be awarded to Cherokee Construction for Monticello Road Streetscape construction (Phase I). Approve the revised lighting agreement between SCE&G and Richland County. The cost to the County will provide the power service fee and maintenance fees for a total of 10 years.
- Approve the bid of \$315,815.20 to be awarded to Cherokee Construction for Monticello Road Streetscape construction (Phase I). Do not approve the revised SCE&G lease agreement. The County would install lights privately at an estimated cost of \$150,000-175,000 with the County paying for maintenance and paying SCE&G for electrical power only.
- Approve neither the bid award to Cherokee Construction nor the revised lighting lease agreement with SCE&G. The Monticello Road Streetscape Design would not continue.

F. Recommendation

It is recommended that Council approve the bid of \$315,815.20 to be awarded to Cherokee Construction for Monticello Road Streetscape construction (Phase I). It is also recommended that Council also approve the revised lighting fee agreement between SCE&G and Richland County.

Recommended by:	Department:	Date:
<u>Valeria Jackson, Director</u>	<u>Community Development</u>	<u>October 4, 2012</u>

G. Reviews

Finance

Reviewed by: Daniel Driggers

Date: 10/15/12

Recommend Council approval

Recommend Council denial

Comments regarding recommendation:

Procurement

Reviewed by: Rodolfo Callwood

Date: 10/15/12

Recommend Council approval

Recommend Council denial

Comments regarding recommendation:

Grants

Reviewed by: Sara Salley

Date: 10/15/12

Recommend Council approval

Recommend Council denial

Comments regarding recommendation: Recommend approval as this project is included in the Ridgewood Master Plan and can utilize CDBG grant funds.

Planning

Reviewed by: Tracy Hegler

Date: 10/15/12

Recommend Council approval

Recommend Council denial

Comments regarding recommendation:

Legal

Reviewed by: Elizabeth McLean

Date: 10/16/12

Recommend Council approval

Recommend Council denial

Comments regarding recommendation: Policy decision left to Council's discretion; however, ARTICLE VII (Term), ARTICLE IV (Early Termination Charge), and EXHIBIT A are not totally consistent as to the early termination charge. The language should be cleaned up.

Administration

Reviewed by: Sparty Hammett

Date: 10/16/12

Recommend Council approval

Recommend Council denial

Comments regarding recommendation: Recommend Council approval to award Cherokee Construction the Monticello Road Streetscape construction project (Phase I) using CDBG funds. It is also recommended that Council approve the revised lighting fee agreement between SCE&G and Richland County. As indicated by Ms. McLean, the language regarding early termination should be revised.

AGREEMENT COVERING AREA LIGHTING

**RICHLAND COUNTY
PHASE 1
MONTICELLO ROAD STREETScape
RIDGEWAY STREET TO KNIGHTNER STREET
COLUMBIA, SOUTH CAROLINA 29203**

THIS AGREEMENT is entered into and effective this 14th day of September, 2012, by and between "Customer", **Richland County** and South Carolina Electric & Gas Company, "Company".

In consideration of the mutual covenants and agreements herein contained, the same to be well and truly kept and performed, the sums of money to be paid, and the services to be rendered, the parties hereto covenant and agree with each other as follows, namely:

ARTICLE I

LIGHTING SERVICE: Company shall provide lighting service from dusk (one half (1/2) hour after sunset) to dawn (one half (1/2) hour before sunrise) each night during the Agreement period for a total of approximately four thousand (4000) hours of lighting per year. Customer agrees that lighting provided is ornamental in nature and is not designed for security or public safety. Company does not guarantee lighting level for security or public safety purposes. Customer agrees that lighting is not designed in accordance with the Illuminating Engineering Society (IES) recommended maintained luminance and illumination values for roadways and area lighting.

ARTICLE II

RATE: Customer shall be billed in accordance with Company's "Underground Street Lighting" Rate 18, attached hereto and incorporated herein by reference which is currently \$26.16 per luminaire and pole per month, based on the current rate. Customer's current monthly lighting charges for this project will total \$784.80 plus S.C. sales tax and all other applicable fees. This rate is subject to change upon periodic review by the South Carolina Public Service Commission (PSC), in the manner prescribed by law. Additionally, this Agreement and all services rendered hereunder are subject to Company's "General Terms and Conditions" as approved by the Commission as they may now exist or may be amended in the future. The "General Terms and Conditions" as they currently exist are made a part of this Agreement as attached.

Rate	Item	Cost	Qty	Total
18	150 watt high pressure sodium Acorn-Style Luminaire	\$16.86	30	\$505.80
18	17' black fiberglass pole	\$9.30	30	\$279.00
			Total	\$784.80

ARTICLE III

AID-TO-CONSTRUCTION: Customer has requested and Company has agreed to install facilities. The installation cost requires an aid to construction in the amount of \$3,200.00 to be paid by Customer to Company prior to installation. Customer agrees to provide and install all two (2) inch schedule 40 gray electrical PVC lighting conduit to Company specification. Company shall assume no responsibility for repairs to or replacement of damaged conduit.

ARTICLE IV

INSTALLATION AND MAINTENANCE: Customer is responsible for locating and marking all facilities (irrigation, water, sewer, drainage, etc.) in areas where digging will take place if not part of the Palmetto Utility Protection Service (PUPS). Company is not responsible for any damage to Customer owned utilities such as irrigation, sewer, cable, water taps, etc. that have not been located or have been mis-located. Customer is responsible for obtaining all applicable authorizations and permissions from any governmental entities related to luminaires, poles, and/or related equipment. Customer is also responsible for compliance with, and informing Company of, any governmental ordinances as they may relate to lighting. Customer is responsible for and will pay to Company any and all costs associated with the removal, relocation or exchange of luminaires, poles and/or related equipment that are determined to be non-compliant by governmental entities. Company agrees to provide and install underground wiring and appurtenances for thirty (30) 150 watt high pressure sodium Acorn-Style luminaires mounted on thirty (30) 17' black fiberglass poles. This lighting installation will be located along Monticello Road from Ridgeway Street to Knightner Street (southern intersection) on the east side of Monticello Road, and from Knightner Street (southern intersection) to Knightner Street (northern intersection) on both sides of Monticello Road located in Columbia, South Carolina. The delivery voltage to these fixtures shall be 120v. At all times, Company will maintain ownership of luminaires and poles. Customer must notify Company of any non-functioning or mal-functioning luminaires. Company will not be responsible for any landscape or pavement replacement that may be necessary as a result of the Company installing the lighting facility or any landscape or pavement replacement that may be necessary as a result of the Company performing maintenance on the lighting facility. Customer will maintain a reasonable working distance around luminaires and poles.

Customer Initial/Date

ARTICLE V

REPLACEMENT AND MAINTENANCE - ORDINARY: Company shall perform all ordinary replacement and maintenance on the equipment and appurtenances. This shall include the replacement of lamps, photocells, conductor, and conduit and electrical connections. The replacement lamps shall be limited to Company's standard 150 watt high pressure sodium and the replacement photocells shall be limited to Company's standard twist-lock photocell. Non-standard equipment replacement may be delayed until such equipment can be ordered and delivered to Company, as non-standard equipment is not kept in Company inventory. Company shall retain ownership of these facilities located on Customer's premises. If Customer elects, for any reason, to require removal or relocation of Company facilities, Customer is required to reimburse Company for all costs incurred by Company as a result of such removal or relocation. If action is taken by a governmental entity that requires the removal or relocation of Company's facilities, Customer is required to reimburse Company for all costs incurred by Company as a result of such removal or relocation.

ARTICLE VI

REPLACEMENT AND MAINTENANCE - EXTRAORDINARY: Company is responsible for the replacement and maintenance of extraordinary equipment and appurtenances, which shall include the replacement of the luminaires and poles and other associated equipment due to normal wear and tear. In the event of accidental damage or vandalism, Company shall bill Customer and hold Customer responsible for all extraordinary replacement and maintenance work that is not recovered by Company from third parties tortfeasors. If Customer elects, for any reason, to require removal or

relocation of Company facilities, Customer is required to reimburse Company for all costs incurred by Company as a result of such removal or relocation. If action is taken by a governmental entity that requires the removal or relocation of Company's facilities, Customer is required to reimburse Company for all costs incurred by Company as a result of such removal or relocation.

ARTICLE VII

TERM: This Agreement shall continue for the full initial term of five (5) years ("Initial Term"). Thirty (30) days prior to the end of the Initial Term, Customer shall notify Company in writing whether or not it intends to let the Agreement term expire or extend the Agreement term for an additional five (5) year period ("Extension Term"). Customer may terminate (or after the completion of the Initial Term, choose not to extend for the Extension Term) this Agreement at the end of any year in either the Initial Term or the Extension Term, in which case Customer will be liable for a payment in the amount specified on Exhibit A. Following completion of the Extension Term, this Agreement shall continue thereafter from year to year until terminated by at least thirty (30) days prior written notice by either Party to the other of its intention to terminate. In the event of a termination after both the Initial Term and the Extension Term (a total of ten years), no payment arising as a result of the termination shall be due from the Customer.

ARTICLE VIII

TERMINATION FOR DEFAULT BY CUSTOMER: The occurrence of any one or more of the following events by Customer shall constitute a default by Customer: 1) bankruptcy; 2) non-payment; 3) dissolution of business entity; 4) discontinuation of access; or 5) unauthorized modification of equipment. In the event of default, Company reserves the right to terminate this Agreement. Should Customer terminate prior to the end of the initial term of this Agreement, an early termination charge outlined in Article IX shall apply.

ARTICLE IX

EARLY TERMINATION CHARGE: Should Customer terminate this Agreement for any reason, either during the initial term or any extension thereof, unless waived as provided for herein, Customer shall pay to Company a termination charge excluding fuel for the remainder of the contract term; plus the sum of the original cost of the installed equipment, less accumulated depreciation through the effective termination date, plus removal and disposal costs, plus environmental remediation costs, less any applicable salvage values, the total cost of which shall not be less than zero. Company may waive a portion or all of the termination charge where (1) a successor agreement is executed prior to termination of this Agreement, (2) Customer is able to furnish Company with satisfactory evidence that a successor customer will occupy the premises within a reasonable time and contract for substantially the same service facilities, or (3) the facilities for serving have been fully depreciated.

ARTICLE X

LIMITATION OF LIABILITY: THE PARTIES AGREE, AS AN ESSENTIAL CONDITION OF THIS AGREEMENT, THAT COMPANY SHALL HAVE NO LIABILITY TO CUSTOMER OR TO ANY THIRD PARTY AS A RESULT OF THE SERVICES PROVIDED HEREUNDER OR COMPANY'S INSTALLATION, OPERATION, MAINTENANCE, OR REMOVAL OF THE LUMINAIRES, POLES, CONDUCTORS OR OTHER APPURTENANCES ASSOCIATED WITH THE LIGHTING FACILITIES EXCEPT TO THE EXTENT OF COMPANY'S NEGLIGENCE.

IN NO EVENT WILL COMPANY BE LIABLE FOR INCIDENTAL, INDIRECT OR CONSEQUENTIAL DAMAGES. THE LIABILITY OF COMPANY SHALL IN NO EVENT EXCEED THE MAXIMUM

AMOUNT THAT THE COUNTY COULD BE LIABLE TO A THIRD PARTY UNDER THE SOUTH CAROLINA TORT CLAIMS ACT, WHICH AMOUNT IS CURRENTLY THREE HOUNDED THOUSAND DOLLARS (\$300,000).

ARTICLE XI

WARRANTIES: COMPANY MAKES NO REPRESENTATIONS OR WARRANTIES OF ANY TYPE, EXPRESS OR IMPLIED, EXCEPT AS SPECIFICALLY STATED IN THIS AGREEMENT. WITHOUT LIMITING THE FOREGOING, COMPANY EXPLICITLY DISCLAIMS ANY WARRANTY REGARDNG THE SERVICES PROVIDED HEREUNDER OR COMPANY'S INSTALLATION, OPERATION, MAINTENANCE, OR REMOVAL OF THE LUMINAIRES, POLES, CONDUCTORS OR OTHER APPURTENANCES ASSOCIATED WITH THE LIGHTING FACILITIES REGARDING THE SUITABILITY, PRACTICALITY, VIABILITY, OR FUNCTIONALITY OF THE PRODUCTS AND SERVICES PROVIDED HEREUNDER, EXCEPT AS SPECIFICALLY STATED HEREIN. COMPANY SPECIFICALLY DOES NOT WARRANT THAT THE PRODUCTS OR SERVICES WILL INCREASE SAFETY OR REDUCE THE POSSIBILITY OF CRIMINAL ACTIVITY. THE WARRANTIES OF MERCHANTABILITY AND FITNESS FOR A PARTICULAR PURPOSE ARE SPECIFICALLY DISCLAIMED.

ARTICLE XII

RIGHT OF WAY: Customer hereby grants Company free access and right of way to maintain install and remove any and all luminaires, poles, conductors and other appurtenances associated with the lighting facilities contained within this Agreement.

ARTICLE XIII

CUSTOMER MODIFICATIONS: No modifications to luminaires, poles or related equipment may be made by Customer without prior written approval from Company. Company assumes no liability if luminaires, poles or related equipment are modified in any manner by Customer.

ARTICLE XIV

ASSIGNMENT: No assignment of this Agreement, in whole or in part by Customer, will be made without the prior written consent of Company, which consent will not be unreasonably withheld or delayed.

ARTICLE XV

AMENDMENT: This Agreement may not be amended except by written agreement signed by an authorized representative of each Party.

ARTICLE XVI

REPRESENTATION: Each Party to the Agreement represents and warrants that it has full and complete authority to enter into and perform its respective obligations under this Agreement. Any person who executes this Agreement on behalf of either Party represents and warrants that he or she has full and complete authority to do so and that such represented Party shall be bound thereby.

ARTICLE XVII

COVENANTS: This Agreement is an entire contract, each stipulation thereto being a part of the consideration for every other, and the terms, covenants, and conditions thereof inure to the benefit of and bind the successors and assigns of each of the parties hereto, as well as the parties themselves.

ARTICLE XVIII

ENTIRE UNDERSTANDING: This Agreement contains the entire understanding of the Parties and supersedes all prior oral or written representation(s) concerning the subject matter hereof.

RICHLAND COUNTY

By: _____

(Print
Name): _____

Title: _____

Date: _____

SOUTH CAROLINA ELECTRIC & GAS COMPANY

By: _____

(Print Name): Daniel F. Kassis

Title: Vice President of Customer Service

Date: _____

RATE 18

UNDERGROUND
STREET LIGHTING

(Page 1 of 2)

AVAILABILITY

This rate is available to customers, including municipal customers, using the Company's electric service for street and area lighting served from existing underground distribution facilities.

APPLICABILITY

Applicable only to outdoor lighting high intensity discharge fixtures, either high pressure sodium (HPS), or metal halide (MH), and with poles conforming to Company specifications. Services will be rendered only at locations that, solely in the opinion of the Company, are readily accessible for maintenance. If the Company is required to install light fixtures on poles other than those described herein, the Company will determine in each case the amount and form of payment required.

RATE PER LUMINARIES

SIZE AND DESCRIPTION			Lamp Charges per Month	kWh per Month
9,000 Lumens	(MH) (100W)	(Acorn, Round, or Octagonal Style)*	\$ 16.49	41
15,000 Lumens	(HPS) (150W)	(Acorn, Round, or Octagonal Style)*	\$ 16.86	62
9,000 Lumens	(MH) (100W)	(Traditional)	\$ 12.12	37
15,000 Lumens	(HPS) (150W)	(Traditional)	\$ 12.55	62
9,000 Lumens	(MH) (100W)	(Shepherd)	\$ 25.06	41
15,000 Lumens	(HPS) (150W)	(Shepherd)	\$ 26.81	62
42,600 Lumens	(MH) (400W)	Hatbox	\$ 32.18	159
50,000 Lumens	(HPS) (400W)	Hatbox	\$ 30.97	158
110,000 Lumens	(MH) (1000W)	Hatbox	\$ 49.82	359
140,000 Lumens	(HPS) (1000W)	Hatbox	\$ 45.50	368
30,000 Lumens	(MH) (320W)	Shoebox Type	\$ 26.62	123
45,000 Lumens	(HPS) (400W)	Shoebox Type	\$ 23.12	158
30,000 Lumens	(MH) (320W)	Cobra Flex	\$ 30.74	120
50,000 Lumens	(HPS) (400W)	Cobra Flex	\$ 30.80	152

The following fixtures are available for new installations only to maintain pattern sensitive areas:

9,000 Lumens	(MH) (100W)	(Modern)	\$ 12.12	37
15,000 Lumens	(HPS) (150W)	(Modern)	\$ 12.55	62
9,000 Lumens	(MH) (100W)	(Classic)	\$ 15.90	37
15,000 Lumens	(HPS) (150W)	(Classic)	\$ 16.76	62

Effective January 2009, selected existing light sets will no longer be available for new installations. Replacement light sets will only be available until inventory is depleted and will be replaced on a first-come, first-served basis. Affected lights are as follows:

7,500 Lumens	(MV) (175W)	(Acorn, Round, or Octagonal Style)*	\$ 16.18	69
7,500 Lumens	(MV) (175W)	(Traditional)	\$ 12.05	69
7,500 Lumens	(MV) (175W)	(Shepherd)	\$ 23.52	69
7,500 Lumens	(MV) (175W)	(Modern)	\$ 12.05	69
7,500 Lumens	(MV) (175W)	(Classic)	\$ 16.07	69
10,000 Lumens	(MV) (250W)	(Acorn, Round, or Octagonal Style)*	\$ 17.69	95
20,000 Lumens	(MV) (400W)	Shoebox Type	\$ 21.44	159
36,000 Lumens	(MH) (400W)	Hatbox	\$ 32.37	159
40,000 Lumens	(MH) (400W)	Shoebox Type	\$ 28.47	159

RATE PER POLE

15' Aluminum Shepherd's Crook / Direct Buried (Mounted Height)	\$ 26.75
15' Aluminum Shepherd's Crook / Base Mounted (Mounted Height)	\$ 34.40
12' Smooth/Fluted Aluminum (Mounted Height)	\$ 23.00
14' Smooth/Fluted Aluminum (Mounted Height)	\$ 23.65
17' Standard Fiberglass (Mounted Height)	\$ 9.30
42' Square Aluminum/Direct Buried (35' Mounted Height)	\$ 25.60
42' Round Aluminum/Direct Buried (35' Mounted Height)	\$ 25.60
35' Round Aluminum/Base Mounted (Add Base To Determine Mounted Height)	\$ 32.50
35' Square Aluminum/Base Mounted (Add Base To Determine Mounted Height)	\$ 35.50

EXHIBIT A - Phase I

9/14/2012

Early Termination Charge Estimate

Project Name: Phase I - Ridgewood Revitalization Project (Monticello Road Streetscape)

Light Fixtures: 150 W HPS Acorn 30 \$14.66

Light Poles: 17' Black Fiberglass Pole 30 \$9.30

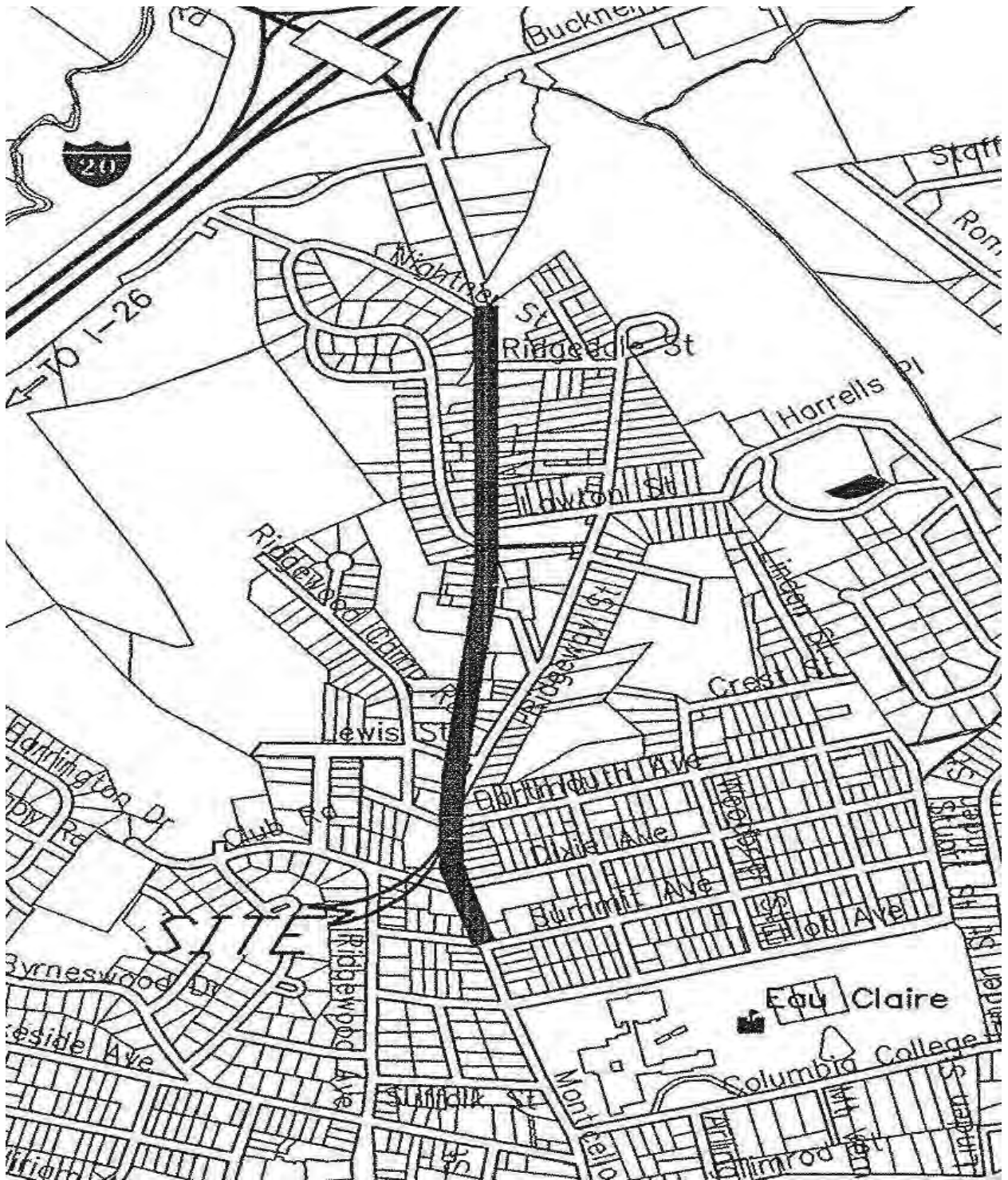
Original Cost of Installed Equipment: \$ 32,417.00

Depreciation Rate: 4.59%

Annual Depreciation (Straight Line) \$ 1,487.94

<u>Year</u>	<u>Months Remaining in Term</u>	<u>Original Cost Less Depreciation</u>	<u>Removal and Disposal</u>	<u>Salvage</u>	<u>Total Cancellation Fee</u>
1	120	\$ 32,417.00	\$ 18,116.00	\$ 3,000.00	\$ 47,533.00
2	108	\$ 30,929.06	\$ 18,116.00	\$ 3,000.00	\$ 46,045.06
3	96	\$ 29,441.12	\$ 18,116.00	\$ 3,000.00	\$ 44,557.12
4	84	\$ 27,953.18	\$ 18,116.00	\$ 3,000.00	\$ 43,069.18
5	72	\$ 26,465.24	\$ 18,116.00	\$ 3,000.00	\$ 41,581.24
6	60	\$ 24,977.30	\$ 18,116.00	\$ 3,000.00	\$ 40,093.30
7	48	\$ 23,489.36	\$ 18,116.00	\$ 3,000.00	\$ 38,605.36
8	36	\$ 22,001.42	\$ 18,116.00	\$ 3,000.00	\$ 37,117.42
9	24	\$ 20,513.48	\$ 18,116.00	\$ 3,000.00	\$ 35,629.48
10	12	\$ 19,025.54	\$ 18,116.00	\$ 3,000.00	\$ 34,141.54

Ridgewood Monticello Road Streetscape Project Map



Richland County Council Request of Action

Subject

Broad River Road Corridor Lighting Project [PAGES 158-169]

Notes

October 23, 2012 - The Committee recommended that Council approve the request to install the 33 lights within the Broad River Corridor and Community study area, contingent upon the offending language being removed from the lighting agreement.

Richland County Council Request of Action

Subject: Broad River Road Corridor Lighting Project

A. Purpose

County Council is requested to approve a five (5) year+ agreement with SCE&G for the installation and monthly maintenance of street lights along Broad River Road in the Broad River Road Corridor and Community Study area, from the Broad River Bridge to the Harbison State Forest. This would involve monthly installments of \$664.95 for thirty-three (33) lights.

B. Background / Discussion

Richland County Council is being asked to approve the installation of thirty-three (33) 400 watt high pressure sodium Cobra head-style fixtures on six foot arms mounted to existing SCE&G electric poles in the Broad River Road Corridor and Community Master Plan area as a step towards implementation of the master plan. Installation of the 33 lights will require one (1) additional transformer to serve the lights.

A total of fifty-three (53) lights will actually be installed, but twenty (20) of those lights fall within the City of Columbia municipal boundaries. The City of Columbia is in the process of agreeing to provide funding for the twenty (20) lights and one (1) transformer that is within their municipal boundaries as a part of their lighting agreement with SCE&G. It is anticipated that City Council will approve the request in November.

C. Legislative/Chronological History

Funding for the lighting in the Broad River Road Corridor in the amount of \$75,000 was approved and appropriated during FY 12 from the Planning and Development Services Department/Neighborhood Improvement Program Division budget. The FY 12 funds were rolled over to FY 13, as these funds were not used in FY 12; therefore, funding exists for this project.

D. Financial Impact

The cost per year for the 33 lights is \$7,979.40. In addition, an upfront cost of \$800.00 is required to install the needed transformer for the Richland County-Broad River Road Streetscape project located along Broad River Road from Harbison Boulevard to Marley Drive.

Qty	Type of Luminaire	Rate	Lease Charges/Month
33	400 Watt High Pressure Sodium, 45,000 Lumens	26	\$ 20.15
Total Lease Charges Per Month			\$664.95

The total cost for the first five years under the proposed agreement with SCE&G would be \$40,697.00 (\$7,979.40 X 5 years + \$800 transformer). However, funds in the amount of \$75,000 for installation and monthly charges were appropriated during FY 12 (and rolled over

to FY 13) from the Planning and Development Services Department/Neighborhood Improvement Program Division budget.

This appropriation (\$75,000) is in excess of what is quoted in this contract (\$40,697.00 for 5 years, includes transformer), which means that the contract could be extended for an additional four years beyond the original term. The contract states that the contract will continue year to year after the first five years unless either Party gives written notice 30 days prior to the end of a term. (\$7,979.40 X 9 years + \$800 transformer = \$72,614.60; \$75,000 was budgeted for this project.)

E. Alternatives

1. Approve the request to install the needed lighting for the Broad River Road Corridor as a first step towards implementation of this Master Plan.
2. Do not approve the request to install lighting for the Broad River Road Corridor.

F. Recommendation

It is recommended that Council approve the request to install the 33 lights within the Broad River Road Corridor and Community Study area.

Recommended by: Tracy Hegler Department: Planning Date: October 1, 2012

G. Reviews

Finance

Reviewed by: Daniel Driggers Date: 10/11/12
 Recommend Council approval Recommend Council denial
Comments regarding recommendation: Recommendation based on previous Council approval of project, funding availability and Planning Director recommendation.

Procurement

Reviewed by: Rodolfo Callwood Date: 10/11/12
 Recommend Council approval Recommend Council denial
Comments regarding recommendation:

Legal

Reviewed by: Elizabeth McLean Date: 10/17/12
 Recommend Council approval Recommend Council denial
Comments regarding recommendation: Policy decision left to Council's discretion; however, the County cannot indemnify or hold harmless a third party. The offending language has been removed from the attached contract.

Administration

Reviewed by: Sparty Hammett

Date: 10/18/12

Recommend Council approval

Recommend Council denial

Comments regarding recommendation: Recommend Council approval, as indicated in the ROA, Council previously approved the lighting during the FY12 budget process.

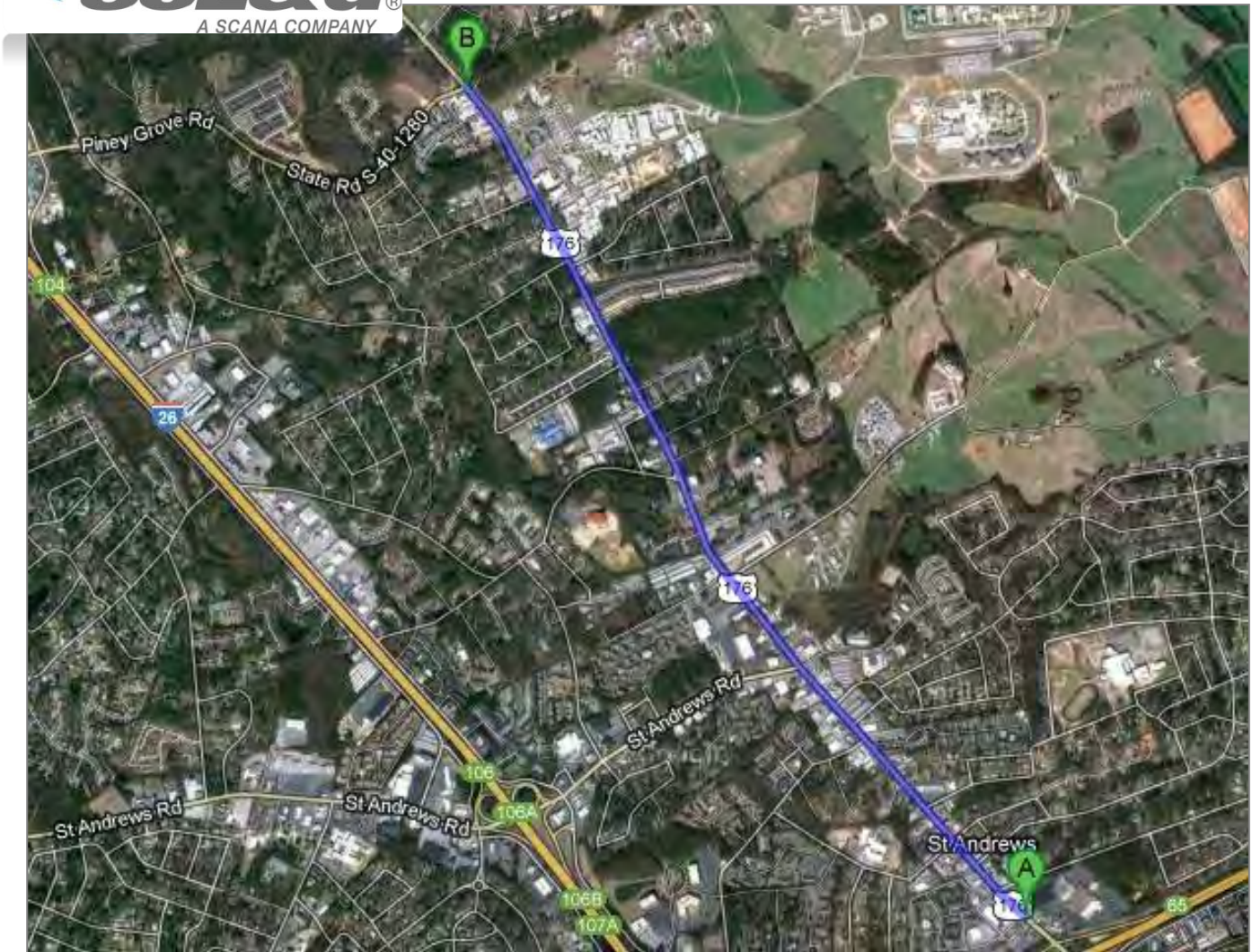


Richland County Broad River Road Streetscape

Broad River Road Streetscape

Scope: Street lighting from Briargate Cir/Marley Drive to Piney Grove Road.

Proposal: Installation of 53 Fixtures along the approximate 2.5



miles of Broad River Road.

Description

Install 53 – 400 watt high pressure sodium Cobrahead–style fixtures on six foot arms mounted on existing SCE&G electric poles

- 33 lights fall inside the Richland County municipal boundary and 20 lights fall inside the City of Columbia municipal boundary
- This installation will require one additional transformer to serve some of the lights and, therefore, this installation will require an up-front installation charge of \$800.00
- Requires a 5 year lighting agreement with Richland County
- All Lighting Rates are subject to any PSC-approved rate increases

Total Charges

- Up-front installation charge of \$800.00
- 33 Fixtures @ \$20.15 each per month = \$664.95 total per month

Cobrahead Roadway Cutoff

This cutoff-style cobrahead emanates useful light at lower angles for a precise distribution. Optics are computer-designed for maximum performance.



WATTAGE/TYPE

150 HPS 15,000 Lumens
400 HPS 50,000 Lumens
100 MH 9,000 Lumens
320 MH 30,000 Lumens

AREA OF ILLUMINATION



AGREEMENT FOR PRIVATE SECURITY LIGHTING SERVICE

THIS AGREEMENT made this 8th day of October, 2012 by and between South Carolina Electric & Gas Company, for itself, its successors and assigns hereinafter called "Company" and **Richland County – Broad River Road Streetscape** located along Broad River Road from Harbison Boulevard to Marley Drive in Columbia, South Carolina, hereinafter called "Customer".

It being agreed and understood that:

1. **EQUIPMENT:** Company will install and maintain standard light(s) and pole(s) as follows:

Qty	Type Luminaire(s)/Pole(s)	Rate	Lease Charges/Month
	100 Watt Metal Halide, 9,000 Lumens	26	\$
	150 Watt High Pressure Sodium, 15,000 Lumens	26	\$
	320 Watt Metal Halide, 30,000 Lumens	25	\$
33	400 Watt High Pressure Sodium, 45,000 Lumens	26	\$20.15
	30' Wooden Pole	26	\$
	35' Wooden Pole	26	\$
	25' Fiberglass Pole	26	\$
	Other:	X	\$
TOTAL LEASE CHARGES PER MONTH:			\$664.95

All charges are subject to S.C. sales tax and all other applicable fees. These charges are in accordance with Company's published rates. Company will retain ownership of facilities installed on Customer's premises.

2. **LIGHTING SERVICE:** Company shall provide lighting service from dusk (one half (1/2) hour after sunset) to dawn (one half (1/2) hour before sunrise) each night during the Agreement period for a total of approximately four thousand (4000) hours of lighting per year. Company does not guarantee lighting level for security or public safety purposes. Customer agrees that lighting is not designed in accordance with the Illuminating Engineering Society (IES) recommended maintained luminance and illumination values for roadways and area lighting.
3. **TERM:** The initial term of the Agreement is for five (5) years, beginning on the date service is established, and Agreement continues thereafter from year to year until terminated by at least thirty (30) days prior written notice by either Party to the other of its intention to terminate the Agreement, except as noted in Item 5 below.
4. **DEPOSIT:** Customer will make a deposit of \$0.00 before commencement of the lighting installation. Deposit will be refunded, together with any interest then due, less any monies owed for service, at the end of the Agreement term, provided Customer's payment history has been satisfactory. If the revenue due for the remainder of Agreement, at time of cancellation, is less than the termination charge, the smaller figure shall be applied. Company reserves the right to terminate this Agreement and remove the lighting facilities at any time at its sole discretion. In this event, no termination charge will be applied.
5. **EARLY TERMINATION CHARGE:** Customer requested cancellation of this Agreement prior to expiration of the initial Agreement term as noted in Item 3 above will result in an early termination charge of \$2,475.00. If the revenue due for the remainder of Agreement, at time of cancellation, is less than the termination charge, the smaller figure shall be applied. The occurrence of any one or more of the following events by Customer shall constitute a default by Customer: 1) bankruptcy; 2) non-payment; or 3) discontinuation of access. In the event of default by Customer, Company reserves the right to terminate this Agreement, upon written notice to Customer and the early termination charges shall apply. Company reserves the right to terminate this Agreement, for its convenience and due to no fault by Customer, and remove the lighting facilities, in which event no early termination charge shall be applied.
6. **RIGHT OF WAY:** Customer hereby grants Company free access and right of way to maintain, install and remove any and all luminaires, poles, conductors and appurtenances associated with the lighting facilities contained within this Agreement. If vegetation prevents access, Company may use reasonable means to remove vegetation to gain access.
7. **INSTALLATION AND MAINTENANCE:** Customer is responsible for locating and marking all facilities, (irrigation, water, sewer, drainage, etc.) in areas where digging will take place if not part of the Palmetto Utility Protection Service (PUPS). Company is not responsible for any damage to Customer owned utilities such as irrigation, sewer, cable, water taps, etc. that have not been located or have been mis-located. Customer is responsible for: 1) notification to Company of any non-functioning or mal-functioning luminaires; 2) obtaining all applicable governmental permissions; 3) compliance with any governmental ordinances; and 4) payment to Company any and all costs associated with

change-out of lighting fixtures associated with Customer's non-compliance noted above. Company shall perform all ordinary replacement and maintenance on the equipment and appurtenances, including replacement of Company's standard lamps, photocells, poles, fixtures, conductors, conduit and electrical connections due to normal wear and tear. In the event of accidental damage or vandalism, Company shall bill Customer and hold Customer

responsible for all replacement work that is not recovered by Company from third party tortfeasors. Company will not be responsible for any landscape or pavement replacement that may be necessary as a result of the Company installing the lighting facility or any landscape or pavement replacement that may be necessary as a result of the Company performing maintenance on the lighting facility. Customer will maintain a reasonable working distance around luminaires and poles.

Customer Initials/Date _____

8. **RELOCATION:** If Customer elects, for any reason, to require removal or relocation of Company facilities, Customer is required to reimburse Company for all costs incurred by Company as a result of such removal or relocation. If action is taken by a governmental entity that requires the removal or relocation of Company's facilities, Customer is required to reimburse Company for all costs incurred by Company as a result of such removal or relocation.
9. **RATES AND TERMS:** The Rates and Terms under this Agreement are in accordance with Company's published Rates and General Terms and Conditions which are incorporated herein by reference and are available upon request. Rates and Terms are subject to change at any time by the South Carolina Public Service Commission in the manner prescribed by law.
10. **LIMITATION OF LIABILITY:** THE PARTIES AGREE, AS AN ESSENTIAL CONDITION OF THIS AGREEMENT, THAT COMPANY SHALL HAVE NO LIABILITY TO CUSTOMER OR TO ANY THIRD PARTY AS A RESULT OF THE SERVICES PROVIDED HEREUNDER OR COMPANY'S INSTALLATION, OPERATION, MAINTENANCE, OR REMOVAL OF THE LUMINAIRES, POLES, CONDUCTORS OR OTHER APPURTENANCES ASSOCIATED WITH THE LIGHTING FACILITIES EXCEPT TO THE EXTENT OF COMPANY'S NEGLIGENCE. ~~CUSTOMER AGREES TO INDEMNIFY COMPANY IN THE EVENT THAT A THIRD PARTY SHOULD BRING A CLAIM AGAINST COMPANY ARISING OUT OF THE SERVICES PROVIDED HEREUNDER OR COMPANY'S INSTALLATION, OPERATION, MAINTENANCE, OR REMOVAL OF THE LUMINAIRES, POLES, CONDUCTORS OR OTHER APPURTENANCES ASSOCIATED WITH THE LIGHTING FACILITIES.~~

IN NO EVENT WILL COMPANY BE LIABLE FOR INCIDENTAL, INDIRECT OR CONSEQUENTIAL DAMAGES. THE LIABILITY OF COMPANY SHALL IN NO EVENT EXCEED THE AMOUNT PAID BY CUSTOMER TO COMPANY DURING THE TWELVE MONTHS PRECEDING THE EVENT WHICH GIVES RISE TO THE UNDERLYING CLAIM.

11. **WARRANTIES:** COMPANY MAKES NO REPRESENTATIONS OR WARRANTIES OF ANY TYPE, EXPRESS OR IMPLIED, EXCEPT AS SPECIFICALLY STATED IN THIS AGREEMENT. WITHOUT LIMITING THE FOREGOING, COMPANY EXPLICITLY DISCLAIMS ANY WARRANTY REGARDING THE SERVICES PROVIDED HEREUNDER OR COMPANY'S INSTALLATION, OPERATION, MAINTENANCE, OR REMOVAL OF THE LUMINAIRES, POLES, CONDUCTORS OR OTHER APPURTENANCES ASSOCIATED WITH THE LIGHTING FACILITIES REGARDING THE SUITABILITY, PRACTICALITY, VIABILITY, OR FUNCTIONALITY OF THE PRODUCTS AND SERVICES PROVIDED HEREUNDER, EXCEPT AS SPECIFICALLY STATED HEREIN. COMPANY SPECIFICALLY DOES NOT WARRANT THAT THE PRODUCTS OR SERVICES WILL INCREASE SAFETY OR REDUCE THE POSSIBILITY OF CRIMINAL ACTIVITY. THE WARRANTIES OF MERCHANTABILITY AND FITNESS FOR A PARTICULAR PURPOSE ARE SPECIFICALLY DISCLAIMED.

OTHER CONSIDERATIONS: Deposit waived – Left in as Termination Charge. Contribution in Aid to Construction of \$800.00 is required for this installation and to be paid prior to installation.

IN WITNESS WHEREOF, the Parties have caused this Agreement to be executed in two identical counterparts each having the same legal significance as the other.

SOUTH CAROLINA ELECTRIC & GAS COMPANY

RICHLAND COUNTY

BY: _____

BY: _____

PRINT NAME: Daniel F. Kassis _____

PRINT NAME _____

TITLE: Vice President of Customer Service _____

TITLE: _____

DATE: _____

DATE: _____

MAILING ADDRESS: _____

ACCOUNT NO: _____

RATE 26

**OVERHEAD PRIVATE
STREET LIGHTING**

AVAILABILITY

This rate is available to customers using the Company's electric service for overhead street lighting.

RATE

All night street lighting service where fixtures are mounted on Company's existing standard wooden poles which are a part of Company's distribution system will be charged for at the following rates:

	SIZE AND DESCRIPTION	Lamp Charges per Month	kWh per Month
9,000	Lumens (MH) (100W) Closed Type	\$ 10.36	37
15,000	Lumens (HPS) (150W) Open Type	\$ 10.64	57
15,000	Lumens (HPS) (150W) Closed Type	\$ 12.06	62
30,000	Lumens (MH) (320W) Closed Type	\$ 18.64	123
50,000	Lumens (HPS) (400W) Closed Type	\$ 20.15	158

The following fixtures are available for new installations only to maintain pattern sensitive areas:

9,500	Lumens (HPS) (100W) Open Type	\$ 10.59	38
9,500	Lumens (HPS) (100W) Closed Type	\$ 10.59	38
15,000	Lumens (HPS) (150W) Open Type - Retrofit	\$ 10.64	63
27,500	Lumens (HPS) (250W) Closed Type	\$ 17.41	102
45,000	Lumens (HPS) (360W) Closed Type - Retrofit	\$ 19.75	164

Effective January 2009, selected existing light sets will no longer be available for new installations. Replacement light sets will only be available until inventory is depleted and will be replaced on a first-come, first-served basis. Affected lights are as follows:

7,500	Lumens (Mercury) (175W) Open Type	\$ 9.82	69
7,500	Lumens (Mercury) (175W) Closed Type	\$ 12.07	69
10,000	Lumens (Mercury) (250W) Open Type	\$ 14.79	95
20,000	Lumens (Mercury) (400W) Closed Type	\$ 18.69	159

Cost per month for each additional pole:					
	25'	30'	35'	40'	45'
(Fiberglass)	\$9.95	\$4.65	\$5.10	\$6.50	\$7.75

MINIMUM CHARGE

When construction costs exceed four (4) times the estimated annual revenue excluding fuel revenue to be derived by the Company, the customer may make a contribution in aid of construction of the excess cost or pay the Company's standard facility rate on the excess construction cost in addition to the rate charges above.

ADJUSTMENT FOR FUEL AND VARIABLE ENVIRONMENTAL COSTS

Fuel costs of \$.03541 per kWh are included in the monthly lamp charge and are subject to adjustment by the Public Service Commission of South Carolina.

STORM DAMAGE COMPONENT

Inclusion of a storm damage component has been indefinitely suspended until further order of the Public Service Commission of South Carolina.

SALES AND FRANCHISE TAX

To the above will be added any applicable sales tax, franchise fee or business license tax which may be assessed by any state or local governmental body.

PAYMENT TERMS

All bills are net and payable when rendered.

TERM OF CONTRACT

The initial term of this contract shall be for a period of five (5) years and, thereafter, for like periods until terminated by either party on thirty days' written notice, but the Company may require a contract of initial term up to ten (10) years and may require an advance deposit not to exceed one half of the estimated revenue for the term of the initial contract. The Company reserves the right to remove its facilities when subject to vandalism or for other cogent reasons.

SPECIAL PROVISIONS

The Company will furnish, erect, operate and maintain all necessary equipment in accordance with its standard specifications. It is the customer's responsibility to notify the Company when equipment fails to operate properly. Non-standard service requiring underground, special fixtures and/or poles will be furnished only when the customer pays the difference in costs between such non-standard service and standard service or pays to the Company its normal monthly facility charge based on such difference in costs.

GENERAL TERMS AND CONDITIONS

The Company's General Terms and Conditions are incorporated by reference and are a part of this rate schedule.

AGREEMENT FOR PRIVATE SECURITY LIGHTING SERVICE

THIS AGREEMENT made this 8th day of October, 2012 by and between South Carolina Electric & Gas Company, for itself, its successors and assigns hereinafter called "Company" and **Richland County – Broad River Road Streetscape** located along Broad River Road from Harbison Boulevard to Marley Drive in Columbia, South Carolina, hereinafter called "Customer".

It being agreed and understood that:

1. **EQUIPMENT:** Company will install and maintain standard light(s) and pole(s) as follows:

Qty	Type Luminaire(s)/Pole(s)	Rate	Lease Charges/Month
	100 Watt Metal Halide, 9,000 Lumens	26	\$
	150 Watt High Pressure Sodium, 15,000 Lumens	26	\$
	320 Watt Metal Halide, 30,000 Lumens	25	\$
33	400 Watt High Pressure Sodium, 45,000 Lumens	26	\$20.15
	30' Wooden Pole	26	\$
	35' Wooden Pole	26	\$
	25' Fiberglass Pole	26	\$
	Other:	X	\$
TOTAL LEASE CHARGES PER MONTH:			\$664.95

All charges are subject to S.C. sales tax and all other applicable fees. These charges are in accordance with Company's published rates. Company will retain ownership of facilities installed on Customer's premises.

2. **LIGHTING SERVICE:** Company shall provide lighting service from dusk (one half (1/2) hour after sunset) to dawn (one half (1/2) hour before sunrise) each night during the Agreement period for a total of approximately four thousand (4000) hours of lighting per year. Company does not guarantee lighting level for security or public safety purposes. Customer agrees that lighting is not designed in accordance with the Illuminating Engineering Society (IES) recommended maintained luminance and illumination values for roadways and area lighting.
3. **TERM:** The initial term of the Agreement is for five (5) years, beginning on the date service is established, and Agreement continues thereafter from year to year until terminated by at least thirty (30) days prior written notice by either Party to the other of its intention to terminate the Agreement, except as noted in Item 5 below.
4. **DEPOSIT:** Customer will make a deposit of \$0.00 before commencement of the lighting installation. Deposit will be refunded, together with any interest then due, less any monies owed for service, at the end of the Agreement term, provided Customer's payment history has been satisfactory. If the revenue due for the remainder of Agreement, at time of cancellation, is less than the termination charge, the smaller figure shall be applied. Company reserves the right to terminate this Agreement and remove the lighting facilities at any time at its sole discretion. In this event, no termination charge will be applied.
5. **EARLY TERMINATION CHARGE:** Customer requested cancellation of this Agreement prior to expiration of the initial Agreement term as noted in Item 3 above will result in an early termination charge of \$2,475.00. If the revenue due for the remainder of Agreement, at time of cancellation, is less than the termination charge, the smaller figure shall be applied. The occurrence of any one or more of the following events by Customer shall constitute a default by Customer: 1) bankruptcy; 2) non-payment; or 3) discontinuation of access. In the event of default by Customer, Company reserves the right to terminate this Agreement, upon written notice to Customer and the early termination charges shall apply. Company reserves the right to terminate this Agreement, for its convenience and due to no fault by Customer, and remove the lighting facilities, in which event no early termination charge shall be applied.
6. **RIGHT OF WAY:** Customer hereby grants Company free access and right of way to maintain, install and remove any and all luminaires, poles, conductors and appurtenances associated with the lighting facilities contained within this Agreement. If vegetation prevents access, Company may use reasonable means to remove vegetation to gain access.
7. **INSTALLATION AND MAINTENANCE:** Customer is responsible for locating and marking all facilities, (irrigation, water, sewer, drainage, etc.) in areas where digging will take place if not part of the Palmetto Utility Protection Service (PUPS). Company is not responsible for any damage to Customer owned utilities such as irrigation, sewer, cable, water taps, etc. that have not been located or have been mis-located. Customer is responsible for: 1) notification to Company of any non-functioning or mal-functioning luminaires; 2) obtaining all applicable governmental permissions; 3) compliance with any governmental ordinances; and 4) payment to Company any and all costs associated with change-out of lighting fixtures associated with Customer's non-compliance noted above. Company shall perform all ordinary replacement and maintenance on the equipment and appurtenances, including replacement of Company's standard lamps, photocells, poles, fixtures, conductors, conduit and electrical connections due to normal wear and tear. In the event of accidental damage or vandalism, Company shall bill Customer and hold Customer

responsible for all replacement work that is not recovered by Company from third party tortfeasors. Company will not be responsible for any landscape or pavement replacement that may be necessary as a result of the Company installing the lighting facility or any landscape or pavement replacement that may be necessary as a result of the Company performing maintenance on the lighting facility. Customer will maintain a reasonable working distance around luminaires and poles.

Customer Initials/Date

- 8. **RELOCATION:** If Customer elects, for any reason, to require removal or relocation of Company facilities, Customer is required to reimburse Company for all costs incurred by Company as a result of such removal or relocation. If action is taken by a governmental entity that requires the removal or relocation of Company's facilities, Customer is required to reimburse Company for all costs incurred by Company as a result of such removal or relocation.
- 9. **RATES AND TERMS:** The Rates and Terms under this Agreement are in accordance with Company's published Rates and General Terms and Conditions which are incorporated herein by reference and are available upon request. Rates and Terms are subject to change at any time by the South Carolina Public Service Commission in the manner prescribed by law.
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SOUTH CAROLINA ELECTRIC & GAS COMPANY

RICHLAND COUNTY

BY: _____

BY: _____

PRINT NAME: Daniel F. Kassis

PRINT NAME _____

TITLE: Vice President of Customer Service

TITLE: _____

DATE: _____

DATE: _____

MAILING ADDRESS: _____

ACCOUNT NO: _____

MINUTES OF



RICHLAND COUNTY COUNCIL REGULAR SESSION TUESDAY, NOVEMBER 13, 2012 6:00 p.m.

In accordance with the Freedom of Information Act, a copy of the agenda was sent to radio and TV stations, newspapers, persons requesting notification, and was posted on the bulletin board located in the lobby of the County Administration Building.

MEMBERS PRESENT:

Chair	Kelvin E. Washington, Sr.
Vice Chair	L. Gregory Pearce, Jr.
Member	Joyce Dickerson
Member	Valerie Hutchinson
Member	Norman Jackson
Member	Gwendolyn Davis Kennedy
Member	Bill Malinowski
Member	Jim Manning
Member	Paul Livingston
Member	Seth Rose
Absent	Damon Jeter

OTHERS PRESENT – Tony McDonald, Sparty Hammett, Roxanne Ancheta, Brad Farrar, Yanisse Adrian-Silva, Sara Salley, John Hixon, Nelson Lindsay, Geo Price, Tracy Hegler, David Hoops, Dale Welch, Janet Claggett, Hayden Davis, Alonzo Smith, Buddy Atkins, Michael Byrd, Monique Walters, Michelle Onley

CALL TO ORDER

The meeting was called to order at approximately 6:08 p.m.

INVOCATION

The Invocation was given by the Honorable Valerie Hutchinson

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by the Honorable Valerie Hutchinson

Fund Balance for transfer to the Solid Waste Operating Budget for the sole purpose of purchasing roll carts [THIRD READING]

- **And Ordinance Amending the Fiscal Year 2012-2013 General Fund Annual Budget to appropriate \$184m496 of General Fund Unassigned Fund Balance for Grant Match to Departments for grants approved through the FY13 Budget Process [THIRD READING]**
- **An Ordinance Amending the Richland County Code of Ordinances, Chapter 2, Administration; Article V, County Departments; by adding a new division entitled 6A, Conservation; so that a new department will be created [THIRD READING]**
- **An Ordinance Amending Ordinance 043-10HR, so as to increase the rate of copy charges for autopsy reports to \$500 [THIRD READING]**
- **An Ordinance Authorizing the Second Amendment of that certain Fee Agreement by and between Richland County, South Carolina and [Project Resolve], relating to, without limitation, the payment to Richland County of a fee in lieu of taxes and the grant of a special source revenue credit to [Project Resolve], and other matters relating thereto [SECOND READING]**
- **An Ordinance Authorizing the execution and delivery of an Intergovernmental Agreement by and between Richland County, South Carolina, the Town of Blythewood, South Carolina relating to [Project Resolve] and the business license fee on the investment by [Project Resolve], and other matters related thereto [SECOND READING]**
- **12-32MA, Terry Darragh, Richland County Landfill, Inc., RU to HI (79.11 Acres), Screaming Eagle Rd., 31600-02-18(p) [SECOND READING]**
- **An Ordinance Amending the Richland County Code of Ordinances, Chapter 26, Land Development; Article VII, General Development, Site, and Performance Standards; so as to repeal the Green Code Standards and to have Section 26-186 read as —Reserved” [SECOND READING]**
- **An Ordinance Amending the Richland County Code of Ordinances; Chapter 26, Land Development; Article VII, General Development, Site, and Performance Standards; Section 26-176 Landscaping Standards; Subsection (J), Protection of Existing Trees During Development; Paragraph (3), Exemptions-Protection; so as to remove buffer and BMP requirements for forestry activities [SECOND READING]**
- **Changes to Employee Handbook-Promotion Probation**
- **Ridgewood Monticello Road Streetscape Project (Bid Award Approval and Commercial Lighting Fee Increase)**

REPORT OF THE ADMINISTRATION AND FINANCE COMMITTEE

General Obligation Bonds for the Richland County Recreation Commission – Ms. Hutchinson moved, seconded by Ms. Dickerson, to approve the committee's recommendation. A discussion took place.

The vote in favor was unanimous.

Santee Wateree Transit Authority Motion and COG Transit Analysis – Ms. Hutchinson moved, seconded by Ms. Dickerson, to approve the committee's recommendation. The vote was in favor.

IT Server Room HVAC Upgrade – Mr. Malinowski moved, seconded by Ms. Hutchinson. A discussion took place.

The vote in favor was unanimous.

Broad River Road Corridor Lighting Project – Mr. Malinowski moved, seconded by Mr. Jackson, to further negotiate the agreement with SCE&G. A discussion took place.

Mr. Rose made a substitute motion, seconded by Mr. Malinowski, to defer this item. The motion to defer failed.

The motion to further negotiate the agreement with SCE&G failed.

Ms. Dickerson moved, seconded by Ms. Kennedy, to approve staff's recommendation. The vote was in favor.

An Ordinance Amending the Fiscal Year 2012-2013 General Fund Annual Budget to add a Full-Time Paralegal position in the Public Defender's Office [FIRST READING] – Mr. Pearce moved, seconded by Ms. Dickerson, to approve this item. A discussion took place.

The vote was in favor.

Develop a Master Plan for the Olympia Neighborhood [TO TABLE] – Mr. Washington moved, seconded by Mr. Rose, to authorize staff to discuss with the City of Columbia an option to partner with the County on Master Plan(s) for the Olympia and Whaley communities. Recommendations will be discussed at the Council Retreat.

Mr. Rose made a substitute motion, seconded by Mr. Malinowski, to authorize staff to engage the City of Columbia on their willingness to a partner in a Master Plan for the Olympia and Whaley Street neighborhoods. Mr. Rose withdrew his substitute motion.

The vote in favor.



**RICHLAND COUNTY COUNCIL
REGULAR SESSION AGENDA**

**JULY 1, 2014
6:00 PM**

CALL TO ORDER	THE HONORABLE NORMAN JACKSON
INVOCATION	THE HONORABLE BILL MALINOWSKI
PLEDGE OF ALLEGIANCE	THE HONORABLE BILL MALINOWSKI

Approval Of Minutes

1. Regular Session: June 17, 2014 [PAGES 8-16]
2. Zoning Public Hearing: June 24, 2014 [PAGES 17-20]

Adoption Of The Agenda

Report Of The Attorney For Executive Session Items

3. a. Contractual Matter: Convention Center Agreement
- b. Solid Waste Disposal Contract
- c. Project LR: Contractual Matter
- d. Contractual Matter: Victim's Assistance

Citizen's Input

4. For Items on the Agenda Not Requiring a Public Hearing

Report Of The County Administrator

5. a. Contractual Matter: Convention Center Agreement
- b. Public Information Office

14. High Performance Building Policy Options **[PAGES 52-61]**
15. Richland County Commission on Aging **[PAGES 62-69]**
16. County Recycling Services **[PAGES 70-94]**
17. Department of Public Works: Denton Dr. Ditch Stabilization Project **[PAGES 95-100]**
18. Expiration of County's Municipal Solid Waste Disposal Contract **[PAGES 101-122]**
19. RC Conservation Commission Financial Contribution for the Acquisition of a Historic Property **[PAGES 123-130]**
20. South Carolina Rural Infrastructure Grant Approval and Additional Funding for Project Engineering Design and Easement Acquisition **[PAGES 131-148]**
21. Hospitality Tax Ordinance Agency Procurement **[PAGES 149-159]**
22. Detention Center- HVAC Maintenance Contract **[PAGES 160-194]**
23. Approval of FY 14-15 Budgets within the FY 14-15 Annual Action Plan for Community Development Department Funds **[PAGES 195-198]**
24. Monticello Road Streetscape Project (Construction Bid Award Approval) – Phase II **[PAGES 199-204]**
25. Minimum Residence Requirement for SLBE Program Applicants **[PAGES 205-208]**
26. Ad Hoc Health Insurance Study Committee **[PAGES 209-211]**

Third Reading Items

27. An Ordinance Authorizing pursuant to Title 4, Chapter 1, Section 170; Title 4, Chapter 1, Section 175; and Title 4, Chapter 29, Section 68 of the Code of Laws of South Carolina, 1976, as amended, the execution and delivery of a Special Source Revenue Credit Agreement between Richland County, South Carolina and Project Cesium; and matters relating thereto **[PAGES 212-243]**
28. An Ordinance Amending the Richland County Code of Ordinances; Chapter 2, Administration; Article V, County Departments; Division 2, Public Works; Section 2-197, Use of County Equipment by Private Parties and During Public Emergencies; and Chapter 21, Roads, Highways and Bridges; Article I, in general; Section 21-4, Drainage on Private Property; and Section 21-16; so as to broaden the circumstances under which the County may perform emergency maintenance **[PAGES 244-248]**

Second Reading Items

29. An Ordinance Amending the Richland County Code of Ordinances, Chapter 2, Administration;

Richland County Council Request of Action

Subject

Monticello Road Streetscape Project (Construction Bid Award Approval) – Phase II [**PAGES 199-204**]

Notes

June 24, 2014 - The Committee recommended that Council approve the bid of \$449,636.50 to be awarded to L-J Inc. for Monticello Road Streetscape construction (Phase II).

Richland County Council Request of Action

Subject: Monticello Road Streetscape Project (Construction Bid Award Approval) – Phase II

A. Purpose

County Council is requested to approve the bid to be awarded to L-J, Inc. for Monticello Streetscape Phase II. This vendor was vetted through URS (see attached letter), the contract manager for the project, and was recommended to Richland County's Procurement Department as the lowest, responsible, responsive bidder at \$449,636.50 for Phase II of the Monticello Road Streetscape Project. Procurement has given their approval to this vendor. Phase II construction will be the final phase of the project. Richland County Community Development allocated Community Development Block Grant (CDBG) funds for construction of Phase II. No County funds will be requested for the construction. The timeline for Phase II is expected to take 120 days to complete once work begins. The project has been on hold for some time, but Phase II is ready to proceed.

B. Background / Discussion

The Monticello Road Streetscape design is focused on repair of existing infrastructure, safety and beautification. There are residents, businesses, schools and churches directly impacted by the project. The community is located south of Interstate 20 at Monticello Road near the Exit 68 interchange (see attached map). Updates to this area are reflective of the 2004 Council approved Ridgewood Master Plan.

On November 13, 2012, County Council awarded Cherokee Construction the contract to construct Phase I in the amount of \$315,815.20. Phase I is complete and the final invoice has been paid. Cherokee responded to the request for bid for Phase II by submitting a no response bid along with L-J Inc. and AOS Specialty Contractors, Inc.

Initially, the estimated cost for Phase I and II for the Monticello Road Streetscape Project was \$500,000.00. The budget for Phase I construction was \$315,815.20. However, during the construction the scope of work changed and some of the items were transferred to Phase II. As a result, the final cost for Phase I was \$219,602.00.

Phase II will consist of demolition of a concrete block building and appurtenances at 5229 Ridgeway Street, and demolition of a block retaining wall. Also, Phase II includes construction and installation of concrete steps, sidewalk segments, asphalt pavements, curb, gutter, and street signage. Twenty (21) decorative streetlights will be installed, including 6 in the City of Columbia. A 305 LF retaining wall will be constructed along the east side of Monticello Road. The maximum height is expected to be 6 feet. A 185 LF modular brick wall will be constructed along the west side of Monticello Road. Standard height is expected to be 2 feet. There will also be hardscape and landscape improvements to include pedestrian ramps, cross walks and decorative street signage.

C. Legislative / Chronological History

On March 2, 2010, County Council minutes reflect approval of the Monticello Road streetscape design.

On November 13, 2012, Council minutes reflect approval to award Cherokee Inc. the contract in the amount of \$315,815.20 for construction of Phase I.

On May 6, 2014, Council minutes denote approval of a Community Development budget amendment to receive \$71,000.00 from the City of Columbia earmarked for the streetscape of one city block on Monticello Road.

D. Financial Impact

There is no financial impact to the County for the approval of the Phase II construction vendor. The vendor is required to honor their bid for 90 days from the date of the bid opening (May 6, 2014). For this reason we are seeking approval of the vendor and bid for construction of Phase II. There will be a service and maintenance cost associated with the installation of the additional street lighting included with Phase II of the project; however, RCCD will be submitting a separate ROA in the near future for Council approval to amend the existing County's lighting agreement with SCE&G to include Phase II lights and a slight SCE&G rate increase.

The Richland County Community Development Department will use CDBG funds for Phase II of the Monticello Road Streetscape Project for demolition, construction, and other associated costs. This amount is \$449,636.50 CDBG funds have been earmarked for this use, pending Council approval.

Ridgewood Streetscape Project

Streetscape Construction (FY 2012/13 & 2013/14 CDBG/City)	\$378,636.50
City of Columbia	\$ 71,000.00
TOTAL	\$449,636.50

E. Alternatives

1. Approve the bid of \$449,636.50 to be awarded to L-J Inc. for Monticello Road Streetscape construction (Phase II).
2. Do not approve the bid of \$449,636.50 to be awarded to L-J Inc. for Monticello Road Streetscape construction (Phase II). If not approved, the Monticello Road Streetscape would not continue.

F. Recommendation

It is recommended that Council approve the bid of \$449,636.50 to be awarded to L-J Inc. for Monticello Road Streetscape construction (Phase II).

Recommended by: Valeria Jackson Department: Community Development Date: June 6, 2014

G. Reviews

(Please replace the appropriate box with a ✓ and then support your recommendation in the Comments section before routing on. Thank you!)

Please be specific in your recommendation. While “Council Discretion” may be appropriate at times, it is recommended that Staff provide Council with a professional recommendation of approval or denial, and justification for that recommendation, as often as possible.

Finance

Reviewed by Daniel Driggers:

Recommend Council approval

Comments regarding recommendation:

Date: 6/10/14

Recommend Council denial

Procurement

Reviewed by Christy Swofford:

Recommend Council approval

Comments regarding recommendation:

Date: 6/10/14

Recommend Council denial

Grants

Reviewed by: Sara Salley

Recommend Council approval

Comments regarding recommendation:

Date: 6/10/14

Recommend Council denial

Legal

Reviewed by: Elizabeth McLean

Recommend Council approval

Comments regarding recommendation: Policy decision left to Council’s discretion.

Date: 6/10/14

Recommend Council denial

Administration

Reviewed by: Sparty Hammett

Recommend Council approval


Comments regarding recommendation:

Date: 6/19/14





Recommend Council denial

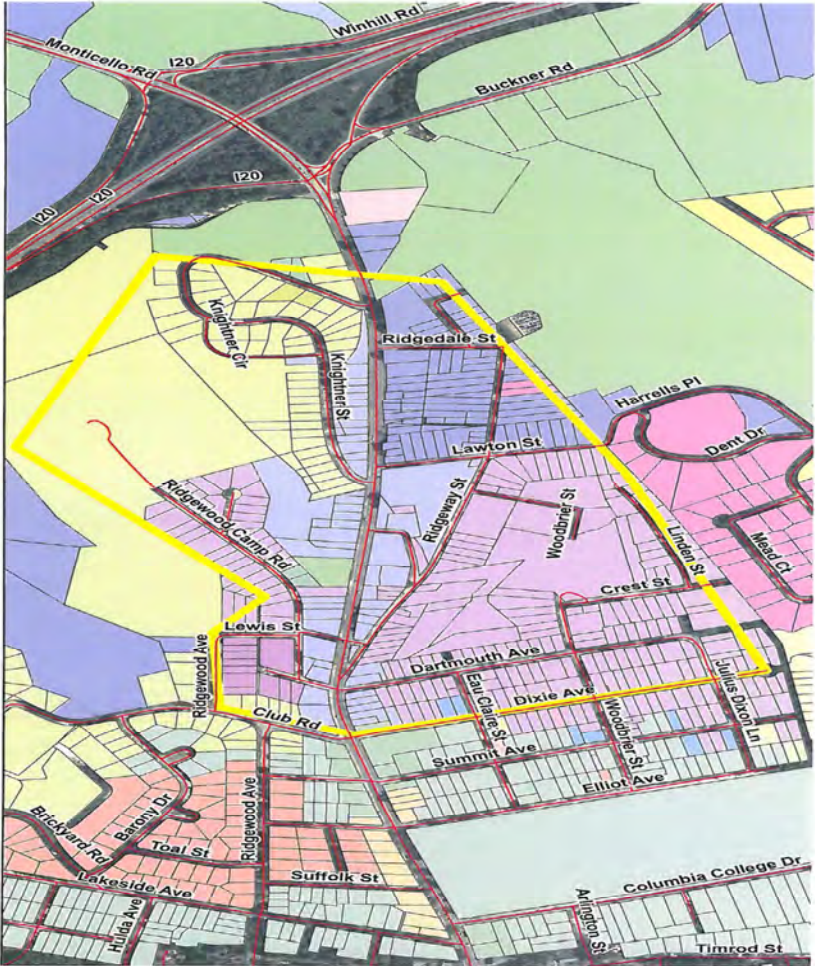
Map of Monticello Road Streetscape Project Area

Ridgewood Revitalization Area

-  Roads
-  Ridgewood_Boundary
-  <all other values>

Zoning

-  C-1
-  C-2
-  C-3
-  GC
-  HI
-  LI
-  M-1
-  OI
-  RG-1
-  RG-2
-  RG-3
-  RM-HD
-  RM-MD
-  RS-1
-  RS-2
-  RS-3
-  RS-HD
-  RS-LD
-  RS-MD
-  RU



Letter from URS



May 23, 2014

Richland County Office of Procurement
ATTN: Ms. Christy Swofford
2020 Hampton Street, Suite 3064
Columbia, SC 29204

RE: Monticello Road Improvements Phase II
CPS140592 (URS 09116/46421629)

COPY

Dear Ms. Swofford:

As you know, URS assisted Richland County with bidding services for the project referenced above. At the time bids were opened, L-J, Inc. was the apparent lowest bidder, with a total bid of \$449,636.50. After contacting references and reviewing the qualifications presented by L-J, Inc., it appears that L-J, Inc. is qualified to perform the work. URS recommends that Richland County award the project to L-J, Inc. in the amount of \$449,636.50. If you have no objection, we will prepare a Notice of Intent to Award for your signature. Please contact me at (803) 254-4400 when you are ready to proceed, or if you have any questions.

Very truly yours,

URS Corporation

A handwritten signature in blue ink, appearing to read 'WRH', is written over the printed name.

Walter R. Hodges
Project Manager

cc: Mr. Stacy Culbreath, P.E., Assistant County Engineer, Richland County
Ms. Jocelyn Jennings, Community Development, Richland County

URS Corporation
101 Research Drive
Columbia, SC 29203
Tel: 803.254.4400
Fax: 803.771.6676



**MINUTES OF
RICHLAND COUNTY COUNCIL
REGULAR SESSION
JULY 1, 2014
6:00 PM**

In accordance with the Freedom of Information Act, a copy of the agenda was sent to radio and TV stations, newspapers, persons requesting notification, and was posted on the bulletin board located in the lobby of the County Administration Building.

MEMBERS PRESENT:

Chair	Norman Jackson
Vice Chair	Joyce Dickerson
Member	Julie-Ann Dixon
Member	Paul Livingston
Member	Bill Malinowski
Member	Jim Manning
Member	Greg Pearce
Member	Torrey Rush
Member	Seth Rose
Member	Kelvin E. Washington, Sr.
Absent	Damon Jeter

OTHERS PRESENT – Tony McDonald, Roxanne Ancheta, Sparty Hammett, Warren Harley, Beverly Harris, Justine Jones, Ismail Ozbek, Brad Farrar, Nelson Lindsay, John Hixon, Brandon Madden, Monique McDaniels, Amelia Linder, Andy Metts, Ray Peterson, Daniel Driggers, Melinda Edwards, Sara Salley, Nancy Stone-Collum, Ronaldo Myers, Laura Saylor, Larry Smith, Tracy Hegler, Rudy Curtis, Valeria Jackson, Geo Price, Kecia Lara, Monique Walters, Michelle Onley

CALL TO ORDER

The meeting was called to order at approximately 6:01 p.m.

INVOCATION

The Invocation was given by the Honorable Bill Malinowski

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by the Honorable Bill Malinowski

- **An Ordinance Amending the Richland County Code of Ordinances; Chapter 26, Land Development; Article VII, General Development, Site, and Performance Standards; Section 26-180, Signs; Subsection (f), Temporary Signs Requiring Permits; so as to delete “Grand Opening Signs” [SECOND READING]**
- **Sustainability Policy**
- **High Performance Building Policy Options**
- **Richland County Commission on Aging**
- **Department of Public Works: Denton Dr. Ditch Stabilization Project**
- **RC Conservation Commission Financial Contribution for the Acquisition of a Historic Property**
- **Hospitality Tax Ordinance Agency Procurement**
- **Approval of FY14-15 Budgets within the FY14-15 Annual Action Plan for Community Development Department Funds**
- **Monticello Road Streetscape Project (Construction Bid Award Approval) – Phase II**
- **Minimum Residence Requirement for SLBE Program Applicants**

Ms. Dickerson moved, seconded by Ms. Dixon, to approve the consent items. The vote in favor was unanimous.

POINT OF PERSONAL PRIVILEGE – Mr. Jackson congratulated Mr. Rose on being inducted into the USC Association of Letterman Athletic Hall of Fame for Tennis.

THIRD READING ITEMS

An Ordinance Authorizing pursuant to Title 4, Chapter 1, Section 170; Title 4, Chapter 1, Section 175; and Title 4, Chapter 29, Section 68 of the Code of Laws of South Carolina, 1976, as amended, the execution and delivery of a Special Source Revenue Credit Agreement relating to Project Cesium; and matters relating thereto – Mr. Livingston moved, seconded by Ms. Dickerson, to approve this item. The vote in favor was unanimous.

An Ordinance Amending the Richland County Code of Ordinances; Chapter 2, Administration; Article V, County Departments; Division 2, Public Works; Section 2-197, Use of County Equipment by Private Parties and During Public Emergencies; and Chapter 21, Roads, Highways and Bridges; Article I, in general; Section 21-4, Drainage on Private Property; and Section 21-16; so as to broaden the circumstances under which the



Agenda Briefing Addendum

Prepared by:	Brian Crooks, AICP	Title:	Interim Planning Services Manager
Department:	Community Planning & Development	Division:	Planning Services
Contributor:	Michael Maloney, P.E.	Title:	Director of Public Works
Date Prepared:	March 18, 2021	Meeting Date:	February 23, 2021
Approved for Consideration:	County Administrator	Leonardo Brown, MBA, CPM	
Committee:	Development & Services		
Agenda Item:	5a. Amend the County's current ordinance, in order to allow lighting on Broad River Road [DICKERSON]		

COUNCIL INQUIRY #1:

Where is the County currently paying for/providing lighting along Broad River Road?

Reply:

The County is currently paying for thirty-one [31] lights along Broad River Road. These are found between Marley Drive and Piney Grove Road. Specific information on this can be found under Attachment #6 of the original briefing document on pg. 83. The executed lighting agreement is provided here under Attachment 1 denoting the thirty-one [31] lights.

None of the existing lighting locations are on County maintained roads.

COUNCIL INQUIRY#2:

What could costs look like for providing lighting service County-wide in order to identify an appropriate funding source?

Reply:

During the D&S meeting Ms. Terracio and Mr. Malinowski referenced a previous cost estimate provided to Council that explored costs associated with lighting service. Planning Services is unaware of any prior detailed estimates and would defer to the appropriate staff that previously provided those costs.

Actual costs for lighting are determined based on the various rate structures provided for by Dominion Energy according to the type of service and the luminaire and pole leased or purchased. A more detailed cost estimate could be accomplished as part of a comprehensive lighting assessment by a professional lighting engineer.

Nonetheless, energy costs and the related energy cost increases will continue in perpetuity, or for as long as the lighting continues to exist.

COUNCIL INQUIRY #3:

How would need or justification for lighting in certain areas be determined? What that might entail?

Reply:

As described in Attachment #3 of the original briefing document on pg. 38, a “lighting warrant” is the method for establishing a basis on which lighting may be justified. A “lighting warrant” is an assessment of conditions against defined criteria and rating systems, which are context-specific to the site and situation. As such, the assessment does not specify where lighting is required, but rather where it would be beneficial. A “lighting warrant” or similar assessment would be able to provide an objective basis for road lighting. On pg. 52 under Attachment #3 of the original briefing document, it is noted under the “Recommendations for Steps Forward” that the County could contract with a professional lighting engineer to perform such as part of a comprehensive assessment and study of current lighting conditions, which would provide information related to the level of adequacy or inadequacy for lighting service and systems and any likely costs associated for such.

COUNCIL INQUIRY #4:

How are other peer jurisdictions and communities handling the provision for and funding of street lighting services?

Reply:

Greenville County has a mechanism that has not been widely used regarding street lighting provision that is similar to a Special Assessment. In Greenville County, requesting citizens petition the County’s Attorney office for lights. The Attorney’s Office performs an assessment to ensure the district requesting the lighting can pay for the on-going rate charge. They then utilize a Special Purpose Tax District to pay for the on-going service fees and any maintenance. Greenville County pays for the upfront installation costs, which the Special Purpose Tax District pays back over time. As such, those receiving the lighting service pay for the bill.

Public Works Staff continues to research funding and provision of street lighting by other peer jurisdictions.

ADDITIONAL COMMENTS FOR CONSIDERATION:

None.

ATTACHMENTS:

1. Broad River Road Executed Lighting Agreement

AGREEMENT FOR PRIVATE SECURITY LIGHTING SERVICE

THIS AGREEMENT made this 28th day of November, 2012 by and between South Carolina Electric & Gas Company, for itself, its successors and assigns hereinafter called "Company" and Richland County – Broad River Road Streetscape located along Broad River Road from Marley Drive to Piney Grove Road in Columbia, South Carolina, hereinafter called "Customer".

It being agreed and understood that:

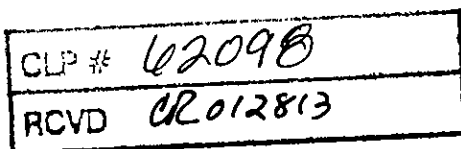
1. **EQUIPMENT:** Company will install and maintain standard light(s) and pole(s) as follows:

Qty	Type Luminaire(s)/Pole(s)	Rate	Lease Charges/Month
	100 Watt Metal Halide, 9,000 Lumens	26	\$
	150 Watt High Pressure Sodium, 15,000 Lumens	26	\$
	320 Watt Metal Halide, 30,000 Lumens	25	\$
31	400 Watt High Pressure Sodium, 45,000 Lumens	26	\$20.15 each
	30' Wooden Pole	26	\$
	35' Wooden Pole	26	\$
	25' Fiberglass Pole	26	\$
	Other:	X	\$
TOTAL LEASE CHARGES PER MONTH:			\$624.65

All charges are subject to S.C. sales tax and all other applicable fees. These charges are in accordance with Company's published rates. Company will retain ownership of facilities installed on Customer's premises.

2. **LIGHTING SERVICE:** Company shall provide lighting service from dusk (one half (1/2) hour after sunset) to dawn (one half (1/2) hour before sunrise) each night during the Agreement period for a total of approximately four thousand (4000) hours of lighting per year. Company does not guarantee lighting level for security or public safety purposes. Customer agrees that lighting is not designed in accordance with the Illuminating Engineering Society (IES) recommended maintained luminance and illumination values for roadways and area lighting.
3. **TERM:** The initial term of the Agreement is for five (5) years, beginning on the date service is established, and Agreement continues thereafter from year to year until terminated by at least thirty (30) days prior written notice by either Party to the other of its intention to terminate the Agreement, except as noted in Item 5 below.
4. **DEPOSIT:** Customer will make a deposit of \$0.00 before commencement of the lighting installation. Deposit will be refunded, together with any interest then due, less any monies owed for service, at the end of the Agreement term, provided Customer's payment history has been satisfactory. If the revenue due for the remainder of Agreement, at time of cancellation, is less than the termination charge, the smaller figure shall be applied. Company reserves the right to terminate this Agreement and remove the lighting facilities at any time at its sole discretion. In this event, no termination charge will be applied.
5. **EARLY TERMINATION CHARGE:** Customer requested cancellation of this Agreement prior to expiration of the initial Agreement term as noted in Item 3 above will result in an early termination charge of \$2,325.00. If the revenue due for the remainder of Agreement, at time of cancellation, is less than the termination charge, the smaller figure shall be applied. The occurrence of any one or more of the following events by Customer shall constitute a default by Customer: 1) bankruptcy; 2) non-payment; or 3) discontinuation of access. In the event of default by Customer, Company reserves the right to terminate this Agreement, upon written notice to Customer and the early termination charges shall apply. Company reserves the right to terminate this Agreement, for its convenience and due to no fault by Customer, and remove the lighting facilities, in which event no early termination charge shall be applied.
6. **RIGHT OF WAY:** Customer hereby grants Company free access and right of way to maintain, install and remove any and all luminaires, poles, conductors and appurtenances associated with the lighting facilities contained within this Agreement. If vegetation prevents access, Company may use reasonable means to remove vegetation to gain access.
7. **INSTALLATION AND MAINTENANCE:** Customer is responsible for locating and marking all facilities, (irrigation, water, sewer, drainage, etc.) in areas where digging will take place if not part of the Palmetto Utility Protection Service (PUPS). Company is not responsible for any damage to Customer owned utilities such as irrigation, sewer, cable, water taps, etc. that have not been located or have been mis-located. Customer is responsible for: 1) notification to Company of any non-functioning or mal-functioning luminaires; 2) obtaining all applicable governmental permissions; 3) compliance with any governmental ordinances; and 4) payment to Company any and all costs associated with change-out of lighting fixtures associated with Customer's non-compliance noted above. Company shall perform all ordinary replacement and maintenance on the equipment and appurtenances, including replacement of Company's standard lamps, photocells, poles, fixtures, conductors, conduit and electrical connections due to normal wear and tear. In the event of accidental damage or vandalism, Company shall bill Customer and hold Customer

responsible for all replacement work that is not recovered by Company from third party tortfeasors. Company will not be responsible for any landscape or pavement replacement that may be necessary as a result of the Company installing the lighting facility or any



responsible for all replacement work that is not recovered by Company from third party tortfeasors. Company will not be responsible for any landscape or pavement replacement that may be necessary as a result of the Company installing the lighting facility or any landscape or pavement replacement that may be necessary as a result of the Company performing maintenance on the lighting facility. Customer will maintain a reasonable working distance around luminaires and poles.

Customer Initials/Date

- 8. **RELOCATION:** If Customer elects, for any reason, to require removal or relocation of Company facilities, Customer is required to reimburse Company for all costs incurred by Company as a result of such removal or relocation. If action is taken by a governmental entity that requires the removal or relocation of Company's facilities, Customer is required to reimburse Company for all costs incurred by Company as a result of such removal or relocation.
- 9. **RATES AND TERMS:** The Rates and Terms under this Agreement are in accordance with Company's published Rates and General Terms and Conditions which are incorporated herein by reference and are available upon request. Rates and Terms are subject to change at any time by the South Carolina Public Service Commission in the manner prescribed by law.
- 10. **LIMITATION OF LIABILITY:** THE PARTIES AGREE, AS AN ESSENTIAL CONDITION OF THIS AGREEMENT, THAT COMPANY SHALL HAVE NO LIABILITY TO CUSTOMER OR TO ANY THIRD PARTY AS A RESULT OF THE SERVICES PROVIDED HEREUNDER OR COMPANY'S INSTALLATION, OPERATION, MAINTENANCE, OR REMOVAL OF THE LUMINAIRES, POLES, CONDUCTORS OR OTHER APPURTENANCES ASSOCIATED WITH THE LIGHTING FACILITIES EXCEPT TO THE EXTENT OF COMPANY'S NEGLIGENCE.

IN NO EVENT WILL COMPANY BE LIABLE FOR INCIDENTAL, INDIRECT OR CONSEQUENTIAL DAMAGES. THE LIABILITY OF COMPANY SHALL IN NO EVENT EXCEED THE AMOUNT PAID BY CUSTOMER TO COMPANY DURING THE TWELVE MONTHS PRECEDING THE EVENT WHICH GIVES RISE TO THE UNDERLYING CLAIM.

- 11. **WARRANTIES:** COMPANY MAKES NO REPRESENTATIONS OR WARRANTIES OF ANY TYPE, EXPRESS OR IMPLIED, EXCEPT AS SPECIFICALLY STATED IN THIS AGREEMENT. WITHOUT LIMITING THE FOREGOING, COMPANY EXPLICITLY DISCLAIMS ANY WARRANTY REGARDING THE SERVICES PROVIDED HEREUNDER OR COMPANY'S INSTALLATION, OPERATION, MAINTENANCE, OR REMOVAL OF THE LUMINAIRES, POLES, CONDUCTORS OR OTHER APPURTENANCES ASSOCIATED WITH THE LIGHTING FACILITIES REGARDING THE SUITABILITY, PRACTICALITY, VIABILITY, OR FUNCTIONALITY OF THE PRODUCTS AND SERVICES PROVIDED HEREUNDER, EXCEPT AS SPECIFICALLY STATED HEREIN. COMPANY SPECIFICALLY DOES NOT WARRANT THAT THE PRODUCTS OR SERVICES WILL INCREASE SAFETY OR REDUCE THE POSSIBILITY OF CRIMINAL ACTIVITY. THE WARRANTIES OF MERCHANTABILITY AND FITNESS FOR A PARTICULAR PURPOSE ARE SPECIFICALLY DISCLAIMED.


OTHER CONSIDERATIONS: Deposit waived - Left in as Termination Charge. Contribution in Aid to Construction of \$800.00 is required for this installation and to be paid prior to installation.

IN WITNESS WHEREOF, the Parties have caused this Agreement to be executed in two identical counterparts each having the same legal significance as the other.

SOUTH CAROLINA ELECTRIC & GAS COMPANY

RICHLAND COUNTY

BY: 

BY: 

PRINT NAME: Daniel F. Kassis

PRINT NAME: Kelvin E. Washington, Sr.

TITLE: Vice President of Customer Service

TITLE: Chair

DATE: 12/21/12

DATE: 11/20/12

MAILING ADDRESS: _____

ACCOUNT NO: _____

RATE 26

OVERHEAD PRIVATE STREET LIGHTING

AVAILABILITY

This rate is available to customers using the Company's electric service for overhead street lighting.

RATE

All night street lighting service where fixtures are mounted on Company's existing standard wooden poles which are a part of Company's distribution system will be charged for at the following rates:

	SIZE AND DESCRIPTION	Lamp Charges per Month	kWh per Month
9,000	Lumens (MH) (100W) Closed Type	\$ 10.36	37
15,000	Lumens (HPS) (150W) Open Type	\$ 10.64	57
15,000	Lumens (HPS) (150W) Closed Type	\$ 12.06	62
30,000	Lumens (MH) (320W) Closed Type	\$ 18.64	123
50,000	Lumens (HPS) (400W) Closed Type	\$ 20.15	158

The following fixtures are available for new installations only to maintain pattern sensitive areas:

9,500	Lumens (HPS) (100W) Open Type	\$ 10.59	38
9,500	Lumens (HPS) (100W) Closed Type	\$ 10.59	38
15,000	Lumens (HPS) (150W) Open Type - Retrofit	\$ 10.64	63
27,500	Lumens (HPS) (250W) Closed Type	\$ 17.41	102
45,000	Lumens (HPS) (360W) Closed Type - Retrofit	\$ 19.75	164

Effective January 2009, selected existing light sets will no longer be available for new installations. Replacement light sets will only be available until inventory is depleted and will be replaced on a first-come, first-served basis. Affected lights are as follows

7,500	Lumens (Mercury) (175W) Open Type	\$ 9.82	69
7,500	Lumens (Mercury) (175W) Closed Type	\$ 12.07	69
10,000	Lumens (Mercury) (250W) Open Type	\$ 14.79	95
20,000	Lumens (Mercury) (400W) Closed Type	\$ 18.69	159

Cost per month for each additional pole:				
25'	30'	35'	40'	45'
(Fiberglass)				
\$9.95	\$4.65	\$5.10	\$6.50	\$7.75

MINIMUM CHARGE

When construction costs exceed four (4) times the estimated annual revenue excluding fuel revenue to be derived by the Company, the customer may make a contribution in aid of construction of the excess cost or pay the Company's standard facility rate on the excess construction cost in addition to the rate charges above

ADJUSTMENT FOR FUEL AND VARIABLE ENVIRONMENTAL COSTS

Fuel costs of \$ 03541 per kWh are included in the monthly lamp charge and are subject to adjustment by the Public Service Commission of South Carolina

STORM DAMAGE COMPONENT

Inclusion of a storm damage component has been indefinitely suspended until further order of the Public Service Commission of South Carolina.

SALES AND FRANCHISE TAX

To the above will be added any applicable sales tax, franchise fee or business license tax which may be assessed by any state or local governmental body

PAYMENT TERMS

All bills are net and payable when rendered

TERM OF CONTRACT

The initial term of this contract shall be for a period of five (5) years and, thereafter, for like periods until terminated by either party on thirty days' written notice, but the Company may require a contract of initial term up to ten (10) years and may require an advance deposit not to exceed one half of the estimated revenue for the term of the initial contract. The Company reserves the right to remove its facilities when subject to vandalism or for other cogent reasons

SPECIAL PROVISIONS

The Company will furnish, erect, operate and maintain all necessary equipment in accordance with its standard specifications. It is the customer's responsibility to notify the Company when equipment fails to operate properly. Non-standard service requiring underground, special fixtures and/or poles will be furnished only when the customer pays the difference in costs between such non-standard service and standard service or pays to the Company its normal monthly facility charge based on such difference in costs.

GENERAL TERMS AND CONDITIONS

The Company's General Terms and Conditions are incorporated by reference and are a part of this rate schedule.

Richland County Council Request for Action

Subject:

Municipal Solid Waste Management – Collections Contract

Notes:

June 22, 2021 – The D&S Committee forwarded this item to Council without a recommendation.



Agenda Briefing

Prepared by:	Michael Maloney, P.E.	Title:	Director
Department:	Public Works	Division:	Solid Waste & Recycling
Date Prepared:	June 07, 2021	Meeting Date:	June 22, 2021
Legal Review	Elizabeth McLean via email	Date:	June 14, 2021
Budget Review	James Hayes via email	Date:	June 10, 2021
Finance Review	Stacey Hamm via email	Date:	June 14, 2021
Approved for consideration:	Assistant County Administrator	John M. Thompson, Ph.D., MBA, CPM	
Committee	Development & Services		
Subject:	Solid Waste and Recycling(SWR) Collections Contract - Staff recommendations		

STAFF'S RECOMMENDED ACTION:

It is recommended that County Council approve the following list of recommendations pertaining to Richland County SWR Collections Contracts as presented in the County Council Work Session on June 3, 2021:

- Adoption of the updated Richland County Solid Waste Management Plan (separate AB);
- Approval of a re-write of Chapter 12 of the *Richland County Code of Ordinances* (to be presented subsequently);
- Place reasonable limits on the volume of yard waste to be picked up weekly in the residential / small business curbside collection program (to be reflected in the re-write of Chapter 12 and upcoming residential / small business curbside collection contracts);
- Require that yard waste picked up weekly in the residential / small business curbside collection program be bagged, bundled, or boxed (to be reflected in the re-write of Chapter 12 and upcoming residential / small business curbside collection contracts);
- Delegate recycling program commodity determinations to the County Administrator;
- Approve use of automated collection trucks in future residential / small business curbside curbside collection contracts;
- Limit Bulk Item pick-ups by Appointment to four items per collection;
- Seek County Council approval annually for Solid Waste Rates and Fees;
- Permit high performing Curbside Collection Contractors to be allowed to contract for three areas;
- Create meaningful penalties based on monthly Hauler Report Card performance;
- Move collection contract area lines for poor performance and/or create new areas due to growth.

- Adjust Curbside Collection Contract term from five years to three years, plus two, one-year extensions.

Approve a negotiated one-month contract extension of the CWS Collection Area #3.

Request for Council Reconsideration: Yes

FIDUCIARY:

Are funds allocated in the department’s current fiscal year budget?	<input checked="" type="checkbox"/>	Yes		No
If no, is a budget amendment necessary?		Yes		No

ADDITIONAL FISCAL/BUDGETARY MATTERS TO CONSIDER:

These recommendations that pertain to the residential / small business curbside collection program are made in order to improve quality, efficiency and otherwise contain costs in future contracts / renegotiations.

COUNTY ATTORNEY’S OFFICE FEEDBACK/POSSIBLE AREA(S) OF LEGAL EXPOSURE:

None.

REGULATORY COMPLIANCE:

The recommendations that directly pertain to regulatory compliance follow:

- Adoption of the updated Richland County Solid Waste Management Plan – This item is covered in a separate Agenda Brief (AB).
- Approval of a re-write of Chapter 12 of the Richland County Code of Ordinances – An extensively re-written ordinance will to be presented subsequently to County Council for their consideration and adoption.

MOTION OF ORIGIN:

There is no associated Council motion of origin.

Council Member	
Meeting	
Date	

STRATEGIC & GENERATIVE DISCUSSION:

These recommendations were presented in detail during the Work Session of June 3, 2021. Specifically:

- Place reasonable limits on the volume of yard waste to be picked up weekly in the residential / small business curbside collection program – These limits are, generally, in practice; this will codify them and begin the process of ensuring consistency between our ordinance and contracts. These limits will be reflected in the re-write of Chapter 12 and upcoming residential / small business curbside collection contracts.
- Require that yard waste picked up weekly in the residential / small business curbside collection program be bagged, bundled, or boxed – It is acknowledged that this is a significant to the yard waste collection portion of the residential / small business curbside collection program. It will be reflected in the re-write of Chapter 12 and upcoming residential / small business curbside collection contracts. This will greatly enhance the efficiency of this process and will enable future costs to be contained.
- Delegate recycling program commodity determinations to the County Administrator – This authority is not currently defined; we recommend that it be and that this decision reside with the County Administrator as recommended by the Director of Public Works and the Solid Waste & Recycling General Manager based on market conditions.
- Approve use of automated collection trucks in future residential / small business curbside curbside collection programs. This will offer the collection contractors an efficiency option that will enable them to enhance staff safety, reduce staffing levels, and speed up collection. There may be, however, some short term added expense to the County in modernization of our roll cart inventory.
- Limit Bulk Item pick-ups by Appointment to four items per collection – Like limitations on yard waste volumes, this reasonable limitation reflects practical limits already in effect.
- Seek County Council approval annually for Solid Waste Rates and Fees – Small, incremental increases in program fees will enable better financial and Solid Waste Fund management.
- Permit high performing Curbside Collection Contractors to be allowed to contract for three areas – promoting the expanded contract beyond the current two-area limitation will provide an added incentive for high performing Curbside Collection Contractors,
- Create meaningful penalties based on monthly Hauler Report Card performance – Current contract penalties are, in the judgment of the staff, insufficient incentive for improved performance.
- Move collection contract area boundary lines for poor performance and/or create new areas due to population growth – The flexibility to adjust and/or add collection area boundaries will provide incentive for higher quality performance. This will also provide new opportunities for small and minority owned businesses.

- Adjust Curbside Collection Contract term from five years to three years, plus two, one-year extensions. This will provide both the financial stability for the contractors and will allow financial flexibility for the County.

Approve a negotiated one-month extension of the CWS Collection Area #3 to match the Waste Management contract terminations of 2/28/2022 for Collection Areas #1 & #6. This will provide all prospective contractors an equal amount of time to prepare for the new contract start date.

ADDITIONAL COMMENTS FOR CONSIDERATION:

Discussion on efficiencies variation among communities of varying densities of service areas.

- City of Greenville and their lower cost of \$16.50 /month.
 - *Answer -The city of Greenville has 28 square miles. Richland County unincorporated is 602 square miles. Greenville is much smaller, condensed with many customers per square mile and requires many fewer miles travelled per pick-up. With all the communities there are varying degrees of true Enterprise versus partial funding from General Fund and/or Waste Services Millages.*
- Richland County's high level of service at \$26.98/month comparison with more expensive Counties:
 - Lexington County at \$33/month, does not offer bulk item pickup in the price. They charge \$35 per bulk item to be picked up curbside.
 - Horry County at \$35/month, does not offer bulk item pickup in the price, and only has trash pickup in rural areas.
 - *Answer – The Richland County Managed SW&R provides an economy of scale as compared with the couple of Counties that provide some level of what we provide. Richland County has been working in a deficit for a number of years. The prior rate increase may have brought rates up to 2020 expense levels, but does not build a fund balance for the continued operation nor cover capital expenses that are needed for the long term operation. Revenue will need to be reviewed annually to offset the CPI adjustments to our major contract expenses as well as other inflation factors contributing to our overall cost.*

Customer Service and our most vulnerable

- How to serve the elderly and underserved within our County.
 - *Answer – Richland County SWR will continue to require special pick-up services for those with medical needs, even with automation in the system. This contract requirement will not change.*
 - *For yard waste - Using bags, bundles or cardboard boxes will limit the amount of materials per collection, and will help the resident gauge yard waste volume until the next week.*

- *Should the resident's yard waste exceed the capacity of our collection service, they may use one of our drop centers. County attendants will unload materials for those in need.*

Minority Owned and Locally Owned Business Opportunities

- How to promote business opportunities with Solid Waste and Recycling
 - Answer –
 1. *We request the authority to create new service areas providing opportunism for MBE and SBE to participate.*
 2. *We request the authority to move collection area lines to provide the High performing contractor additional growth to their collection area.*
 3. *We will directly solicit bids from MBE/SBE's for ongoing contract work.*

ATTACHMENTS:

None.



+

**APPLICATION FOR SERVICE ON RICHLAND COUNTY
COMMITTEE, BOARD OR COMMISSION**

Applicant MUST reside in Richland County.

Name: Lynn I. Hutto

Home Address: 1740 Carl Road Columbia, SC 29210

Telephone: (home) 803-206-5215 (work) Same

Office Address: 1740 Carl Road Columbia, SC 29210

Email Address: LIH Consulting@sc.rr.com

Educational Background: BA-Journalism - Advertising/Public Relations

Professional Background: Human Resource Professional - 35+ yrs /Non-profit Manager

Male Female Age: 18-25 26-50 Over 50

Name of Committee in which interested: At Large Airport Commission

Reason for interest: Interest in positive growth and image of Columbia, SC as seen by traveling public/global/community.

Your characteristics/qualifications, which would be an asset to Committee, Board or Commission:
Ability to communicate verbally and in writing; organizational mgmt; exp in human capital mgmt

Presently serve on any County Committee, Board or Commission? None

Any other information you wish to give? _____

Recommended by Council Member(s): Council woman Gretchen Barron

Hours willing to commit each month: 10-20 hrs/month as needed to serve

CONFLICT OF INTEREST POLICY

It is the policy of Richland County to require disclosure of any personal or financial interest that may be influenced by decisions of the Committee, Board or Commission for which any citizen applies for membership.

Such conflict of interest does not preclude service but shall be disclosed before appointment. The Clerk of Council shall be notified of any change on an annual basis and members of all Committees, Boards or Commissions shall be required to abstain from voting or influencing through discussion or debate, or any other way, decisions of the Committee, Board or Commission affecting those personal and financial interests.

All statements so filed shall be signed and verified by the filer. The verification shall state that the filer has used all reasonable diligence in its preparation, and that to the best of his or her knowledge, it is true and complete.

Any person who willfully files a false or incomplete statement of disclosure or no change of condition, or who willfully fails to make any filing required by this article, shall be subject to such discipline, including censure and disqualification from the Committee, Board or Commission, by majority vote of the council.

Have you been convicted or pled no contest of a crime other than minor traffic violations; checking yes does not automatically preclude you from consideration for appointment.

Yes _____ No **XX** _____

STATEMENT OF FINANCIAL OR PERSONAL INTERESTS

Do you have any financial or personal interest in any business or corporation (profit or not-for-profit) that could be potentially affected by the actions of the Committee, Board or Commission?

Yes _____ No **XX** _____

If so, describe: N/A

Dynn Hutto
Applicant's Signature

2/25/2021
Date

Return to:
Clerk of Council, Post Office Box 192, Columbia, SC 29202.
For information, call 576-2060.

One form must be submitted for each Committee, Board or Commission on which you wish to serve.

Applications are current for one year.

Staff Use Only	
Date Received: <u>2/25/21</u>	Received by: <u>3/5/21</u>
Date Sent to Council: _____	
Status of Application: <input type="checkbox"/> Approved <input type="checkbox"/> Denied <input type="checkbox"/> On file	



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**APPLICATION FOR SERVICE ON RICHLAND COUNTY
COMMITTEE, BOARD OR COMMISSION**

Applicant MUST reside in Richland County.

Name: Lindsey Forrest Ott

Home Address: 136 Castle Road Columbia, SC 29210

Telephone: (home) 803-600-2729 (work) _____

Office Address: 2015 Marion Street Columbia, SC 29201

Email Address: lfott@outlook.com

Educational Background: Ph. D. Education Administration

Professional Background: Director, Clear Dot Charter School

Male Female Age: 18-25 26-50 Over 50

Name of Committee in which interested: Airport Commission

Reason for interest: Pilot, airport Hangar tenant, promotion of aviation to young women in Richland County, promotion of aviation as a course of study to youth.

Your characteristics/qualifications, which would be an asset to Committee, Board or Commission:
I am an advocate for women in aviation and exposing young people to aviation as both a hobby and career. As a school leader, I have a platform for promoting KCUB.

Presently serve on any County Committee, Board or Commission? Aviation Commission

Any other information you wish to give? _____

Recommended by Council Member(s): Allision Terracio

Hours willing to commit each month: As Needed

CONFLICT OF INTEREST POLICY

It is the policy of Richland County to require disclosure of any personal or financial interest that may be influenced by decisions of the Committee, Board or Commission for which any citizen applies for membership.

Such conflict of interest does not preclude service but shall be disclosed before appointment. The Clerk of Council shall be notified of any change on an annual basis and members of all Committees, Boards or Commissions shall be required to abstain from voting or influencing through discussion or debate, or any other way, decisions of the Committee, Board or Commission affecting those personal and financial interests.

All statements so filed shall be signed and verified by the filer. The verification shall state that the filer has used all reasonable diligence in its preparation, and that to the best of his or her knowledge, it is true and complete.

Any person who willfully files a false or incomplete statement of disclosure or no change of condition, or who willfully fails to make any filing required by this article, shall be subject to such discipline, including censure and disqualification from the Committee, Board or Commission, by majority vote of the council.

Have you been convicted or pled no contest of a crime other than minor traffic violations; checking yes does not automatically preclude you from consideration for appointment.

Yes _____ No **X** _____

STATEMENT OF FINANCIAL OR PERSONAL INTERESTS

Do you have any financial or personal interest in any business or corporation (profit or not-for-profit) that could be potentially affected by the actions of the Committee, Board or Commission?

Yes _____ No **X** _____

If so, describe: _____

Lindsey F. Ott 03/05/2021
Applicant's Signature Date

Return to:
Clerk of Council, Post Office Box 192, Columbia, SC 29202.
For information, call 576-2060.

One form must be submitted for each Committee, Board or Commission on which you wish to serve.

Applications are current for one year.

Staff Use Only	
Date Received: <u>3/5/21</u>	Received by: <u>JHUO</u>
Date Sent to Council: _____	
Status of Application: <input type="checkbox"/> Approved <input type="checkbox"/> Denied <input type="checkbox"/> On file	



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**APPLICATION FOR SERVICE ON RICHLAND COUNTY
COMMITTEE, BOARD OR COMMISSION**

Applicant MUST reside in Richland County.

Name: Wendy Nipper Homeyer

Home Address: 6107 Martha's Glen Road, Columbia, SC 29209

Telephone: (home) 803-429-9559 (work) 803-429-9559

Office Address: PO Box 8881, Columbia, SC 29202

Email Address: wendy@homeyerstrategy.com

Educational Background: MBA & BS, Marketing & Management, University of South Carolina

Professional Background: Owner of Strategic Communications Firm (resume attached)

Male Female Age: 18-25 26-50 Over 50

Name of Committee in which interested: Airport Commission, At-Large

Reason for interest: See attached.

Your characteristics/qualifications, which would be an asset to Committee, Board or
Commission:

See attached.

Presently serve on any County Committee, Board or Commission? None

Any other information you wish to give? Not at this time

Recommended by Council Member(s): Councilman Joe Walker III

Hours willing to commit each month: 10 hours/month

CONFLICT OF INTEREST POLICY

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Have you been convicted or pled no contest of a crime other than minor traffic violations; checking yes does not automatically preclude you from consideration for appointment.

Yes _____ No X _____

STATEMENT OF FINANCIAL OR PERSONAL INTERESTS

Do you have any financial or personal interest in any business or corporation (profit or not-for-profit) that could be potentially affected by the actions of the Committee, Board or Commission?

Yes _____ No X _____

If so, describe: _____

Wendy Nippa Stamey 03/04/2021

Applicant's Signature Date

Return to:
Clerk of Council, Post Office Box 192, Columbia, SC 29202.
For information, call 576-2060.

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Applications are current for one year.

Staff Use Only	
Date Received: <u>3/5/21</u>	Received by: <u>[Signature]</u>
Date Sent to Council: _____	
Status of Application: <input type="checkbox"/> Approved <input checked="" type="checkbox"/> Denied <input type="checkbox"/> On file	

WENDY NIPPER HOMEYER

SUMMARY OF QUALIFICATIONS

MBA-trained, results-driven leader with over 20 years of practiced political, marketing and public affairs experience in business-to-business, business-to-consumer, government-to-citizen, start-up and not-for-profit environments. Experienced with grassroots advocacy and communication with internal and external stakeholders. Strong commitment, vision and leadership. Reputation of excellence and high-quality service to clients of all levels from chief executives to the South Carolina governor to a United States president.

PROFESSIONAL EXPERIENCE

Principal, Homeyer Strategy Group, LLC ~ Columbia, S. C. 2006 – Present

◇ Develop communications success for our clients by customizing strategic, integrated and targeted communications and public affairs programs. ◇ Assist corporate, non-profit and governmental clients mesh their goals with the expectations of multiple audiences such as constituents, donors, customers, shareholders, board members, employees, community leaders and policymakers.

Executive Director, The Original Six Foundation ~ Columbia, S.C. 2011 - 2013

◇ Implemented S.C. Governor Nikki Haley's vision to build a not-for-profit foundation that united public, private and civic leaders and resources to identify and address the challenging issues facing South Carolina's communities in the areas of education, quality of life, and work force readiness. ◇ Directed all levels of the foundation including strategy and planning, organizational development and management, fund development, public relations/advocacy and program development and implementation.

State Director, National Federation of Independent Business (NFIB) ~ Columbia, S.C. 2008 – 2009

◇ Managed NFIB state legislative and public policy programs at all levels of state government, media and the small business community. ◇ Developed, implemented and maintained Statewide Grassroots Activist Network which included more than 6000 organization members. ◇ Established NFIB as the "Voice of Small Business" with news media.

Executive Director, Palmetto Leadership Council Political Action Committee ~ Columbia, S.C. 2004 – 2008

◇ Executed vision of S.C. Speaker of the House of a coordinated and legislatively-active group of business leaders. ◇ Developed and managed the agenda and strategic direction of the organization. ◇ Expanded and developed the Council's statewide membership -- membership increased by 100 percent in first five months.

Public Information Officer, S.C. First Steps to School Readiness ~ Columbia, S.C. 2004 - 2006

◇ Oversaw and coordinated all communications activities, including marketing, public affairs and strategic plans.

Special Assistant to the Deputy Assistant to the President, Office of Global Communications, The White House ~ Washington, D.C. 2002 – 2003

◇ Coordinated strategic communications efforts between government and non-government agencies. ◇ Managed and developed content of the White House web site for international issues. ◇ Facilitated the announcement, development, launch and marketing (internally and externally) of the office. ◇ Advanced site locations for Presidential trips and coordinated national, state and local political and business leaders, U.S. Secret Service and the White House with national and local press.

Executive Assistant to the Deputy Assistant to the President & Director, Office of Media Affairs, The White House ~ Washington, D.C. 2001 – 2002

◇ Served as sole marketing consultant to the office by assisting the development of the strategy and tactics for "outside-the-Beltway" news organizations, talk radio, specialty media and the White House web site. ◇ Spearheaded special project work including developing marketing plans for White House events and projects such as the foundational Presidential Spanish radio address, the completely revamped White House web site and America's Fund for Afghan Children. ◇ Planned and coordinated media affairs events for the President and Vice President. ◇ Approved for a secret-level security clearance.

OTHER

◇ Board Member, The Crescent Society ◇ Member, NFIB/SC ◇ Member, 100 Women Who Care Midlands SC
◇ Volunteer, Junior League of Columbia ◇ Volunteer, American Red Cross

EDUCATION

Master of Business Administration, University of South Carolina 1999

Bachelor of Science, Business Administration, Marketing & Management, University of South Carolina 1995

Reason for Interest

The Richland County Airport Commission is key to supporting Richland County and the surrounding county's economic growth. Just like railroads and highway systems, air transportation systems will play vital roles in determining our region's economic power. Especially today with high demand for goods and services delivered rapidly, airports are and can be magnets for business and trade; and aviation policy can make or break an area's vision of becoming an economic hub.

Making good policy is not easy as it requires extensive understanding of the marketplace dynamics, the economics of airline operations and long-term impact of policy decisions on local business and consumer behavior.

As an external affairs consultant for several Fortune 500 companies and businesses across the state of South Carolina, I have first-hand knowledge of the importance that policy decisions can have on economic growth and sustainability of a local airport. Furthermore, promotion of general aviation in Richland and the surrounding counties is vital to the continued success of a region. As decades-long resident of Richland County, I would like to offer my passion and expertise to my community to ensure our region has the airport system needed to be an engine of economic development.

Your characteristics/qualifications, which would be an asset to Committee, Board or Commission:

- MBA-trained, results-driven leader with over 20 years of practiced marketing, public affairs and political experience in business-to-business, business-to-consumer, government-to-citizen, start-up and not-for-profit environments.
- A small business owner who previously represented 5000 small businesses in South Carolina.
- Consulted for Fortune 500 companies in South Carolina, e.g., Lockheed Martin and Dominion Energy.
- Experienced with grassroots advocacy and communication with internal and external stakeholders.
- Strong commitment, vision and leadership.
- Passion to serve: current board member of The Crescent Society and volunteer at the American Red Cross, Junior League of Columbia and 100 Women Who Care Midlands SC.



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**APPLICATION FOR SERVICE ON RICHLAND COUNTY
COMMITTEE, BOARD OR COMMISSION**

Applicant MUST reside in Richland County.

Name: Heather Heckman

Home Address: 2908 Prentice Ave

Telephone: (home) 630-484-7407 (work) _____

Office Address: University Libraries, University of South Carolina, 1322 Greene St, Columbia, SC, 29201

Email Address: hmheckman@gmail.com

Educational Background: PhD, Film Studies; MA, Library & Information Studies

Professional Background: Academic library administrator; film archivist

Male Female Age: 18-25 26-50 Over 50

Name of Committee in which interested: Airport Commission

Reason for interest: The recent plane crash in Rosewood was in my nextdoor neighbor's backyard. I am also broadly interested in sustaining tourism to, and travel from, Richland County.

Your characteristics/qualifications, which would be an asset to Committee, Board or Commission:

I am highly organized and experienced with serving on & leading governance committees.

Presently serve on any County Committee, Board or Commission? No

Any other information you wish to give? _____

Recommended by Council Member(s): _____

Hours willing to commit each month: 5

CONFLICT OF INTEREST POLICY

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Have you been convicted or pled no contest of a crime other than minor traffic violations; checking yes does not automatically preclude you from consideration for appointment.

Yes _____ No X _____

STATEMENT OF FINANCIAL OR PERSONAL INTERESTS

Do you have any financial or personal interest in any business or corporation (profit or not-for-profit) that could be potentially affected by the actions of the Committee, Board or Commission?

Yes _____ No X _____

If so, describe: _____



Applicant's Signature

3/1/21
Date

**Return to:
Clerk of Council, Post Office Box 192, Columbia, SC 29202.
For information, call 576-2060.**

One form must be submitted for each Committee, Board or Commission on which you wish to serve.

Applications are current for one year.

Staff Use Only	
Date Received: <u>3/4/21</u>	Received by: <u>[Signature]</u>
Date Sent to Council: _____	
Status of Application:	<input type="checkbox"/> Approved <input type="checkbox"/> Denied <input type="checkbox"/> On file

2



APPLICATION FOR SERVICE ON RICHLAND COUNTY COMMITTEE, BOARD OR COMMISSION

Applicant MUST reside in Richland County.

Name: Dr. Jeffrey Hunter
Home Address: 118 Saskatoon Dr Hopkins, SC 29061
Telephone: (home) 803-622-0570 (work) 803-622-0570
Office Address: 115 Saskatoon Dr Hopkins, SC 29061
Email Address: JLH192596@yahoo.com
Educational Background: Ph.D. Bethany Seminary Dothan, AL
Professional Background: College Professor, Pastor, 50 (63)
Male [X] Female [] Age: 18-25 [] 26-50 [] Over 50 [X]
Name of Committee in which interested: Airport
Reason for interest: Social and economic growth. over 30 years in counseling. Live in Rosewood
Your characteristics/qualifications, which would be an asset to Committee, Board or Commission:
Education: BA, MA, M.Div, Ph.D. over 30 yrs in Planning
Presently serve on any County Committee, Board or Commission? NO
Any other information you wish to give? Military Vet, law enforcement
Recommended by Council Member(s): Chakisse Newton
Hours willing to commit each month: 60

CONFLICT OF INTEREST POLICY

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Have you been convicted or pled no contest of a crime other than minor traffic violations; checking yes does not automatically preclude you from consideration for appointment.

Yes _____ No _____

STATEMENT OF FINANCIAL OR PERSONAL INTERESTS

Do you have any financial or personal interest in any business or corporation (profit or not-for-profit) that could be potentially affected by the actions of the Committee, Board or Commission?

Yes _____ No _____

If so, describe: _____


Applicant's Signature

2-17-21
Date

Return to:
Clerk of Council, Post Office Box 192, Columbia, SC 29202.
For information, call 576-2060.

One form must be submitted for each Committee, Board or Commission on which you wish to serve.

Applications are current for one year.

Staff Use Only	
Date Received: <u>2/18/21</u>	Received by: <u>ununo</u>
Date Sent to Council: _____	
Status of Application: <input type="checkbox"/> Approved <input type="checkbox"/> Denied <input type="checkbox"/> On file	

JEFFREY L. HUNTER

P.O. BOX 211051

COLUMBIA, S.C. 29221

(803) 622-0570

JLH192596@yahoo.com

EDUCATION:

Benedict College, Columbia, SC – Bachelor of Arts, 1987

Lutheran Theological Seminary, Columbia, SC – Masters of Arts in Religion, 1991

Erskine Theological Seminary, Due West, SC – Masters of Divinity, 1994

Bethany Theological Seminary, Dothan, AL – Doctor of Philosophy in Religion, 1997

PROFESSIONAL EXPERIENCE:

African Methodist Episcopal Church: 110 Pisgah Church Rd Columbia, SC 29203

Ph: (803) 935-0500 – 1988 – Present

Pastor – Duties and Responsibilities:

- . Counseling members of the church
- . Supervising local church organization
- . Provide budget for the local church

Allen University: 1530 Harden Street Columbia, SC 29204

Ph: (803) 254-4165 – 1995 – Present

Professor:

Duties and Responsibilities:

- . Teach the following classes
- . Old Testament
- . New Testament

. The Writings of Paul

. Church Administration

Newberry College: 2100 College Street Newberry, SC 29108

Ph: 1-800-845-4955 – 2004-2008

Professor:

Duties and Responsibilities:

.Instructor for Religious Literature

. Counsel Students

Limestone College: 1115 College Drive, Gaffney, SC 29340

Ph: 1-800-795-7151 – 2006-2008

Professor:

Duties and Responsibilities:

. Instructor for religious Literature

. Counsel Students

South Carolina Department of Correction: 4444 Broad River Rd Columbia, SC 29210

Ph: (803) 896-2893 – 1994-1995

Chaplain:

Duties and Responsibilities:

. Provided Pastoral care

. Counsel the resident of that community

. Public Speaking

U.S Military Service as Infantry Officer, 1985 - 1995



**APPLICATION FOR SERVICE ON RICHLAND COUNTY
COMMITTEE, BOARD OR COMMISSION**

Applicant MUST reside in Richland County.

Name: John Metts

Home Address: 4658 Pamlico Cir, Columbia, SC 29206

Telephone: (home) 803-272-2269 (work) 803-255-8631

Office Address: 1111 Laurel Street, Columbia, SC 29201

Email Address: john.metts@wilsonkibler.com

Educational Background: Uof SC 2013 - History & Political Science

Professional Background: Commercial Real Estate

Male Female Age: 18-25 26-50 Over 50

Name of Committee in which interested: Planning Commission

Reason for interest: Being in the Commercial Real Estate business, I am committed to positive orderly growth in the county.

Your characteristics/qualifications, which would be an asset to Committee, Board or Commission:
5+ years commercial realtor, CCIM certified, Leadership Columbia graduate, USC Lettermen Association board, member First Baptist Church.

Presently serve on any County Committee, Board or Commission? No

Any other information you wish to give? This is my hometown/county and I want to see it be successful.

Recommended by Council Member(s): Joe Walker, Derrek Pugh

Hours willing to commit each month: As much as needed

CONFLICT OF INTEREST POLICY

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Have you been convicted or pled no contest of a crime other than minor traffic violations; checking yes does not automatically preclude you from consideration for appointment.

Yes _____ No X _____

STATEMENT OF FINANCIAL OR PERSONAL INTERESTS

Do you have any financial or personal interest in any business or corporation (profit or not-for-profit) that could be potentially affected by the actions of the Committee, Board or Commission?

Yes _____ No X _____

If so, describe: Advised - I am a commercial real estate agent. If a project comes before the commission that I am involved in then I will recuse myself.

JOHN T. METTA
Applicant's Signature

MARCH 5, 2021
Date

Return to:
Clerk of Council, Post Office Box 192, Columbia, SC 29202.
For information, call 576-2060.

One form must be submitted for each Committee, Board or Commission on which you wish to serve.

Applications are current for one year.

Staff Use Only	
Date Received: <u>3/5/21</u>	Received by: <u>Jahan</u>
Date Sent to Council: _____	
Status of Application: <input type="checkbox"/> Approved <input type="checkbox"/> Denied <input type="checkbox"/> On file	

John T. Metts

4658 Pamlico Circle
Columbia, South Carolina 29206

M (803) 272-2269
E-mail: john.metts@wilsonkiber.com

SUMMARY:

Experience in sales, research and analysis, negotiations and coaching. Skills include communications, coordination and team building.

EXPERIENCE

Wilson Kibler, Inc. (Professional), Nov. 2016 – Present

- Responsible for guiding clients in site selection and/or build-to-suits for expansion or first-time business owners.
- Providing current market analysis and financial assessment concerning the investment's rate of return for clients and customers.
- Assisted prospective manufacturers understand the state's economic environment and the Columbia Metropolitan market.

NAI Avant, LLC (Associate), Dec. 2014 – Nov. 2016

- Fulfilling project team assignments for all aspects of commercial real estate transactions, including creating letters of intent, writing lease documents, generating interest in company projects through cold calls and passing out flyers to local business operators
- Providing clients commercial real estate advice, to include: what part of town their business would grow in; if a landlord would benefit from redeveloping a warehouse to retail use; what a tenant should expect from a Landlord in a new deal; what a landlord should expect in return from potential tenants.
- Recruiting businesses to the Columbia market. In my tenure at NAI Avant, six different businesses have located to Columbia through my providing them information on the advantages offered by the area.

Licenses

- South Carolina Real Estate License

Activities/Affiliations

- CCIM candidate
- McKissick Museum (*advisory councilmember*)
- Urban Land Institute (*Columbia Executive Committee member*)
- ICSC NextGen (*Columbia NextGen Committee member*)
- South Carolina Lettermen Association (*member*)

EDUCATION:

The University of South Carolina, Columbia, South Carolina
Bachelor of Arts, August 2013.

Majors: History, Political Science, *Cum Laude*

NCAA: Varsity Swim Team, *Lettered*



APPLICATION FOR SERVICE ON RICHLAND COUNTY COMMITTEE, BOARD OR COMMISSION

Applicant MUST reside in Richland County.

Name: JOHN K. BAXTER
Home Address: 735 NEAR CREEK DRIVE, BLXTHEWOOD, SC 29016
Telephone: (home) 803-413-7009 (cell) (work) 803-737-1849
Office Address: 955 PARK ST. COLUMBIA, SC 29202
Email Address: JOHNBAKTER06@YAHOO.COM
Educational Background: ASSOCIATE DEGREE ENGINEERING
Professional Background: BAPTIST PASTOR / SC DOT ASSOCIATE ENGINEER
Male [checked] Female [] Age: 18-25 [] 26-50 [] Over 50 [checked]
Name of Committee in which interested: PLANNING COMMISSION
Reason for interest: TO CONTINUE TO PROMOTE ECONOMIC DEVELOPMENT GROWTH AND FUTURE PLANNING FOR RICHLAND COUNTY
Your characteristics/qualifications, which would be an asset to Committee, Board or Commission: AS A 20 PLUS YEAR RESIDENCE OF RICHLAND COUNTY, I BRING HONESTY AND COMMITMENT TO THE BETTER THE LIVES OF OUR CITIZENS I HAVE OVER 30 YEARS OF PLANNING WORK HISTORY (LAND SURVEYOR COMPUTER DESIGN, HIGHWAY PLANNING DEVELOPMENT)
Presently serve on any County Committee, Board or Commission? CENTRAL MIDLANDS COUNCIL OF GOVERNMENT
Any other information you wish to give?
Recommended by Council Member(s):
Hours willing to commit each month:

CONFLICT OF INTEREST POLICY

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Have you been convicted or pled no contest of a crime other than minor traffic violations; checking yes does not automatically preclude you from consideration for appointment.

Yes _____ No _____

STATEMENT OF FINANCIAL OR PERSONAL INTERESTS

Do you have any financial or personal interest in any business or corporation (profit or not-for-profit) that could be potentially affected by the actions of the Committee, Board or Commission?

Yes _____ No _____

If so, describe: _____

John K. Beyer
Applicant's Signature

3/4/2021
Date

Return to:
Clerk of Council, Post Office Box 192, Columbia, SC 29202.
For information, call 576-2060.

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Applications are current for one year.

Staff Use Only	
Date Received: <u>3/5/21</u>	Received by: <u>John K. Beyer</u>
Date Sent to Council: _____	
Status of Application: <input type="checkbox"/> Approved <input type="checkbox"/> Denied <input type="checkbox"/> On file	



APPLICATION FOR SERVICE ON RICHLAND COUNTY COMMITTEE, BOARD OR COMMISSION

Applicant MUST reside in Richland County.

Name: LISA ELLIS

Home Address: 7025 John Edward Street, Columbia, SC 29209

Telephone: (home) (803) 231-8528 (work) (803) 691-4090

Office Address: 10901 Wilson Boulevard, Blythewood, SC 29016

Email Address: leellis75@yahoo.com

Educational Background: BA- English, MS- Forest Resources, MA- Organizational Leadership

Professional Background: High school teacher & Director of Student Activities

Male [] Female [x] Age: 18-25 [] 26-50 [x] Over 50 []

Name of Committee in which interested: Richland Library Board of Trustees

Reason for interest: I love the library and how it has become a vital part of the community.

Your characteristics/qualifications, which would be an asset to Committee, Board or Commission:

I have an advanced degree in running an organization. Strong characteristics include attention to detail, event planning, and strong oral & written skills.

Presently serve on any County Committee, Board or Commission? no

Any other information you wish to give? I am ready to serve Richland County.

Recommended by Council Member(s):

Hours willing to commit each month: 5-10 hours

CONFLICT OF INTEREST POLICY

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Have you been convicted or pled no contest of a crime other than minor traffic violations; checking yes does not automatically preclude you from consideration for appointment.

Yes _____ No _____

STATEMENT OF FINANCIAL OR PERSONAL INTERESTS

Do you have any financial or personal interest in any business or corporation (profit or not-for-profit) that could be potentially affected by the actions of the Committee, Board or Commission?

Yes _____ No _____

If so, describe: _____

Lisa Ellis
Applicant's Signature

2/25/2021
Date

**Return to:
Clerk of Council, Post Office Box 192, Columbia, SC 29202.
For information, call 576-2060.**

One form must be submitted for each Committee, Board or Commission on which you wish to serve.

Applications are current for one year.

Staff Use Only	
Date Received: _____	Received by: _____
Date Sent to Council: _____	
Status of Application: <input type="checkbox"/> Approved 468 of 680 <input checked="" type="checkbox"/> Denied <input type="checkbox"/> On file	



+

APPLICATION FOR SERVICE ON RICHLAND COUNTY COMMITTEE, BOARD OR COMMISSION

Applicant MUST reside in Richland County.

Name: Shealy B. Reibold

Home Address: 6460 Eastshore Rd Columbia 29206

Telephone: (home) n/a (cell/work) (803) 917-3224

Office Address: 1231 Gervais St. Columbia 29201

Email Address: shealyreibold@gmail.com

Educational Background: JD from USC, BA from Furman University, Lean Six Sigma Green Belt

Professional Background: attorney/health policy director

Male [] Female [x] Age: 18-25 [] 26-50 [x] Over 50 []

Name of Committee in which interested: Library Board of Trustees

Reason for interest: On a personal level, I use the library often. On a larger scale, I love how proactive and accessible the library is in the community.

Your characteristics/qualifications, which would be an asset to Committee, Board or Commission:

reliable, "take action" person, thinks outside the box, organized, critical thinking, good sense of public perception/response to actions

Presently serve on any County Committee, Board or Commission? yes - CMCOG

Any other information you wish to give? I am interested in further expanding library services in relation to

ensuring access and equity in our communities.

CONFLICT OF INTEREST POLICY

It is the policy of Richland County to require disclosure of any personal or financial interest that may be influenced by decisions of the Committee, Board or Commission for which any citizen applies for membership.

RECEIVED

APR 23 2010

Such conflict of interest does not preclude service but shall be disclosed before appointment. The Clerk of Council shall be notified of any change on an annual basis and members of all Committees, Boards or Commissions shall be required to abstain from voting or influencing through discussion or debate, or any other way, decisions of the Committee, Board or Commission affecting those personal and financial interests.

All statements so filed shall be signed and verified by the filer. The verification shall state that the filer has used all reasonable diligence in its preparation, and that to the best of his or her knowledge, it is true and complete.

Any person who willfully files a false or incomplete statement of disclosure or no change of condition, or who willfully fails to make any filing required by this article, shall be subject to such discipline, including censure and disqualification from the Committee, Board or Commission, by majority vote of the council.

Have you been convicted or pled no contest of a crime other than minor traffic violations; checking yes does not automatically preclude you from consideration for appointment.

Yes _____ No ✓ _____

STATEMENT OF FINANCIAL OR PERSONAL INTERESTS

Do you have any financial or personal interest in any business or corporation (profit or not-for-profit) that could be potentially affected by the actions of the Committee, Board or Commission?

Yes _____ No ✓ _____

If so, describe: _____

[Signature]
Applicant's Signature

3/5/21
Date

Return to:
Clerk of Council, Post Office Box 192, Columbia, SC 29202.
For information, call 576-2060.

One form must be submitted for each Committee, Board or Commission on which you wish to serve.

Applications are current for one year.

Staff Use Only	
Date Received: <u>3/5/21</u>	Received by: <u>[Signature]</u>
Date Sent to Council: _____	
Status of Application: <input type="checkbox"/> Approved 470 of 535	<input checked="" type="checkbox"/> Denied <input type="checkbox"/> On file



APPLICATION FOR SERVICE ON RICHLAND COUNTY COMMITTEE, BOARD OR COMMISSION

Applicant MUST reside in Richland County.

Name: ANGELA RAINY WHETSTONE
Home Address: 930 BELLINE BLVD, Columbia, S.C.
Telephone: (home) 803-782-3308 (work)
Office Address:
Email Address: ANGELA.R.WHETSTONE@GMAIL.COM
Educational Background: BA - Psychology - FINE ARTS (minor) MEd - Social Studies
Professional Background: 30+ GRAD HOURS - LITERACY - High School Teacher
Male [] Female [X] Age: 18-25 [] 26-50 [] Over 50 [X]
Name of Committee in which interested: Richland Library Board of Trustees
Reason for interest: A DEMOCRATIC SOCIETY IS DEPENDENT ON A LITERATE POPULACE. Teaching Media Literacy has given me a strong background
Your characteristics/qualifications, which would be an asset to Committee, Board or Commission: Leadership, Organization, Project Development & Evaluation, Fundraising, Identifying Literacy Issues, Research Skills, Writing Skills
Presently serve on any County Committee, Board or Commission? NO
Any other information you wish to give?
Recommended by Council Member(s):
Hours willing to commit each month: Negotiable

CONFLICT OF INTEREST POLICY

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Have you been convicted or pled no contest of a crime other than minor traffic violations; checking yes does not automatically preclude you from consideration for appointment.

Yes _____ No _____

STATEMENT OF FINANCIAL OR PERSONAL INTERESTS

Do you have any financial or personal interest in any business or corporation (profit or not-for-profit) that could be potentially affected by the actions of the Committee, Board or Commission?

Yes _____ No _____

If so, describe: _____


Applicant's Signature

2/25/2020
Date

Return to:
Clerk of Council, Post Office Box 192, Columbia, SC 29202.
For information, call 576-2060.

One form must be submitted for each Committee, Board or Commission on which you wish to serve.

Applications are current for one year.

Staff Use Only	
Date Received: _____	Received by: _____
Date Sent to Council: _____	
Status of Application: <input type="checkbox"/> Approved 472 of 535 <input checked="" type="checkbox"/> Denied <input type="checkbox"/> On file	



**APPLICATION FOR SERVICE ON RICHLAND COUNTY
COMMITTEE, BOARD OR COMMISSION**

Applicant MUST reside in Richland County.

Name: Constantina Green

Home Address: 1017 Apricot Rd, Hopkins, SC 29061

Telephone: (home) 803-767-8256 (work) cell: 803-767-8256

Office Address: 2615 Lower Richland Blvd, Hopkins, SC 29061

Email Address: constantinagreen@gmail.com

Educational Background: B.S., Biology – Spelman College; M.S., Nutritional Sciences – SC State University; M.S., Biology – Clemson University

Professional Background 20 years in Science Education; High School STEM Coordinator; International Baccalaureate Middle Years Program Coordinator

Male: Female: X Age: 18-25 26-50 Over 50:

Name of Committee in which interested: Richland Library Board of Trustees

Reason for interest: I am interested in serving on this board because I have been impressed with the changes in the library over the past decade and the way that the library makes a concerted effort to be a true resource to the citizens by providing services that actually meet the needs of our county's residents. I, too, have a strong desire to utilize my various skills to serve my community.

Your characteristics/qualifications, which would be an asset to Committee, Board or Commission: Serving as a STEM Coordinator for a high school, I have gained a wealth of knowledge related to employment forecasts for STEM and non-STEM careers, as well as how to prepare people for those positions. I am organized, thorough, and am able to foresee potential need for logistical planning. In my role as an IB Coordinator, I have learned to be globally-minded and am familiar with global principles and practices related to education and employment. I also possess strong verbal and written communication skills.

Any other information you wish to give? As an educator and as a local Girl Scout leader, I have partnered with Richland Library on multiple projects. I have always experienced great success with these experiences. My personal children are also avid users of the Richland Library resources.

Recommended by Council Member(s): _____

Hours willing to commit each month: 12 hrs/month

CONFLICT OF INTEREST POLICY

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Such conflict of interest does not preclude service but shall be disclosed before appointment. The Clerk of Council shall be notified of any change on an annual basis and members of all Committees, Boards or Commissions shall be required to abstain from voting or influencing through discussion or debate, or any other way, decisions of the Committee, Board or Commission affecting those personal and financial interests.

All statements so filed shall be signed and verified by the filer. The verification shall state that the filer has used all reasonable diligence in its preparation, and that to the best of his or her knowledge, it is true and complete.

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Have you been convicted or pled no contest of a crime other than minor traffic violations; checking yes does not automatically preclude you from consideration for appointment.

Yes _____ No X _____

STATEMENT OF FINANCIAL OR PERSONAL INTERESTS

Do you have any financial or personal interest in any business or corporation (profit or not-for-profit) that could be potentially affected by the actions of the Committee, Board or Commission?

Yes _____ No X _____

If so, describe: _____

Constantina Simons Green
Applicant's Signature

October 1, 2020
Date

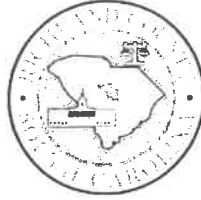
Return to:

**Clerk of Council, Post Office Box 192, Columbia, SC 29202.
For information, call 576-2060.**

One form must be submitted for each Committee, Board or Commission on which you wish to serve.

Applications are current for one year.

Staff Use Only	
Date Received: <u>10/2/20</u>	Received by: <u>mmn</u>
474 of 535	



**APPLICATION FOR SERVICE ON RICHLAND COUNTY
COMMITTEE, BOARD OR COMMISSION**

Applicant MUST reside in Richland County.

Name: Dr. Nicole A. Cooke

Home Address: 306 Golden Ingot Lane, Columbia, SC, 29229

Telephone: (home) 803-995-7234 (work) cell: 973-380-8869

Office Address: 1501 Greene St., School of Information Science, Columbia, SC 29208

Email Address: ncooke@mailbox.sc.edu

Educational Background: B.A. (Communication); MLIS; Ph.D. (Communication, Information, and Library Studies) – Rutgers University; M.Ed. (Adult Education) – Pennsylvania State University

Professional Background: Augusta Baker Endowed Chair and Associate Professor at the University of South Carolina; previously Assistant and then Associate Professor at the University of Illinois; previously a practicing and tenured librarian in various libraries in New Jersey

Male: _____ Female: X

Age: 18-25 _____ 26-50 _____ Over 50: _____

Name of Committee in which interested: Richland Library Board of Trustees

Reason for interest: I am library patron and huge fan of Richland's services and innovations. I welcome the opportunity to advocate for the library so it may continue to be such valuable resource to the community.

Your characteristics/qualifications, which would be an asset to Committee, Board or Commission: I am a career librarian and educator and I have great familiarity with how libraries and library staff work, and the higher education landscape. I am also an expert in equity, diversity, inclusion, and social justice, especially as they pertain to libraries.

Any other information you wish to give? As the Augusta Baker Endowed Chair, I have enjoyed a wonderful working relationship with Richland Library since I arrived in SC just over a year ago. I work closely with Heather McCue, Rebecca Thomas, and Jocelyn Pettigrew on the Baker's Dozen Storytelling Festival and other youth services programming, and I have partnered with Tamara King and Melanie Huggins, most recently on the Ibram X. Kendi webinar.

Recommended by Council Member(s): _____

Hours willing to commit each month: 6-8

CONFLICT OF INTEREST POLICY

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Have you been convicted or pled no contest of a crime other than minor traffic violations; checking yes does not automatically preclude you from consideration for appointment?

Yes _____ No X

STATEMENT OF FINANCIAL OR PERSONAL INTERESTS

Do you have any financial or personal interest in any business or corporation (profit or not-for-profit) that could be potentially affected by the actions of the Committee, Board or Commission?

Yes _____ No X

If so, describe: _____



Applicant's Signature

9/23/2020
Date

Return to:
Clerk of Council, Post Office Box 192, Columbia, SC 29202.
For information, call 576-2060.

One form must be submitted for each Committee, Board or Commission on which you wish to serve.

Applications are current for one year.

Staff Use Only	
Date Received: <u>9/25/20</u>	Received by: <u>nhw</u>
Date Sent to Council: _____	
Status of Application: <input type="checkbox"/> Approved	<input type="checkbox"/> Denied <input type="checkbox"/> On file



CLERK of
COUNCIL
POB 192
29702

RICHLAND
LIBRARY
Ad. of Trustees

APPLICATION FOR SERVICE ON RICHLAND COUNTY
COMMITTEE, BOARD OR COMMISSION

Applicant MUST reside in Richland County.

Name: MARJORIE T. FOW
Home Address: 5822 NORTH TRENHAM RD 29206
Telephone: (home) (803) 792-0765 (work) _____
Office Address: 5822 NORTH TRENHAM RD 29206
Email Address: DIAMOND MARGIE7@gmail.com
Educational Background: AB IN EDUCATION, U.S.C. MA English
Professional Background: 25 yrs teacher professor MS Counseling
Male Female Age: 18-25 26-50 Over 50

Name of Committee in which interested: RICHLAND LIBRARY BOARD
Reason for interest: I greatly value our magnificent Library of Trustees

Your characteristics/qualifications, which would be an asset to Committee, Board or Commission: SEE ATTACHED*

ACCOMPLISHED PUBLIC SPEAKER; GOOD w/ PEOPLE
25 yrs citizen activist; sense of HUMOR

Presently serve on any County Committee, Board or Commission? NO

Any other information you wish to give? * My lifelong valuing of everything LIBRARY!

Recommended by Council Member(s): _____

Hours willing to commit each month: 2-5

CONFLICT OF INTEREST POLICY

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Have you been convicted or pled no contest of a crime other than minor traffic violations; checking yes does not automatically preclude you from consideration for appointment.

Yes _____ No _____

STATEMENT OF FINANCIAL OR PERSONAL INTERESTS

Do you have any financial or personal interest in any business or corporation (profit or not-for-profit) that could be potentially affected by the actions of the Committee, Board or Commission?

Yes _____ No _____

If so, describe: _____

Maupia G. G... 2-29-2021
Applicant's Signature Date

Return to:
Clerk of Council, Post Office Box 192, Columbia, SC 29202.
For information, call 576-2060.

One form must be submitted for each Committee, Board or Commission on which you wish to serve.

Applications are current for one year.

Staff Use Only	
Date Received: <u>2/4/21</u>	Received by: <u>hmo</u>
Date Sent to Council: _____	
Status of Application: <input type="checkbox"/> Approved <input checked="" type="checkbox"/> Denied <input type="checkbox"/> On file	



APPLICATION FOR SERVICE ON RICHLAND COUNTY
COMMITTEE, BOARD OR COMMISSION

Applicant MUST reside in Richland County.

Name: Brenda B. Branich, PhD

Home Address: 509 Cold Branch Drive Columbia, SC 29223

Telephone: (home) 803.920.4285 (work) 803.386.8237

Office Address: 10120 Two Notch Rd Ste 2 Unit 118 Columbia, SC 29223

Email Address:
Branichb@gmail.com

___ Educational Background: Doctor of Philosophy in Business Management

Professional Background: Diverse Operations B Branich Coaching and Consulting

Male ___ Female XX Age: 18-25 ___ 26-50 ___ Over 50 XX

Name of Committee in which interested: Richland Library Board of Trustees

Reason for interest: I have served on the Friends of Richland Library and Foundation boards for the past 6 years. I wish to continue my service with Library as a commissioner.

Your characteristics/qualifications, which would be an asset to Committee, Board or

Commission:

I have 30 plus years of leadership experience in the banking and insurance industries. My interest in community development, growth, equity, diversity and inclusion would serve the board and the mission of the board well.

Presently serve on any County Committee, Board or Commission? None

Any other information you wish to give? I have been a community volunteer for the past 30 years

Recommended by Council Member(s): Cheryl English and Jessica Mackey

Hours willing to commit each month: 10 - 15

CONFLICT OF INTEREST POLICY

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Have you been convicted or pled no contest of a crime other than minor traffic violations; checking yes does not automatically preclude you from consideration for appointment.

Yes _____ No XX

STATEMENT OF FINANCIAL OR PERSONAL INTERESTS

Do you have any financial or personal interest in any business or corporation (profit or not-for-profit) that could be potentially affected by the actions of the Committee, Board or Commission?

Yes _____ No XX

If so, describe: _____

Brian B. Brown, Ad 3.4.2021
Applicant's Signature Date

Return to:
Clerk of Council, Post Office Box 192, Columbia, SC 29202.
For information, call 576-2060.

One form must be submitted for each Committee, Board or Commission on which you wish to serve.

Applications are current for one year.

Staff Use Only	
Date Received: <u>2/5/21</u>	Received by: <u>Yuhuo</u>
Date Sent to Council: _____	
Status of Application: <input type="checkbox"/> Approved <input type="checkbox"/> Denied <input type="checkbox"/> On file	



**APPLICATION FOR SERVICE ON RICHLAND COUNTY
COMMITTEE, BOARD OR COMMISSION**

Applicant MUST reside in Richland County.

Name: William Alvin McElveen

Home Address: 5 Carol Ct, Ridgeway, S.C.29130 (located in Richland County)

Telephone: (home) 803-543-3972 (work) 803-434-8050

Office Address: Suite 420, 8 Medical Park, Columbia, SC 29203

Email Address: alvin.mcelveen@uscmed.sc.edu

Educational Background: M.D., Medical College of Georgia: 1974

Professional Background: Neurology. Founder/ President: Bradenton Neurology 1979-2015

Assistant Professor of Clinical Neurology, USC School of Medicine: 2016-present

Male Age: Over 50

Name of Committee in which interested: Richland Memorial Hospital Board of Trustees

Reason for interest: Improvement in patient care for Richland County

Your characteristics/qualifications, which would be an asset to Committee, Board or Commission: My Medical knowledge and experience working in hospitals gives me an understanding of the requirements for medical care for the community.

Presently serve on any County Committee, Board or Commission? No

Any other information you wish to give? _____

Recommended by Council Member(s): _____

Hours willing to commit each month: AS my position at USC is part-time, I am not limited
in hours I can contribute.

CONFLICT OF INTEREST POLICY

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Have you been convicted or pled no contest of a crime other than minor traffic violations; checking yes does not automatically preclude you from consideration for appointment.

Yes _____ No X _____

STATEMENT OF FINANCIAL OR PERSONAL INTERESTS

Do you have any financial or personal interest in any business or corporation (profit or not-for-profit) that could be potentially affected by the actions of the Committee, Board or Commission?

Yes _____ No X _____

If so, describe: _____

V. Allen - McLean MD
Applicant's Signature

February 3, 2021
Date

Return to:
Clerk of Council, Post Office Box 192, Columbia, SC 29202.
For information, call 576-2060.

One form must be submitted for each Committee, Board or Commission on which you wish to serve.

Applications are current for one year.

Staff Use Only	
Date Received: <u>2/8/21</u>	Received by: <u>[Signature]</u>
Date Sent to Council: _____	
Status of Application: <input type="checkbox"/> Approved <input type="checkbox"/> Denied <input type="checkbox"/> On file	

MIKE FANNING
SENATOR, CHESTER, FAIRFIELD, & YORK COUNTIES
SENATORIAL DISTRICT 17

COMMITTEES:
AGRICULTURE AND NATURAL RESOURCES
CORRECTIONS AND PENOLOGY
FISH, GAME AND FORESTRY
GENERAL
JUDICIARY



COLUMBIA ADDRESS:
606 GRESSETTE SENATE BLDG
POST OFFICE BOX 142
COLUMBIA, SC 29202
TEL: (803) 212-6024
FAX: (803) 212-6299
EMAIL: MIKEFANNING@SCSENATE.GOV

HOME ADDRESS:
7825 CAMP WELFARE RD
GREAT FALLS, SC 29055

February 5, 2021

Richland County Council
PO Box 192
Columbia, SC 29202

Dear Members:

I am writing to recommend that you consider Dr. Alvin McElveen for one of the open positions on the Richland Hospital Board of Trustees this year. I have been a friend of Dr. McElveen's family for many years and feel that he could be a tremendous asset to the medical community by serving on the Board.

Dr. McElveen was the founding partner of a very successful neurology practice in Florida for over 35 years. He also owned and directed a clinical research business and participated in over 150 clinical trials over 25 years. Dr. McElveen was very active in his community through serving on committees in the hospitals in the community and volunteer work with the Epilepsy Foundation of SW Florida for over 25 years. Since retiring from private practice, he served as the Director of the USC Neurology Department Memory Clinic at Richland Memorial Hospital for five years. He and his family moved back to South Carolina in 2015 to be near Mrs. McElveen's family who are from Fairfield County.

Dr. McElveen lives in the Blythewood community in Richland County, and I believe that representation from a physician in this part of the county (and near adjoining Fairfield County) would be very helpful to both counties - due to the continued growth in this northeastern portion part of Richland County.

I am pleased to be able to offer this recommendation to you and sincerely hope that you will strongly consider Dr. McElveen for this position. Please don't hesitate to contact me if you have any questions or if I can provide further information.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael W. Fanning".

Senator Michael W. Fanning, Ph.D.
District 17: Chester, Fairfield, & York Counties
502 Gressette Bldg., P.O. Box 142
Columbia, South Carolina 29202
803-212-6108 (office) * 803-212-6299 (fax)

WILLIAM ALVIN McELVEEN, M.D.

UNIVERSITY OF SOUTH CAROLINA
Department of Neurology
8 Medical Park
Suite 420
Columbia, SC 29203
Telephone: 803-434 -8050
Personal Cell: 803-543-3972

EDUCATION

Emory University: Atlanta, GA
Dates attended: 1967-70
Major: PHYSICS
Honor Societies: Sigma Pi Sigma (National Physics Honor Society)
 Alpha Epsilon Upsilon

Medical College of Georgia: Augusta, GA
Dates Attended: 1970-74
Degree Obtained: M.D.

POSTGRADUATE TRAINING

Tucson Hospitals Medical Education Program: Tucson, AZ
Internship in Internal Medicine: July, 1974-June, 1975
Resident in Internal Medicine: July, 1975-June, 1976

University of Arizona Department of Neurology
Neurology Resident: July, 1976-June, 1978
Chief Resident, Neurology: July, 1978-June, 1979

Multiple Sclerosis Comprehensive Treatment Training Program
University of Texas Southwestern Medical School June, 2002

PRACTICE POSITION

Bradenton Neurology, Inc. Bradenton, FL 1979-2015 Founder and President

Bradenton Research Center, Bradenton, FL. Principal Investigator 2004-present

UNIVERSITY OF SOUTH CAROLINA
Department of Neurology
Assistant Professor of Clinical Neurology
December, 2016-present

BOARD CERTIFICATION

Diplomate of the American Board of Psychiatry and Neurology, a Member of American Board of Medical Specialties
Specialty of Neurology, April, 1981
Subspecialty of Vascular Neurology, May, 2005. Recertification May, 2015

Certified, American Board of Independent Medical Examiners, 1996, 2001, 2006, 2011

ACADEMIC POSITION

Assistant Clinical Professor of Neurology
University of South Florida, Tampa, FL, Aug, 1981- July, 1985

Neurology Faculty: Manatee Memorial Hospital Residency Training Program, May, 2011-Nov, 2015

Assistant Professor of Clinical Neurology
Director, Memory Disorders Clinic
University of South Carolina School of Medicine
Department of Neurology, Dec 1, 2016-present

HOSPITAL STAFF APPOINTMENTS

Manatee Memorial Hospital, Bradenton, FL: Active Staff 1979-2015

Lakewood Ranch Medical Center, Bradenton, FL: Active Staff 2005-2015
Medical Director, Stroke Unit, 2009-2015

Blake Medical Center, Bradenton, FL: Active Staff 1979- 2009
Medical Director, Stroke Program, Blake Medical Center, 2004-2009

Palmetto Richland Hospital, Active Staff, Columbia, SC: 2017-present

COMMITTEE ACTIVITIES

Manatee Memorial Hospital: Medical Executive Committee 1981-83

Manatee Memorial Hospital: Emergency Management Committee 1981-89

Blake Medical Center, Bradenton, FL: Chairman, Neurosciences Committee 2004-2009

PROFESSIONAL ORGANIZATIONS

PROFESS Investigators Advisory Panel 2005

Epilepsy Foundation of Southwest Florida: Professional Advisory Board
Director, Manatee County Epilepsy Foundation Clinic: 1979-2015

American Academy of Neurology: Active 1981-1998. Fellow 1998-present
American Academy of Neurology: Critical Care and Emergency Neurology Section
American Academy of Neurology: Stroke and Vascular Neurology Section
American Academy of Neurology: Multiple Sclerosis Section

January 11, 2021

American Stroke Association: 2004-present
Florida Medical Association: 1979-present
Manatee County Medical Society: 1979-2015
American Medical Association: 1979-present
American Society of NeuroImaging: 2000-2010
American Academy of Physicians and Investigators: 2006-2015

LICENSURE

Florida: ME 0033896
South Carolina: MD 13324

CLINICAL TRIALS

Pincipal Investigator for over 100 clinical trials for pharmaceutical firms including Pfizer, Biogen, Lilly, AZT, Novartis, Bayer, Martek, Takeda, Merck, Roche, Eisai, Glaxo Smith Kline, Ortho McNeil, Allergan, Osmotica, Elan, Genzyme, Grifols, Otsuka, UCB, BioMS, Abbott-Solvay, NINDS/NIH, TEVA

AWARDS

AMA Physician Recognition Award: 1982, 1985, 1988, 1991, 1994, 1997, 2000, 2004
AMA Physician Recognition Award with Commendation: 2007, 2010

Epilepsy Foundation of Southwest Florida Outstanding Patient Service Award, 1994

Fellow, American Academy of Neurology, 1998

Strathmore's Who's Who, 1999

Guide To Top Doctors, 1999, 2006: Center for the Study of Services

Marquis "Who's Who in Medicine and Healthcare", 2000-2001

Gold Quill Award for Medical Writing, Manatee Memorial Hospital, November 21, 2000

Voted "Top Doctors Gulf Coast" Best Physicians Neurology, 2009

Top Doctor, US News and World Report 2011

PUBLICATIONS

McElveen WA. "Post-Herpetic Neuralgia": eMedicine Journal: Neurology [serial online]. April, 2001, volume 2, number 4. Available at <http://www.emedicine.com>

McElveen, WA. "Cerebral Venous Thrombosis": eMedicine Journal: Neurology [serial online]. January 2001, volume 2, number 1. Available at <http://www.emedicine.com>

Dworkin RH et al. "Pregabalin for the Treatment of Postherpetic Neuralgia" Neurology: 2003; 60:1274-1283 (Investigator)

January 11, 2021

McElveen, WA and Alway, D. "Ischemic Stroke and Transient Ischemic Attack: Evaluation and Management" Stroke Essentials for Primary Care Humana Press. 2009

McElveen, WA "Cerebral Venous Thrombosis and Stroke" Stroke Essentials for Primary Care Humana Press. 2009

McElveen, WA and Macko, R. "Ischemic Stroke and Transient Ischemic Attack: Acute Management" Stroke Recovery and Rehabilitation. 2009.

McElveen, WA "Management of Sinovenous Thrombosis" Stroke: A Practical Approach Lippincott Williams & Wilkins. 2009

W McElveen, D Vossler, B Williams, A. Laurenza, A Patten, F Bibbiani. Clinical Laboratory Evaluation and TAEs Related to Cardiac, Hepatic, and Renal Disorders: Perampanel PGTCs Phase III Study 332. Poster Session #: 1.195 American Epilepsy Society. Philadelphia, PA December 5, 2015

CONTINUING EDUCATION PRESENTATIONS

MRI Fellowship Program, CME certification by American Society of Neuroimaging. June 29, 2002, Orlando, FL

MRI Fellowship Program, CME certification by American Society of Neuroimaging, "MRI in Multiple Sclerosis" February 8-9, 2003, Sarasota, FL

Stroke Certification Program, CME certification by Blake Medical Center, "Tools of the Trade...Neurological Assessment" March 9, 2005, Bradenton, FL

Optimizing Stroke Service Line Management, WRG Research, Inc "The Physician as Champion for Stroke Unit" June 21, 2007, Arlington, VA

MRI Fellowship Program, CME certification by American Society of Neuroimaging, MRI Case Presentations. August 2, 2008, Orlando, FL

Anatomy and Physiology 101 for Attorneys National Business Institute, July 26, 2013, Orlando, FL

Alzheimer's University of South Carolina Grand Rounds, Columbia, SC, February 2018

Alzheimer's: The Symptoms and Management. Alzheimer's Association Research Conference: The Power of You. Columbia, SC. November 9, 2019

Dementias: Where we are in 2019 University of South Carolina Grand Rounds, Columbia, SC. February 20, 2019

Aging and the Brain. Palmetto Health Geriatric Symposium, Columbia, SC May 3, 20119

OTHER PROFESSIONAL ACTIVITIES

Reviewer: Elsevier Publications

INC Research: Scientific Protocol Optimization Site Advocacy Group committee member

REFERENCES

Souvik Sen, M.D.
Professor and Chairman Neurology Department
USC School of Medicine
8 Medical Park, Suite 420
Columbia, SC 29203

Hamilton Peters, M.D.
USC School of Medicine
8 Medical Park, Suite 420
Columbia, SC 29203

Mike Williams (former CEO, Fairfield Memorial Hospital)
2174 Smallstown Road
Winnsboro, SC 29180



APPLICATION FOR SERVICE ON RICHLAND COUNTY COMMITTEE, BOARD OR COMMISSION

Applicant MUST reside in Richland County.

Name: Stacey V. Brennan, MD

Home Address: 207 King Street, Columbia, SC 29205

Telephone: (home) cell: 803-331-3763 (work) 615-782-4662

Office Address: Work from Home

Email Address: max_field@msn.com (personal) or stacey.brennan@cgsadmin.com (work)

Educational Background: BA, Penn State; MD, University of Pittsburgh; Residency, Richland Memorial Hospital – USC School of Medicine

Professional Background: Family Physician and Medicare Contractor Medical Director; Chief

Medical Officer, Jurisdiction B DME Contract, CGS Administrators, LLC

Male D Female X Age: 18-25 D 26-50 D Over 50 X

Name of Committee in which interested: Richland Memorial Hospital Board of Trustees

Reason for interest: Please see attachment

Your characteristics/qualifications, which would be an asset to Committee, Board or Commission:

As a family physician trained at RMH and Richland County resident since 1978, I possess understanding and experience that would benefit the membership of the Board of Trustees. I chose to live in Richland County out of anywhere in the US at the threshold of my medical career, and have remained loyal to and supportive of all that Richland Memorial has brought to my community. I am quite familiar with the outreach and mission of this hospital. As well, since leaving private practice, my years working with commercial insurers, SC Medicaid and Medicare have given me special perspectives which I may offer in my interactions with the other members of the Board.

Presently serve on any County Committee, Board or Commission? No.

Any other information you wish to give? Please see my attached resume.

Recommended by Council Member(s): Allison Terracio

Hours willing to commit each month: As needed

CONFLICT OF INTEREST POLICY

It is the policy of Richland County to require disclosure of any personal or financial interest that may be influenced by decisions of the Committee, Board or Commission for which any citizen applies for membership.
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Such conflict of interest does not preclude service but shall be disclosed before appointment. The Clerk of Council shall be notified of any change on an annual basis and members of all Committees, Boards or Commissions shall be required to abstain from voting or influencing through discussion or debate, or any other way, decisions of the Committee, Board or Commission affecting those personal and financial interests.

All statements so filed shall be signed and verified by the filer. The verification shall state that the filer has used all reasonable diligence in its preparation, and that to the best of his or her knowledge, it is true and complete.

Any person who willfully files a false or incomplete statement of disclosure or no change of condition, or who willfully fails to make any filing required by this article, shall be subject to such discipline, including censure and disqualification from the Committee, Board or Commission, by majority vote of the council.

Have you been convicted or pled no contest of a crime other than minor traffic violations; checking yes does not automatically preclude you from consideration for appointment.

Yes _____ No X _____

STATEMENT OF FINANCIAL OR PERSONAL INTERESTS

Do you have any financial or personal interest in any business or corporation (profit or not-for-profit) that could be potentially affected by the actions of the Committee, Board or Commission?

Yes _____ No X _____

If so, describe: _____


Applicant's Signature

03/01/2021
Date

**Return to:
Clerk of Council, Post Office Box 192, Columbia, SC 29202.
For information, call 576-2060.**

One form must be submitted for each Committee, Board or Commission on which you wish to serve.

Applications are current for one year.

Staff Use Only	
Date Received: <u>3/4/21</u>	Received by: <u>[Signature]</u>
Date Sent to Council: _____	
Status of Application: <input type="checkbox"/> Approved	<input type="checkbox"/> Denied <input type="checkbox"/> On file

Reason for my interest in serving on the Richland Memorial Hospital Board of Trustees

Stacey V. Brennan MD

As a medical student in the mid 70's, I was directly involved in remarkable changes in the delivery of health care in the US. During this time, there were major life-saving improvements, including the initiation of the CT scan, the coronary artery bypass graft operation and the invention of H2 antagonists (i.e., cimetidine). As well, health care became a right, and was no longer considered a privilege. Next, the importance of the primary care physician came to the forefront of the nation with the organization of the American Academy of Family Practice and the initiation of Family Medicine Residencies. Richland Memorial Hospital (RMH) offered one of the country's finest and first family medicine residencies, and was a part of a state-wide network which received significant funding by the legislature. I matched with the residency here, and with my husband who sought a career in architecture, drove in the heat of June to Columbia, at the time an "all-American city". At the time, RMH had combined with the USC School of Medicine to educate students and residents of many specialties. Some of the best teachers in medicine and surgery were and still are here, and I met many dedicated employees - nurses, administrators, therapists and support people – then, and such dedicated essential workers are here still. RMH has changed its name as a result of associations necessary to survive, but has not changed in its mission to provide the best health care to all of the residents, young and old, of Richland County. For 17 years after I graduated from my residency, I admitted my patients to Richland Memorial, received newborns to my practice from there, met my patients in the ER at night, referred patients to specialists on staff, and supported the hospital with my time serving in the department of family medicine. I have missed it since I have been working in administrative medicine. Now it is time for me to "pay back" those who gave me their time and expertise which led to my successful and satisfying career.

Stacey Van Pelt Brennan, MD, FAAFP

207 King Street, Columbia, SC 29205

Cell 803-331-3763

Work 615-782-4662

max_field@msn.com or stacey.brennan@cgsadmin.com

Industry Experience

I have been a physician for over 40 years, with 22 years of experience as a medical director. Most recently, I have been the DME MAC Jurisdiction B Medical Director (DMD) for CGS Administrators, LLC (CGS), a subsidiary of Blue Cross Blue Shield of South Carolina, since July 2016.

My current responsibilities as a DMD include authoring new or modifying existing durable medical equipment and prosthetics, orthotics and supplies (DMEPOS) Local Coverage Determinations (LCDs) for Fee for Service Medicare beneficiaries under The Centers for Medicare and Medicaid Services (CMS). I also provide policy interpretation and coverage determinations as determined based upon LCDs, National Coverage Determinations (NCDs) and Manuals/Laws for suppliers, providers and internal associates. I participate in correct coding of devices as well as pricing determinations. The Jurisdiction B DME contract pays claims for over 6.5 million beneficiaries residing in seven Midwestern states. Although I work remotely from my home in Columbia, SC, my corporate office is in Nashville, Tennessee.

Past Experience in Government Programs

Prior to joining CGS Administrators, I served in the same role for National Government Services, a subsidiary of Anthem from 2010 until 2016. From November 2009 to December 2010, I served as the medical director in the State Sponsored Business Division for WellPoint (Anthem) in Managed Care Medicaid where I was the West Virginia (Unicare) and South Carolina (BlueChoice Medicaid) Medical Director, working in medical management for their Medicaid enrollees.

My work with Medicare contracts started in 2004 when I served as the Medicare Region C DMERC DMD. At the same time, I assumed the role (part-time) as the Medical Director of InStil Health Insurance Company, which oversaw Medicare Advantage (Part C) and Part D Plan products and a Tricare Management Activity contract acting under Humana, all while employed at PalmettoGBA in Columbia. After this contract in DMEPOS ended, I served as Contractor Medical Director of the QIC West Part B/DME for fourteen months (an appeals contractor for CMS). In 2006, I moved to the Medicare Part A and RHHI contract for the Fiscal Intermediary, PalmettoGBA, overseeing Part A (mostly hospital) medical policies for NC and SC, home health and hospice.

Past Experience in Managed Care

I left private practice in 1998 to serve full time as the Medical Director of HMO Blue, and later as the State of South Carolina Employees Health Plan and Federal Employees Plan Medical Director for South Carolina, until 2004.

Stacey Van Pelt Brennan, MD, FAAFP

207 King Street, Columbia, SC 29205

Cell 803-331-3763

Work 615-782-4662

max_field@msn.com or stacey.brennan@cgsadmin.com

Education and Training

Bachelor of General Arts and Science, cum Laude

The Pennsylvania State University, 1974

Medical Doctorate

University of Pittsburgh School of Medicine, 1978

Family Practice Residency, Richland Memorial Hospital

Affiliated with the University of South Carolina School of Medicine, 1978-1981

Chief Medical Resident, 1981

Board Certification, American Board of Family Medicine

Initial 1981; Recertified 1987, 1993, 1999, 2005, 2012

Fellow, American Academy of Family Medicine

Licensure: Active standing as Medical Doctor with the Board of Medical Examiners, the State of South Carolina, since 1979. License number is SC9300. NPI is 1609996727.

Other career experiences:

Baptist Home Care of South Carolina

Medical Director, Home Health Agency

1992-1996

South Carolina Episcopal Home at Still Hopes, and Brian Center

Medical Director of Skilled Nursing Facilities

1989-1991

College Physician and Clinic Director, Columbia College

1981-2002

Private Practice locations, South Carolina 1981-1998

Baptist Physician Partners, 1333 Taylor St, Columbia, SC 29201

Harbison Medical Associates, Columbia, SC 29212

Family Practice Associates of Columbia, Two Notch Rd., Columbia, SC 29223

Dept. of Family Medicine, Richland Memorial Hospital Family Practice Center, Columbia, SC 29203

Springwood Lake Family Practice Center, Columbia, SC 29223

Stacey Van Pelt Brennan, MD, FAAFP

207 King Street, Columbia, SC 29205

Cell 803-331-3763

Work 615-782-4662

max_field@msn.com or stacey.brennan@cgsadmin.com

Professional Memberships

- SC Academy of Family Physicians
- American Academy of Family Physicians
- Columbia Medical Society

Professional and Community Activities

- SC Academy of Family Physicians; Committee on Legislation and Government, 1998-2007, 2010, 2020-; Membership Committee, 1990-1995; Chair, Committee on Minority Health, 1986-1988
- Columbia Medical Society; Executive Committee Member, 1995-1998, 2008-2015; Secretary, 2009-2011, Vice President, 1996
- SC Medical Association CME Committee, 1998-2004, 2007- 2009.
- Baptist Medical Center of Columbia; Departmental Vice Chief or Chief, 1992-1998
- Richland Memorial Hospital, Columbia; Family Practice Clinical Department, Chair, 1986-1987
- SC Medical Care Foundation; Family Practice Peer Review Committee, 1984-1990
- Volunteer Physician, Columbia Free Medical Clinic, and organizing founder.
- Richland County School District I, Health Education Advisory Committee, 1988 – 1996, 1999– 2002; Medical Advisory Committee, 1996 – 1998.
- Member, Board of Directors, Children’s Chance (advocacy group for children with cancer), November 2000 - 2002
- Member, Board of Directors, Adoption Center of South Carolina, Inc., 1993 – 1996
- Board Member, AIDS Benefit Foundation, 2000-2004
- Chair, School Improvement Council, Dreher High School, 2000 – 2002
- Member, Educational Foundations, A.C. Moore Elementary School and Hand Middle School (President, 1994 – 1997)
- Member of the Board of Trustees (2013-2020) and Chair (2016-2019) of the Presbyterian Communities of South Carolina (PCSC), a CCRC with six locations in South Carolina
- Member of Board, PCSC Foundation, 2021+

Personal Activities and Interests

With my husband Jim, I have had the pleasure of supporting several community-wide organizations and charities through the years, including The SC Philharmonic, The Animal Mission, Family Promise, Harvest Hope, The American Heart Association, Historic Columbia, SC ETV, The Columbia Art Museum and The University of SC School of Music. As a woman physician, mother and grandmother interested in the health of our community, and career opportunities for women, I have participated in activities of support for Richland County First Steps, Planned Parenthood of the South Atlantic, The Girl Scouts of SC Mountains to Midlands, WREN and Women in Leadership. I am very involved in my church, Shandon Presbyterian, serving as an elder, a trustee, a Sunday School teacher, and member of the Chancel Choir. I enjoy gardening, traveling and spending time with my wonderful grandchildren.



**APPLICATION FOR SERVICE ON RICHLAND COUNTY
COMMITTEE, BOARD OR COMMISSION**

Applicant MUST reside in Richland County.

Name: Virginia L. Crocker

Home Address: 23 Millponf Columbia, South Carolina 292904

Telephone: (home) 803.960.0267 (work) 803.896.5100

Office Address: Public Service Commission 101 Executive Center, Suite 100 Columbia 20210

Email Address: vcrocker@sc.rr.com

Educational Background: BA Columbia College Speech and Drama

Professional Background: Former Legislator, Workers Compensation Commissioner

Male Female Age: 18-25 26-50 Over 50

Name of Committee in which interested: Richland Memorial Hospital, Riverbanks Park

Reason for interest: Prior service on the hospital Board, Hospitality Development interest
I'm happy to serve in any capacity

Your characteristics/qualifications, which would be an asset to Committee, Board or
Commission:

Prior public service throughout my career both in elected positions and appointed positions

Presently serve on any County Committee, Board or Commission? no

Any other information you wish to give? _____

Recommended by Council Member(s): _____

Hours willing to commit each month: Whatever is required

CONFLICT OF INTEREST POLICY

It is the policy of Richland County to require disclosure of any personal or financial interest that may be influenced by decisions of the Committee, Board or Commission for which any citizen applies for membership.

Because of my employment as a Senior Paralegal at the Public Service Commission of South C. I am under the Judicial Code of Conduct which does not allow me to request donations from anyone.

Such conflict of interest does not preclude service but shall be disclosed before appointment. The Clerk of Council shall be notified of any change on an annual basis and members of all Committees, Boards or Commissions shall be required to abstain from voting or influencing through discussion or debate, or any other way, decisions of the Committee, Board or Commission affecting those personal and financial interests.

All statements so filed shall be signed and verified by the filer. The verification shall state that the filer has used all reasonable diligence in its preparation, and that to the best of his or her knowledge, it is true and complete.

Any person who willfully files a false or incomplete statement of disclosure or no change of condition, or who willfully fails to make any filing required by this article, shall be subject to such discipline, including censure and disqualification from the Committee, Board or Commission, by majority vote of the council.

Have you been convicted or pled no contest of a crime other than minor traffic violations; checking yes does not automatically preclude you from consideration for appointment.

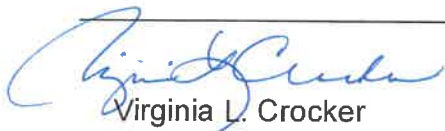
Yes _____ No ^x _____

STATEMENT OF FINANCIAL OR PERSONAL INTERESTS

Do you have any financial or personal interest in any business or corporation (profit or not-for-profit) that could be potentially affected by the actions of the Committee, Board or Commission?

Yes _____ No ^x _____

If so, describe: _____



Virginia L. Crocker
Applicant's Signature

February 23, 2021
Date

Return to:
Clerk of Council, Post Office Box 192, Columbia, SC 29202.
For information, call 576-2060.

One form must be submitted for each Committee, Board or Commission on which you wish to serve. *Virginia L. Crocker*

Applications are current for one year.

Staff Use Only	
Date Received: <u>3/5/21</u>	Received by: <u>JHUW</u>
Date Sent to Council: _____	
Status of Application:	<input type="checkbox"/> Approved <input type="checkbox"/> Denied <input type="checkbox"/> On file

VIRGINIA LEAMAN CROCKER
803.738.9322 Home

VCROCKER@SC.RR.COM
803.960.0267 Cell

Virginia Crocker is a native of Clinton, South Carolina and a graduate of Columbia College with a degree in Speech and Drama and a minor in Political Science. Upon graduation from Columbia College, she joined the staff of Governor John C. West. She then served as a member of the South Carolina House of Representatives representing Laurens County from 1978 through 1984. While serving in the House, she was Assistant Director of Admissions and Director of Special Projects at Presbyterian College in Clinton. In the House, she served on the Labor, Commerce, and Industry Committee, the State House Committee; and as House Majority Whip. She was awarded the Legislator of the Year Award from both the South Carolina Education Association and the South Carolina School Boards Association for her contribution to the Education Improvement act of 1984. She is an honorary alumna of Presbyterian College.

Governor Richard W. Riley appointed her to the Workers' Compensation Commission in 1984 where she served until 1992. While on the Commission, she served as Vice-Chair and was instrumental in reforming the policies and procedures of the Commission and writing the current rules and regulations.

In 1996 she was named Executive Director of the House Democratic Caucus where she worked with then Caucus Leader, Representative Jim Hodges. In 1998, she joined Representative Hodges' campaign staff. In January 1999, Governor Hodges appointed her to his staff in the position of Director of Intergovernmental and Community Relations; where she served throughout his term.

She is a former member of the Board of Visitors of Presbyterian College and Columbia College. Additionally, she served as the Governor's representative on the Board of the North Carolina Healthcare Information and Communication Alliance, Inc. In 1999 she received the South Carolina Rural Health Association's Presidential Award of Merit for her work in improving healthcare in rural South Carolina. In 2002, Governor Jim Hodges appointed her to the State Commission on National and Community Service and the State Museum Board of Trustees. Additionally, Richland County Council appointed her to serve as a Trustee of Palmetto Richland Memorial Hospital Board. She is also a former member of the South Carolina Independent College and University Board of Trustees.

In 2004, she worked with the Democratic Party of South Carolina coordinating South Carolina's first Democratic Presidential Preference Primary and then served on the campaign staff of Inez Tenenbaum for the United States Senate. In 2006 she coordinated disaster relief for the Gulf Coast Evacuees of Hurricanes Katrina and Rita in the State of South Carolina through the South Carolina Emergency Management Division.

In 2007, she returned to the South Carolina Workers' Compensation Commission as Judicial Director where she served until 2014 when she left the Commission to serve as a mediator. She was awarded the Friend of the Little Man by the Injured Workers' Advocates of South Carolina in 2014. She currently serves as a member of the Voorhees College Board of Trustees and the Palmetto Health Foundation Board of Directors.

As a result of the statewide devastation of the October, 2015 record rainfall, she was asked by the Mayor of Columbia and the Director of the State Emergency Management Division to assist in coordinating the recovery efforts in collaboration with South Carolina Emergency Management, the City of Columbia, State Government; and all volunteer organizations involved in the recovery effort. She currently serves as the United Way of the Midlands representative on the LongTerm Recovery Group (LTRG). She currently serves as Senior Paralegal at the Public Service Commission of South Carolina.



**APPLICATION FOR SERVICE
COMMITTEE, BOARD OR**

**ON RICHLAND COUNTY
COMMISSION**

Applicant MUST reside in Richland County.

Name: Raquel Michelle Richardson Thomas

Home Address: 617 Lady Street Columbia SC 29201

Telephone: (home) 443-695-0301 (work) 803-470-6273

Office Address: n/a

Email Address: raquelmrichardson@gmail.com

Educational Background: Bachelor of Business Marketing and Master of Business Administration

Professional Background: Local Business Owner, Business and Leadership Coach, Professor,
Author

Male Female Age: 18-25 26-50 Over 50

Name of Committee in which interested: Richland Memorial Hospital Board of Trustees

Reason for interest: As a community builder and advocate I want to focus on population health, community health initiatives and become an active voice for underserved communities as it pertains to living healthy lives.

Your characteristics/qualifications, which would be an asset to Committee, Board or Commission: Community builder and advocate, business background, strategic, organized, team oriented, philanthropist, effective communicator,

Presently serve on any County Committee, Board or Commission? No

Any other information you wish to give? _____

Recommended by Council Member(s): Paul Livingston

Hours willing to commit each month: 20 (Flexible)

CONFLICT OF INTEREST POLICY

It is the policy of Richland County to require disclosure of any personal or financial interest that may be influenced by decisions of the Committee, Board or Commission for which any citizen applies for membership.

Such conflict of interest does not preclude service but shall be disclosed before appointment. The Clerk of Council shall be notified of any change on an annual basis and members of all

through discussion or debate, or any other way, decisions of the Committee, Board or Commission affecting those personal and financial interests.

All statements so filed shall be signed and verified by the filer. The verification shall state that the filer has used all reasonable diligence in its preparation, and that to the best of his or her knowledge, it is true and complete.

Any person who willfully files a false or incomplete statement of disclosure or no change of condition, or who willfully fails to make any filing required by this article, shall be subject to such discipline, including censure and disqualification from the Committee, Board or Commission, by majority vote of the council.

Have you been convicted or pled no contest of a crime other than minor traffic violations; checking yes does not automatically preclude you from consideration for appointment.

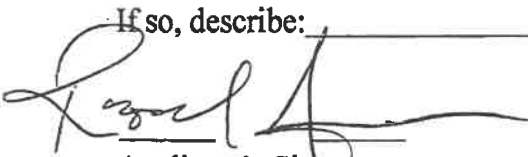
Yes _____ No x _____

STATEMENT OF FINANCIAL OR PERSONAL INTERESTS

Do you have any financial or personal interest in any business or corporation (profit or not-for-profit) that could be potentially affected by the actions of the Committee, Board or Commission?

Yes x _____ No x _____

If so, describe: _____



Applicant's Signature

Date 12/11/2020

**Return to:
Clerk of Council, Post Office Box 192, Columbia, SC 29202.
For information, call 576-2060.**

One form must be submitted for each Committee, Board or Commission on which you wish to serve.

Applications are current for one year.

Date Received: 12/11/20

Received by:
MMO

Date Sent to Council:

Status of Application: Approved Denied On file

2

Raquel M. R. Thomas

617 Lady Street ▶ Columbia, SC 29201 ▶ Cell: 443.695.0301 ▶ Raquel@raquelmrthomas.com ▶ www.raquelmrthomas.com

ESTABLISHED BUSINESS & LEADERSHIP CONSULTANT, COACH, INSTRUCTOR, and AUTHOR

Career history includes automotive industry corporate management, business and leadership coach, experience with business investments, business ownership of Dream Catchers Corporation, R6 Enterprises and former owner of Children of Tomorrow Corp, College Professor, Certified Coach, Speaker and Trainer, Political Candidate School Board Commissioner

Business and Leadership Consultant ▶ Professor ▶ Instructor ▶ Childcare Education ▶ Business and Leadership Coach ▶ Business Organization and Structure Consultation ▶ Management ▶ Corporate Communications ▶ Customer Service ▶ Retail Marketing ▶ Business Development ▶ Author

Results: Driven professional offering progressive experience in business, leadership and entrepreneurship. Business professor/instructor, primary and secondary education curriculum creator, retail sales and wholesale experience, automotive sales and retail marketing. Provide real life experience for business college students. Maximize company sales and revenue growth. Develops marketing initiatives to maximize company's revenue growth. Motivates, unites, and drives high performance teams to achieve company goals within time and budget constraints.

SELECT ACCOMPLISHMENTS

- Creator of Young Bosses Entrepreneurs summer camp for youth participants providing business, leadership and entrepreneurship training.
- Produced and launched The Business Bootcamp Conference for youth and adult entrepreneurs.
- Creator of Wizzievile Adventures Kid entrepreneur book series with state standards for career and college readiness.
- Developed professional trainings for corporations, communities, and youth.
- Created entrepreneurship and leadership curriculum for youth and adult students with interactive business workbook.
- Created and launched early childcare program with learning curriculum approved by the state of Maryland.
- Improved childcare revenue in 2016 87% year over year.
- Created Dream Catchers Academy master entrepreneurship online course for students nationally and internationally.
- Self-published seven books of literature and provide manuscript publishing consultation to clients.
- Improved the Baltimore Metro dealerships 2013 overall sales 5.2% vs. 2012; respectively compared to 3.7% increase in regional overall sales. Accomplished in 2013 a 16.9% market share increase vs. 14% in 2012.
- Increased Baltimore Metro dealerships sales efficiency in 2013 to 114% vs. 107% in 2012 increasing the Baltimore Metro total sales volume compared to competitors.
- Achieved 105.1% of wholesale target in 2013 generating over \$5.7 million in revenue for Baltimore Metro dealerships.

PROFESSIONAL SUMMARY

Allen University & Benedict College, Professor

2019-Current

Professor for the Division of Business and Entrepreneurship with the primary function of preparing business students for the world of free enterprise. Provide advisement for students preparing for graduation as their academic advisor. Assist with preparing and presenting course materials provided by the college with a real-world component as an active entrepreneur. Develop syllabi, facilitate lectures, assign course work and supervise test/skill assessments. Founder of Women in Business Association for all women on campus.

Dream Catchers Corporation, Owner/Coach/Author/Instructor/Consultant **2013-Current**
Certified business and leadership coach training corporate offices, professionals, entrepreneurs and small businesses. Business and entrepreneurship curricula focused. Business leadership coaching and training with a concentration in diversity and inclusion, professional development training and business leadership for corporations. Concentration of building and selling businesses. Producer of business conferences and master classes. Producer of learning academies and online learning courses. Consultant for self-publishing authors of fiction and non-fiction literature.

Children of Tomorrow Learning Center & Child Care, Corp, Owner **2014-2018**
Created and launched curriculum within childcare facility. Managed staff and all human resource functions. Responsible for yearly budget for all programs throughout the school year and summer program. Improved profitability by 87% in 2016. Tripled childcare enrollment from 2015 to 2016. Accomplished level II of Maryland Excels Certification and maintain 100% staff credentialing with the state of Maryland.

TOYOTA, Central Atlantic Regional Headquarters, Regional Sales Manager Toyota **2009-2014**
Improved the Baltimore Metro dealership profitability over \$5.7 million in 2013. Created dealership sales plans based on inventory availability. Budgeted finances for sales training and created learning curriculums to enhance product knowledge. Provided feedback regarding dealership advertising and marketing plans to maximize inventory and regional incentives. Analyzed and reviewed sales reports to assist dealerships with identifying opportunities to increase market share. Worked with dealerships to ensure product knowledge, training/certification and customer satisfaction.

TOYOTA, Central Atlantic Regional Headquarters, Regional Sales Manager Scion **2009-2009**
Developed dealership marketing initiatives to successfully sale inventory. Promoted and coordinated marketing events to maximize sales and to create brand awareness with attendance averaging 250 guests. Created contracts with numerous marketing vendors to enhanced marketing events not exceeding a \$20,000 budget per event. Supported community services to build relationships within the community and developed brand representation.

TOYOTA, Central Atlantic Regional Headquarters, Regional Service & Parts Manager **2007-2009**
Ensured dealer participation in marketing programs to achieve district product and sales objectives. Supported the achievement of regional customer satisfaction and retention goals by reviewing and providing best practices to dealers. Monitored dealer warranty expense and goodwill claims within the district.

TOYOTA, Toyota Motor Sales, USA, Inc., Management Trainee **2006-2007**
Handled dispute resolution with Lexus customers to ensure customer loyalty. Supported marketing promotions for service and parts operations. Traveled and managed dealership conferences with Toyota senior representatives. Conducted dealership audits and consultations for Toyota Rent a Car throughout the USA. Forecasted sales objectives by vehicle line to ensure dealer orders met market demands.

TOYOTA, Priority Toyota, New and Used Inventory Sales Consultant **2004-2006**
Maximized company retail sales and revenue growth. Supported monthly marketing concentrated vehicles. Accomplished individual sales objectives per month. Responsible for achieving sales certification and assisted with organizing staff training. Worked effectively with sales management staff to attain sales objectives.

GALLUP STRENGTHS

Relator, Focus, Achiever, Futuristic and Strategic

AWARDS & Organizations

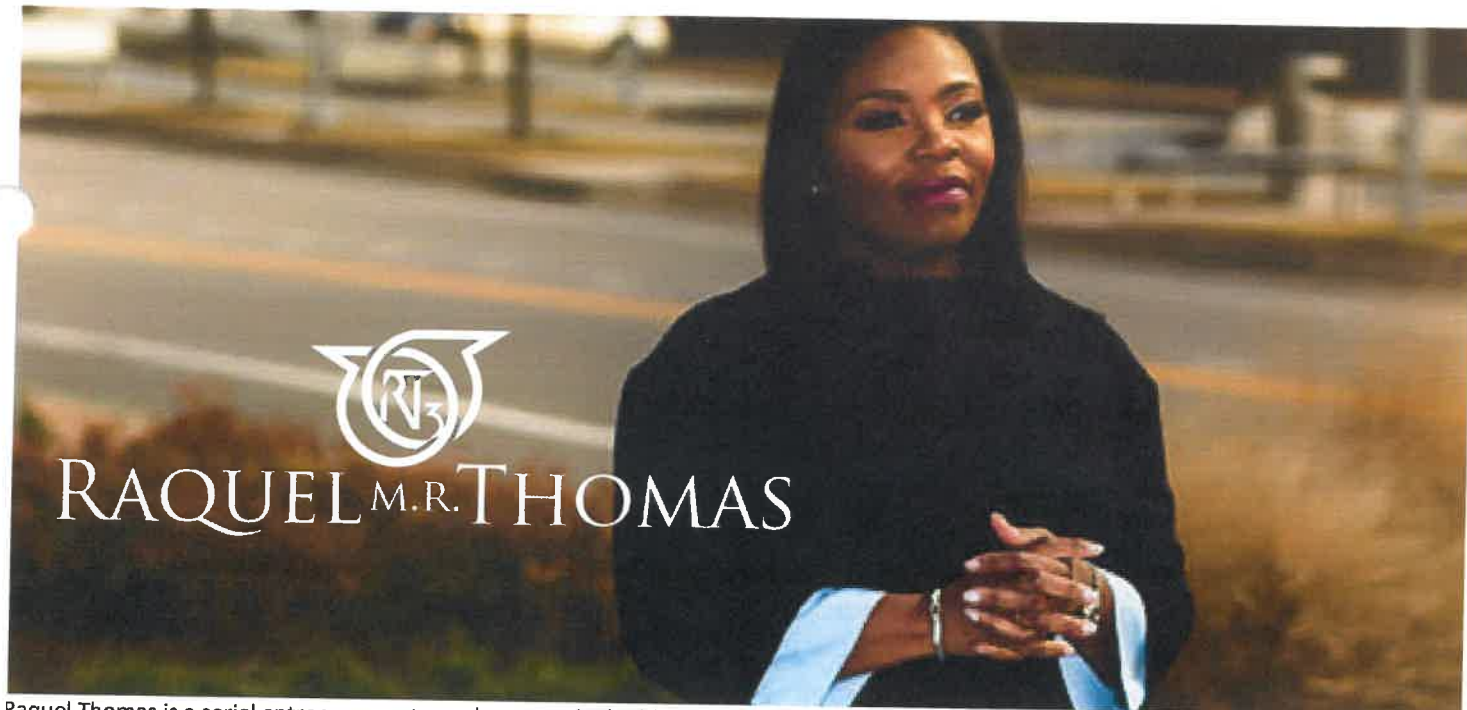
John C. Maxwell Certified Coach, Speaker, and Trainer, Benedict College Business Advisory Board of the Tyrone Adam Burroughs School of Business & Entrepreneurship, Core Team Committee United Way of the Midlands, Member of Junior League of Columbia, Founder of Women in Business Association at Allen University, Founder of Business Boot Camp Conference, Executive Director and founder of Dream Catchers Foundation, Director of Emerge SC, Board Member of W. J. Keenan Leadership Career Magnet Program, Board Member of South Carolina Black Pages, Director and Member of Youth Services South Carolina Black Pride, Board Member of The Gathering, 20 Under 40 Award Black Pages South Carolina, Maryland Excels Level II Childcare Center, Maryland State Department of Education Credential, National Association of Professional Women -VIP Woman of the Year Circle, National Association of Professional Women – Award of Excellence and Dedication, The Obsidian Award, Collegiate Basketball Player

CREDENTIALS

Master of Business Administration, University of Maryland University College; 2010

Bachelor of Science Business Marketing, Virginia State University; 2005

Certification of Business Leadership, John C. Maxwell; 2018



RAQUEL M.R. THOMAS

Raquel Thomas is a serial entrepreneur turned community builder and servant. A native of Columbia, South Carolina, Raquel took a broken childhood and used it to fuel her passion and purpose. A former high school athlete turned collegiate athletic scholar; Raquel's first love was basketball. She lettered in 4 sports at Dreher High School in Columbia to include: basketball, volleyball, soccer and track & field. Raquel graduated from Virginia State University with a degree in Business Marketing and went on to earn a Master's in Business Administration from the University of Maryland University College.

After graduating, Raquel went to work for the automotive giant Toyota Motor Sales, Inc. as a Regional Sales Manager. At Toyota, Raquel worked with the Baltimore Metro dealerships to increase profitability and to identify opportunities to increase market share. After 8 years at Toyota, Raquel decided to venture into entrepreneurship and opened her first daycare, Children of Tomorrow Learning Center & Child Care. A year later, she opened DMR Fashion, a retail store for children, women and men whose clothing provides messages to empower individuals to become their best. Simultaneously, Raquel opened The Museum Shop, an upscale urban clothing retail store in Washington, DC. Raquel is also a published author of seven Best Selling Books.

Raquel's passion for children and her community continued to tug at her heartstrings so she created Dream Catchers Foundation where she teaches the youth entrepreneurship. Dream Catchers Foundation is a non-profit organization for children who dare to dream. The Foundation's mission is to teach and demonstrate to children that dreamers can catch their dreams by living healthy, productive, goal driven lives. Raquel hosts free seminars and events for children throughout the year to include her annual summer camp and Young Bosses Entrepreneur Camp.

After over a decade of working and living in the DMV area, in 2017, Raquel decided to move back to Columbia, SC to enrich the very community she was raised in. Now a resident of Columbia, SC, Raquel continues to run several successful businesses and recently opened a Southern Soul Food Restaurant Called the Gold Den. A mother of two, Raquel is focused on building her community.



Raquel has dedicated her life to enriching, empowering and equipping women and children. She is the author of seven books, to include *What Becomes of a Broken Soul*, *Shifting into Purpose: The Journey to Entrepreneurship* a workbook for novice entrepreneurs and the children's series of 5 books *Wizzieville Adventures*. Raquel teaches entrepreneurship and business at several colleges and universities. As a community builder, Raquel has been recognized by the National Association of Professional Women as the VIP Woman of the Year and earned an Award of Achievement and has been recognized by SC Black Pages as a Top 20 Under 40 Professional. Raquel also serves as a Board Member of Benedict College Business Program, a member of Junior League, Keenan High School Magnet Program Advisory Board and is a mentor at the Department of Juvenile Justice and more.



**APPLICATION FOR SERVICE ON RICHLAND COUNTY
COMMITTEE, BOARD OR COMMISSION**

Applicant MUST reside in Richland County.

Name: Millisa M. Bates (Millie)
Home Address: 1534 Idalia Drive, Columbia 29206
Telephone: (home) 803. 917. 1175 (work) 803. 777. 2424
Office Address: USC Biological Sciences, 700 Sumter St. #401, 29208
Email Address: millie.m.bates@gmail.com
Educational Background: MS. Biology, MBA Moore School
Professional Background: Biosciences (research, sales, teaching). Resume attached
Male Female Age: 18-25 26-50 Over 50

Name of Committee in which interested: Richland Memorial Hospital

Reason for interest: I am now able to volunteer my time and assets. Also I was my husband's caregiver and navigated local hospitals as well as Wake Forest and MD Anderson
Your characteristics/qualifications, which would be an asset to Committee, Board or

Commission:

I have a biosciences background, worked in medical research and medical sales. Currently in my 13th year in Biological Sciences teaching
Presently serve on any County Committee, Board or Commission? N/A

Any other information you wish to give? Resume attached

Recommended by Council Member(s): N/A

Hours willing to commit each month: whatever needed

CONFLICT OF INTEREST POLICY

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Such conflict of interest does not preclude service but shall be disclosed before appointment. The Clerk of Council shall be notified of any change on an annual basis and members of all Committees, Boards or Commissions shall be required to abstain from voting or influencing through discussion or debate, or any other way, decisions of the Committee, Board or Commission affecting those personal and financial interests.

All statements so filed shall be signed and verified by the filer. The verification shall state that the filer has used all reasonable diligence in its preparation, and that to the best of his or her knowledge, it is true and complete.

Any person who willfully files a false or incomplete statement of disclosure or no change of condition, or who willfully fails to make any filing required by this article, shall be subject to such discipline, including censure and disqualification from the Committee, Board or Commission, by majority vote of the council.

Have you been convicted or pled no contest of a crime other than minor traffic violations; checking yes does not automatically preclude you from consideration for appointment.

Yes _____ No _____

STATEMENT OF FINANCIAL OR PERSONAL INTERESTS

Do you have any financial or personal interest in any business or corporation (profit or not-for-profit) that could be potentially affected by the actions of the Committee, Board or Commission?

Yes _____ No _____

If so, describe: _____

Melissa M. Bates 3/4/21
Applicant's Signature Date

Return to:
Clerk of Council, Post Office Box 192, Columbia, SC 29202.
For information, call 576-2060.

One form must be submitted for each Committee, Board or Commission on which you wish to serve.

Applications are current for one year.

Staff Use Only	
Date Received: <u>3/5/21</u>	Received by: <u>John W</u>
Date Sent to Council: _____	
Status of Application: <input type="checkbox"/> Approved 506 <input checked="" type="checkbox"/> Denied <input type="checkbox"/> On file	

Millisa Marcengill Bates
1534 Idalia Drive Columbia, SC 29206
+1 (803) 917-1175 millie.m.bates@gmail.com

PROFESSIONAL SUMMARY

MBA with International Business certificate and graduate degree in Biology

EXPERIENCE

UNIVERSITY OF SOUTH CAROLINA

Columbia, SC USA

Adjunct Professor, Department of Biology

January 2009 – present

Serve as lecturer and lab coordinator for introductory Biology course and Anatomy and Physiology.

- Lecture, Instruct and coordinate lab sections, order all supplies, supervise teaching assistants
- Introduced technology curriculum changes that have led to overall higher averages and student success
- Effectively communicate science concepts to non-science audience; Overall instructor evaluation 2020: 4.7 on a 5.0 scale.

SONOCO

Hartsville, SC USA

Global Expansion Strategy Consulting Project, MBA

January 2014-May 2014

Created a go-to-market strategy for entering a South East Asian market with a competitive intelligence team

- Worked with Director of Marketing to research market segmentation and business acquisition opportunities
- Explored new partnerships in target market to increase market share by millions of dollars

AMERICAN RED CROSS

Washington, DC USA

Territory Manager, Tissue Services

August 1996 – January 2005

Managed competitive, multi-state territory marketing various surgical products to decision makers within hospitals and physician offices.

- Recognized as “Top Sales Performer” and consistently achieved sales goals in excess of \$500,000
- Supervisory experience as a Senior sales representative, training and working along with the sales team
- Determined territory breakdown and identified growth by segmenting hospitals’ specialties and bed size

CAROLINAS MEDICAL CENTER

Charlotte, NC USA

Research Technician II

August 1994 – August 1996

Provided research support for the Emergency Medicine Department focused primarily on heart studies. Basic science research in the laboratory created synergy with clinical studies in the hospital.

- Led various projects involving small animal studies, biochemical assays and tissue analyses.
- Cultured cells for fluorescence microscopy studies.
- Presented research at *International Society for Heart Research* London, Ontario.

EDUCATION

MOORE SCHOOL OF BUSINESS, University of South Carolina

Columbia, SC USA

Master of Business Administration, International Business certificate

August 2014

Jim Hodges Scholar to China, Honor Society

UNIVERSITY OF NORTH CAROLINA

Charlotte, NC USA

Master of Science, Biology

August 1994

Published thesis research in *Journal of Molecular & Cellular Cardiology*

ERSKINE COLLEGE

Due West, SC USA

Bachelor of Science, Biology

May 1992

Class President, Omicron Delta Kappa Honor Society, Distinguished Student Service Award

IT SKILLS

MS Office

COMMUNITY INVOLVEMENT Athletic Booster Club, Basketball Coach, Rosewood Elementary Foundation Board Member, Montessori Children’s House Board Member, Presbyterian Women’s Council



+

**APPLICATION FOR SERVICE ON RICHLAND COUNTY
COMMITTEE, BOARD OR COMMISSION**

Applicant MUST reside in Richland County.

Name: Clifford Bourke, Jr.
Home Address: 2051 Blythewood Crossing Lane, Apt. 812, Blythewood, SC 29016
Telephone: (home) 803.361.4155 (work) 803.939.3485
Office Address: 420 Davega Rd., Lexington, SC 29073
Email Address: cliff.bourke@sefl.com
Educational Background: 1997 Graduate USC (Philosophy & Criminal Justice); 2001 Graduate USC School of Law (Juris Doctorate)
Professional Background: V.P. of Legal Services (General Counsel) for Southeastern Freight Lines, Inc.
Male Female Age: 18-25 26-50 Over 50
Name of Committee in which interested: Riverbanks Park Commission

Reason for interest: I previously served on the Riverbanks Society Board and am interested in serving on this commission to continue providing guidance and collaborative oversight towards the delivery of Riverbank's recreation services. Riverbanks is a strong recreational and economic partner for the Greater Midlands area and I welcome the opportunity to continue serve and guide its growth.

Your characteristics/qualifications, which would be an asset to Committee, Board or

Commission:

I operate with integrity and am not only focused on doing the right thing in the moment, but actively look for ways to steward for long-term success.
I enjoy collaborative working and believe strongly in holding myself accountable and take very seriously my duty to make sure an organization is accountable for advancing its mission.

Presently serve on any County Committee, Board or Commission? None.

Any other information you wish to give? I hope to add another dimension of expertise, experience, talent, and passion to the Commission.

Recommended by Council Member(s): N/A -- Recommended by Thomas K. Stringfellow

Hours willing to commit each month: Willing to commit the time needed to effectively perform the requirements of the role

CONFLICT OF INTEREST POLICY

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Have you been convicted or pled no contest of a crime other than minor traffic violations; checking yes does not automatically preclude you from consideration for appointment.

Yes _____ No _____

STATEMENT OF FINANCIAL OR PERSONAL INTERESTS

Do you have any financial or personal interest in any business or corporation (profit or not-for-profit) that could be potentially affected by the actions of the Committee, Board or Commission?

Yes _____ No _____

If so, describe: _____


Applicant's Signature

2/17/2021
Date

Return to:
Clerk of Council, Post Office Box 192, Columbia, SC 29202.
For information, call 576-2060.

One form must be submitted for each Committee, Board or Commission on which you wish to serve.

Applications are current for one year.

Staff Use Only	
Date Received: <u>2/19/21</u>	Received by: <u>JHUO</u>
Date Sent to Council: _____	
Status of Application: <input type="checkbox"/> Approved <input type="checkbox"/> Denied <input type="checkbox"/> On file	



APPLICATION FOR SERVICE ON RICHLAND COUNTY COMMITTEE, BOARD OR COMMISSION

Applicant MUST reside in Richland County.

Name: Lisa Ellis

Home Address: 7025 John Edward Street, Columbia, SC 29209

Telephone: (home) (803) 231-8528 (work) (803) 691-4090

Office Address: 10901 Wilson Boulevard, Blythewood, SC 29016

Email Address: leellis75@yahoo.com

Educational Background: BA- English, MS- Forest Resources, MA- Organizational Leadership

Professional Background: High school teacher & Director of Student Activities

Male [] Female [x] Age: 18-25 [] 26-50 [x] Over 50 []

Name of Committee in which interested: Riverbanks Parks Commission

Reason for interest: It is a treasure to Richland County, and I want to help continue its legacy.

Your characteristics/qualifications, which would be an asset to Committee, Board or Commission:

I have an advanced degree in running an organization. Strong characteristics include attention to detail, event planning, and strong oral & written skills.

Presently serve on any County Committee, Board or Commission? no

Any other information you wish to give? I am ready to serve Richland County.

Recommended by Council Member(s):

Hours willing to commit each month: 5-10 hours

CONFLICT OF INTEREST POLICY

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Have you been convicted or pled no contest of a crime other than minor traffic violations; checking yes does not automatically preclude you from consideration for appointment.

Yes _____ No _____

STATEMENT OF FINANCIAL OR PERSONAL INTERESTS

Do you have any financial or personal interest in any business or corporation (profit or not-for-profit) that could be potentially affected by the actions of the Committee, Board or Commission?

Yes _____ No _____

If so, describe: _____

Risa Ellis
Applicant's Signature

2/25/2021
Date

**Return to:
Clerk of Council, Post Office Box 192, Columbia, SC 29202.
For information, call 576-2060.**

One form must be submitted for each Committee, Board or Commission on which you wish to serve.

Applications are current for one year.

Staff Use Only	
Date Received: _____	Received by: _____
Date Sent to Council: _____	
Status of Application: <input type="checkbox"/> Approved	<input type="checkbox"/> Denied <input type="checkbox"/> On file



**APPLICATION FOR SERVICE ON RICHLAND COUNTY
COMMITTEE, BOARD OR COMMISSION**

Applicant MUST reside in Richland County.

Name: Virginia L. Crocker

Home Address: 23 Millponf Columbia, South Carolina 292904

Telephone: (home) 803.960.0267 (work) 803.896.5100

Office Address: Public Service Commission 101 Executive Center, Suite 100 Columbia 20210

Email Address: vcrocker@sc.rr.com

Educational Background: BA Columbia College Speech and Drama

Professional Background: Former Legislator, Workers Compensation Commissioner

Male Female Age: 18-25 26-50 Over 50

Name of Committee in which interested: Richland Memorial Hospital, Riverbanks Park

Reason for interest: Prior service on the hospital Board, Hospitality Development interest
I'm happy to serve in any capacity

Your characteristics/qualifications, which would be an asset to Committee, Board or
Commission:
Prior public service throughout my career both in elected positions and appointed positions

Presently serve on any County Committee, Board or Commission? no

Any other information you wish to give? _____

Recommended by Council Member(s): _____

Hours willing to commit each month: Whatever is required

CONFLICT OF INTEREST POLICY

It is the policy of Richland County to require disclosure of any personal or financial interest that may be influenced by decisions of the Committee, Board or Commission for which any citizen applies for membership.

Because of my employment as a Senior Paralegal at the Public Service Commission of South C. I am under the Judicial Code of Conduct which does not allow me to request donations from anyone.

Such conflict of interest does not preclude service but shall be disclosed before appointment. The Clerk of Council shall be notified of any change on an annual basis and members of all Committees, Boards or Commissions shall be required to abstain from voting or influencing through discussion or debate, or any other way, decisions of the Committee, Board or Commission affecting those personal and financial interests.

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Have you been convicted or pled no contest of a crime other than minor traffic violations; checking yes does not automatically preclude you from consideration for appointment.

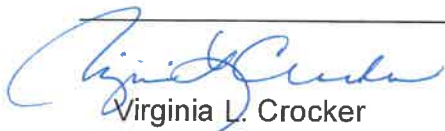
Yes _____ No ^x _____

STATEMENT OF FINANCIAL OR PERSONAL INTERESTS

Do you have any financial or personal interest in any business or corporation (profit or not-for-profit) that could be potentially affected by the actions of the Committee, Board or Commission?

Yes _____ No ^x _____

If so, describe: _____



Virginia L. Crocker
Applicant's Signature

February 23, 2021
Date

Return to:
Clerk of Council, Post Office Box 192, Columbia, SC 29202.
For information, call 576-2060.

One form must be submitted for each Committee, Board or Commission on which you wish to serve.

Virginia L. Crocker

Applications are current for one year.

Staff Use Only	
Date Received: <u>3/5/21</u>	Received by: <u>JHUW</u>
Date Sent to Council: _____	
Status of Application:	<input type="checkbox"/> Approved <input type="checkbox"/> Denied <input type="checkbox"/> On file

VIRGINIA LEAMAN CROCKER
803.738.9322 Home

VCROCKER@SC.RR.COM
803.960.0267 Cell

Virginia Crocker is a native of Clinton, South Carolina and a graduate of Columbia College with a degree in Speech and Drama and a minor in Political Science. Upon graduation from Columbia College, she joined the staff of Governor John C. West. She then served as a member of the South Carolina House of Representatives representing Laurens County from 1978 through 1984. While serving in the House, she was Assistant Director of Admissions and Director of Special Projects at Presbyterian College in Clinton. In the House, she served on the Labor, Commerce, and Industry Committee, the State House Committee; and as House Majority Whip. She was awarded the Legislator of the Year Award from both the South Carolina Education Association and the South Carolina School Boards Association for her contribution to the Education Improvement act of 1984. She is an honorary alumna of Presbyterian College.

Governor Richard W. Riley appointed her to the Workers' Compensation Commission in 1984 where she served until 1992. While on the Commission, she served as Vice-Chair and was instrumental in reforming the policies and procedures of the Commission and writing the current rules and regulations.

In 1996 she was named Executive Director of the House Democratic Caucus where she worked with then Caucus Leader, Representative Jim Hodges. In 1998, she joined Representative Hodges' campaign staff. In January 1999, Governor Hodges appointed her to his staff in the position of Director of Intergovernmental and Community Relations; where she served throughout his term.

She is a former member of the Board of Visitors of Presbyterian College and Columbia College. Additionally, she served as the Governor's representative on the Board of the North Carolina Healthcare Information and Communication Alliance, Inc. In 1999 she received the South Carolina Rural Health Association's Presidential Award of Merit for her work in improving healthcare in rural South Carolina. In 2002, Governor Jim Hodges appointed her to the State Commission on National and Community Service and the State Museum Board of Trustees. Additionally, Richland County Council appointed her to serve as a Trustee of Palmetto Richland Memorial Hospital Board. She is also a former member of the South Carolina Independent College and University Board of Trustees.

In 2004, she worked with the Democratic Party of South Carolina coordinating South Carolina's first Democratic Presidential Preference Primary and then served on the campaign staff of Inez Tenenbaum for the United States Senate. In 2006 she coordinated disaster relief for the Gulf Coast Evacuees of Hurricanes Katrina and Rita in the State of South Carolina through the South Carolina Emergency Management Division.

In 2007, she returned to the South Carolina Workers' Compensation Commission as Judicial Director where she served until 2014 when she left the Commission to serve as a mediator. She was awarded the Friend of the Little Man by the Injured Workers' Advocates of South Carolina in 2014. She currently serves as a member of the Voorhees College Board of Trustees and the Palmetto Health Foundation Board of Directors.

As a result of the statewide devastation of the October, 2015 record rainfall, she was asked by the Mayor of Columbia and the Director of the State Emergency Management Division to assist in coordinating the recovery efforts in collaboration with South Carolina Emergency Management, the City of Columbia, State Government; and all volunteer organizations involved in the recovery effort. She currently serves as the United Way of the Midlands representative on the LongTerm Recovery Group (LTRG). She currently serves as Senior Paralegal at the Public Service Commission of South Carolina.

Richland County Council Request for Action

Subject:

Spears Creek Church Rd. Project

Notes:

June 22, 2021 -- Staff requests Council approve the revision of the descoped plan to widen the section of Spears Creek Church Road between Earth Rd. and I-20 to five lanes and increase the referendum budget for this project to \$29M. (Increase of \$2,400,000)



Agenda Briefing

Prepared by:	Michael Niermeier	Title:	Director
Department:	Transportation	Division:	
Date Prepared:	May 25, 2021	Meeting Date:	June 22, 2021
Legal Review	Elizabeth McLean via email	Date:	June 14, 2021
Budget Review	James Hayes via email	Date:	June 09, 2021
Finance Review	Stacey Hamm via email	Date:	June 09, 2021
Approved for consideration:	Assistant County Administrator	John M. Thompson, Ph.D., MBA, CPM	
Committee	Transportation Ad Hoc		
Subject:	Spears Creek Church Rd. Project		

STAFF’S RECOMMENDED ACTION:

Option 1: Staff requests Council approve the revision of the descoped plan to widen the section of Spears Creek Church Road between Earth Rd. and I-20 to five lanes and increase the referendum budget for this project to \$29M. (Increase of \$2,400,000)

Option 2: Leave the project as it was descoped for 3 lanes with an initial estimate of \$20,000,000. (No change)

Request for Council Reconsideration: Yes

FIDUCIARY:

Are funds allocated in the department’s current fiscal year budget?		Yes	x	No
If no, is a budget amendment necessary?		Yes		No

ADDITIONAL FISCAL/BUDGETARY MATTERS TO CONSIDER:

There are currently sufficient funds in the budget for all design costs related to this project. The funds for utilities, Right-of-Way, and construction will be requested in future fiscal year budgets.

COUNTY ATTORNEY’S OFFICE FEEDBACK/POSSIBLE AREA(S) OF LEGAL EXPOSURE:

None.

REGULATORY COMPLIANCE:

None applicable.

MOTION OF ORIGIN:

There is no associated Council motion of origin.

Council Member	
Meeting	
Date	

STRATEGIC & GENERATIVE DISCUSSION:

In May of 2020, this project was descope to bring the project back to within its referendum amount. The original scope created by the former management team called for widening the road from two lanes to five lanes and to install sidewalks on both sides of the road. The project was descope to only widen the road to three lanes and the sidewalk installation was removed because sidewalks were not called for in the referendum.

Following the Council approved de-scope of Penny projects in May 2019, an On-Call Engineering Team (OET) was assigned and placed under contract in November 2020 to begin work on the Spears Creek Church Road Widening project. As part of the initial work, the OET conducted a traffic study and survey to obtain relevant data for design and cost estimation. According to the traffic study, the section of road between Two Notch Rd. and Earth Rd. (Section 1) will function adequately at a width of three (3) lanes even in the design year 2047. The section of road between Earth Rd. and I-20 (Section 2), however, will function at a failing level in the design year at a width of three (3) lanes.

The OET has provided a cost estimate to widen Section 1 (Two Notch Rd. and Earth Rd) to three (3) lanes and to widen Section 2 (Earth Rd. and I-20) to five (5) lanes in the amount of \$28,232,291.39. For this Council request, this dollar amount has been rounded up to \$29M to be conservative and to cover any inflation or unforeseen issues. COVID-19 caused issues with delays and material cost increases over the last year. Even though there has been a significant amount of recovery, it is still unknown at this time if and when material costs will fully return to pre-COVID ranges

Because this estimate is approximately \$2.4M above referendum, it is recommended to proceed with this revised scope, which will require all of the original \$26.6M referendum amount plus an additional \$2.4M to cover the additional widening and any unforeseen costs related to it. This will still result in a savings of \$20M from the original scope estimate of \$49,492,027.

Original Ordinance Referendum Amount: \$ 26,600,000

Original Scope Cost Estimate (5 Lanes): \$49,492,027

Descope Estimate (3 Lanes): \$ 20,000,000 (\$29.4M in approximate savings)

Descope Revision Estimate (3 Lanes and 5 Lanes): \$28,232,291.39

Additional Rescope Request: \$ 2,400,000 above the original ordinance referendum amount.

ADDITIONAL COMMENTS FOR CONSIDERATION:

The descope plan approved by Council provided an approximate \$56M in remaining roadway program money after all projects were completed according to the descope plan. Council recently approved to return the Garners Ferry\Harmon Intersection Project back to its original scope. It also recently approved to provide preliminary funding and a letter of commitment to the City of Columbia for the Innovista Ph. 3 project. Even after adding back the original scope funding for these projects, it is estimated that there will be an approximate \$50.2M remaining in the program after all projects are completed. This does not include the \$52.5M that was set aside for the I-20\Broad River Rd. Interchange project.

ATTACHMENTS:

1. Spears Creek Church Rd. Level of Service Breakdown
2. Total Project Cost Breakdown
3. Level of Service Reference

Spears Creek Church Rd. Level of Service Breakdown

In May 2020, Council approved the descoping of the Spears Creek Church Rd. Widening project from the planned five (5) lanes to only widening it to three (3) lanes in order to bring the project back to within its original referendum amount of \$26.6M. This new scope would address safety and the significant number of rear-end collisions along this road. It would also allow for an easier future widening of the road to five (5) lanes if funds were to become available.

Since the descoped approval, the County’s On-Call Engineering Team (OET) has collected existing and new traffic data, modeled future traffic projections and established the existing and future Level of Service (LOS) options along Spears Creek Church Rd. At the intersection of Spears Creek Church Rd. and Earth Rd., there is a significant change in the LOS design for design year 2047 due to an influx of traffic coming from Earth Road onto Spears Creek Church Road and on towards I-20.

The table below shows the traffic model projections and LOS for the road broken into two sections – Section 1 is Spears Creek Church Road between Two Notch Rd. and Earth Rd. Section 2 is Spears Creek Church Road between Earth Rd. and I-20. These values represent the existing conditions as well as the future 20-year condition after the roadway is built to its full width.

LEVEL OF SERVICE (LOS)				
	Existing	3 Lanes Entire Road in 2047	Section 1 - 3 Lanes Section 2 – 5 Lanes in 2047	No Build in 2047
Section 1 - West of Earth Rd.	C	D	D	F
Section 2 – East of Earth Rd.	C	F	C	F

Section 1 has an existing LOS C and with the proposed widening to 3 lanes, the LOS of service will be a D in the future year 2047. For this type of road, which is classified as an urban minor arterial, a LOS of C or D is customary and acceptable.

Section 2 has an existing LOS C. However, if this section is only widened to 3 lanes, the future condition in 2047 will be LOS F. If Section 2 is widened to a 5-lane segment, then the future 2047 LOS will be improved to a C.

Both sections will have a LOS of F if no widening is performed.

Spears Creek Church Road Widening
Preliminary Construction Cost Estimate
4/27/2021

Attachment 2

ELEMENT	ESTIMATE
Spears Creek Two Notch to Earth Road - 3-Lane (Roadway, Drainage and Bridge)	\$ 12,271,200.00
Spears Creek Earth Road to I-20 - 5-Lane (Roadway and Drainage)	\$ 4,272,250.00
Total Estimated Construction Cost (ECC)	\$ 16,543,450.00
Utility Relocations and Right-of-Way Acquisition (30% of ECC)	\$ 4,963,035.00
Construction Administration and Inspection (11% of ECC)	\$ 1,819,779.50
Construction Contingency (15% ECC)	\$ 2,481,517.50
Preliminary Construction Estimate Total	\$ 25,807,782.00
ELEMENT	CONTRACTED AMOUNT
Holt Design Contract	\$ 2,424,509.39
Grand Total	\$ 28,232,291.39

SPEARS CREEK CHURCH ROAD WIDENING - FROM: TWO NOTCH ROAD TO: EARTH ROAD
CURB AND GUTTER WITHOUT SIDEWALK
Preliminary Roadway, Drainage, & Bridge Estimated Cost of Construction
April 27, 2021

TOTAL LENGTH (MAINLINE)

1.48 MILES

TOTAL LENGTH (OTHER ROADS)

0.27 MILES

ITEM NO.	BAMS NO.	DESCRIPTION	QUANTS.	UNIT	UNIT PRICE	ITEM PRICE
	1031000	MOBILIZATION	1	LS	\$1,267,300.00	\$1,267,300.00
	1031100	MOBILIZATION - SUBCONTRACTOR	1	LS	\$894,600.00	\$894,600.00
	1031200	BRIDGE CONSTRUCTION ACCESS	1	LS	\$53,700.00	\$53,700.00
	1032010	BONDS & INSURANCE	1	LS	\$447,300.00	\$447,300.00
	1050800	CONST. STAKES, LINES & GRADES	1	EA	\$286,300.00	\$286,300.00
	1071000	TRAFFIC CONTROL	1	LS	\$894,600.00	\$894,600.00
	1080300	CPM PROGRESS SCHEDULE	1	LS	\$20,900.00	\$20,900.00
	2012000	CLEARING & GRUBBING WITHIN ROADWAY	1	LS	\$864,800.00	\$864,800.00
	2031000	UNCLASSIFIED EXCAVATION	11,100	CY	\$14.00	\$155,400.00
	2033000	BORROW EXCAVATION	36,400	CY	\$16.00	\$582,400.00
	2034000	MUCK EXCAVATION	650	CY	\$20.00	\$13,000.00
	2081001	FINE GRADING	18,640	SY	\$1.90	\$35,420.00
	2103000	FLOWABLE FILL	90	CY	\$250.00	\$22,500.00
	3069900	MAINTENANCE STONE	300	TON	\$60.00	\$18,000.00
	3100310	HOT MIX ASPHALT BASE COURSE -TYPE A	8,845	TON	\$68.00	\$601,460.00
	4011004	LIQUID ASPHALT BINDER PG64-22	989	TON	\$500.00	\$494,500.00
	4012080	FULL DEPTH ASPHALT PATCHING (8" UNIFORM)	150	SY	\$90.00	\$13,500.00
	4013990	MILLING EXISTING ASPHALT PAVEMENT (VARIABLE)	26,830	SY	\$5.50	\$147,570.00
	4020320	HOT MIX ASPHALT INTERMEDIATE COURSE -TYPE B	5,105	TON	\$55.00	\$280,780.00
	4030320	HOT MIX ASPHALT SURFACE COURSE -TYPE B	5,105	TON	\$57.00	\$290,990.00
	7203210	CONCRETE CURB AND GUTTER(2'-0") VERTICAL FACE	16,760	LF	\$20.50	\$343,580.00
	8051151	MT3 LEADING END TREATMENT TL3	2	EA	\$3,000.00	\$6,000.00
	8051710	MB TRAILING END TREATMENT	2	EA	\$1,400.00	\$2,800.00
	8052100	MGS3 GR STANDARD SHOULDER	1,000	LF	\$25.00	\$25,000.00
	8053253	MTBBC3 MASH THRIE-BEAM BARRIER CONNECTOR TL3	4	EA	\$2,200.00	\$8,800.00
	8055250	NON-MOW STRIP UNDER GUARDRAIL	775	SY	\$50.00	\$38,750.00
		DRAINAGE	1.743	MI	\$695,000.00	\$1,211,390.00
		PAVEMENT MARKING AND SIGNING	1.743	MI	\$25,000.00	\$43,580.00
		SIGNALIZED INTERSECTION	2.000	EA	\$150,000.00	\$300,000.00
		SEDIMENT AND EROSION CONTROL	1.743	MI	\$185,000.00	\$322,460.00
CUMULATIVE TOTAL =						\$9,688,000.00
I	MISC. & INCIDENTAL ROADWAY ITEMS (15%)					\$1,453,200.00
II	ADDITIONAL ITEMS (BRIDGE):					
	Assumes new bridge over Spears Creek (40'-40'-40' Flat Slab Bridge) due to significant grade changes and dam breach					\$1,130,000.00
III	TOTAL ESTIMATED CONSTRUCTION COST (ECC)					\$12,271,200.00
IV	UTILITY RELOCATIONS AND RIGHT-OF-WAY ACQUISITION (30% of ECC)					\$3,681,360.00
IV	CONSTRUCTION ADMINISTRATION & INSPECTION (11% of ECC)					\$1,349,832.00
IV	CONSTRUCTION CONTINGENCY (15% ECC)					\$1,840,680.00
PROJECT TOTAL =						\$19,143,072.00

SPEARS CREEK CHURCH ROAD WIDENING - FROM: EARTH RD. TO I-20
CURB AND GUTTER WITHOUT SIDEWALK
Preliminary Roadway, Drainage, & Bridge Estimated Cost of Construction
April 27, 2021

TOTAL LENGTH (MAINLINE)

0.89 MILES

TOTAL LENGTH (OTHER ROADS)

0.25 MILES

ITEM NO.	BAMS NO.	DESCRIPTION	QUANTS.	UNIT	UNIT PRICE	ITEM PRICE
	1031000	MOBILIZATION	1	LS	\$135,300.00	\$135,300.00
	1031100	MOBILIZATION - SUBCONTRACTOR	1	LS	\$95,600.00	\$95,600.00
	1032010	BONDS & INSURANCE	1	LS	\$47,800.00	\$47,800.00
	1050800	CONST. STAKES, LINES & GRADES	1	EA	\$30,600.00	\$30,600.00
	1071000	TRAFFIC CONTROL	1	LS	\$127,400.00	\$127,400.00
	1080300	CPM PROGRESS SCHEDULE	1	LS	\$2,300.00	\$2,300.00
	2012000	CLEARING & GRUBBING WITHIN ROADWAY	1	LS	\$92,400.00	\$92,400.00
	2031000	UNCLASSIFIED EXCAVATION	5,360	CY	\$14.00	\$75,040.00
	2033000	BORROW EXCAVATION	4,500	CY	\$16.00	\$72,000.00
	2034000	MUCK EXCAVATION	100	CY	\$20.00	\$2,000.00
	2081001	FINE GRADING	13,100	SY	\$1.90	\$24,890.00
	2103000	FLOWABLE FILL	100	CY	\$250.00	\$25,000.00
	3069900	MAINTENANCE STONE	200	TON	\$60.00	\$12,000.00
	3100310	HOT MIX ASPHALT BASE COURSE -TYPE A	6,224	TON	\$68.00	\$423,240.00
	4011004	LIQUID ASPHALT BINDER PG64-22	817	TON	\$500.00	\$408,500.00
	4012080	FULL DEPTH ASPHALT PATCHING (8" UNIFORM)	50	SY	\$90.00	\$4,500.00
	4013990	MILLING EXISTING ASPHALT PAVEMENT (VARIABLE)	26,950	SY	\$5.50	\$148,230.00
	4020320	HOT MIX ASPHALT INTERMEDIATE COURSE -TYPE B	4,770	TON	\$55.00	\$262,350.00
	4030320	HOT MIX ASPHALT SURFACE COURSE -TYPE B	4,593	TON	\$57.00	\$261,810.00
	7203210	CONCRETE CURB AND GUTTER(2'-0") VERTICAL FACE	10,900	LF	\$20.50	\$223,450.00
	8051151	MT3 LEADING END TREATMENT TL3	2	EA	\$3,000.00	\$6,000.00
	8051710	MB TRAILING END TREATMENT	2	EA	\$1,400.00	\$2,800.00
	8052100	MGS3 GR STANDARD SHOULDER	875	LF	\$25.00	\$21,880.00
	8055250	NON-MOW STRIP UNDER GUARDRAIL	615	SY	\$50.00	\$30,750.00
		DRAINAGE	1.137	MI	\$695,000.00	\$790,220.00
		PAVEMENT MARKING AND SIGNING	1.137	MI	\$25,000.00	\$28,430.00
		SIGNALIZED INTERSECTION	1.000	EA	\$150,000.00	\$150,000.00
		SEDIMENT AND EROSION CONTROL	1.137	MI	\$185,000.00	\$210,350.00

CUMULATIVE TOTAL = **\$3,715,000.00**







I	MISC. & INCIDENTAL ROADWAY ITEMS (15%)	\$557,250.00
II	TOTAL ESTIMATED CONSTRUCTION COST (ECC)	\$4,272,250.00
III	CONSTRUCTION ADMINISTRATION & INSPECTION (11% of ECC)	\$469,947.50
IV	UTILITY RELOCATIONS AND RIGHT-OF-WAY ACQUISITION (30% of ECC)	\$1,281,675.00
V	CONSTRUCTION CONTINGENCY (15% ECC)	\$640,837.50

PROJECT TOTAL = \$6,664,710.00

LEVELS OF SERVICE

for Multi-Lane Highways

Attachment 3

Level of Service	Flow Conditions	Operating Speed (mph)	Technical Descriptions
A		60	Highest level of service. Traffic flows freely with little or no restrictions on maneuverability. No delays
B		60	Traffic flows freely, but drivers have slightly less freedom to maneuver. No delays
C		60	Density becomes noticeable with ability to maneuver limited by other vehicles. Minimal delays
D		57	Speed and ability to maneuver is severely restricted by increasing density of vehicles. Minimal delays
E		55	Unstable traffic flow. Speeds vary greatly and are unpredictable. Minimal delays
F		<55	Traffic flow is unstable, with brief periods of movement followed by forced stops. Significant delays

Richland County Council Request for Action

Subject:

Compensation Recommendation

Notes:

June 24, 2021 – The Detention Center Ad Hoc Committee recommended Council approve an increase to the starting pay for detention officers, with less than a year of employment in a correction facility, to \$34,000 a year; and increase the starting pay for detention officers, with more than a year of employment in a correctional facility, to \$35,000 a year. The pay increase will become effective July 3, 2021.



Agenda Briefing

Prepared by:	Lori Thomas	Title:	Assistant County Administrator	
Department:	Administration	Division:		
Date Prepared:	June 28, 2021	Meeting Date:	July 13, 2021	
Legal Review	Elizabeth McLean via email	Date:	June 28, 2021	
Budget Review	James Hayes via email	Date:	July 06, 2021	
Finance Review	Stacey Hamm via email	Date:	June 29, 2021	
Approved for consideration:	County Administrator	Leonardo Brown, MBA, CPM		
Committee	Detention Center Ad Hoc			
Subject:	Detention Center Officer Compensation Recommendation			

STAFF’S RECOMMENDED ACTION:

Staff recommends a motion for pay for new and existing officers to be increased as follows:

1. New and existing officers with less than one year of employment in a correction facility or law enforcement experience would be compensated at a minimum of \$34,000 annually; and
2. New and existing officers with one year of employment in a correction facility or law enforcement experience would be compensated at a minimum of \$35,000 annually.

Request for Council Reconsideration: Yes

FIDUCIARY:

Are funds allocated in the department’s current fiscal year budget?	<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>	No
If no, is a budget amendment necessary?	<input type="checkbox"/>	Yes	<input type="checkbox"/>	No

ADDITIONAL FISCAL/BUDGETARY MATTERS TO CONSIDER:

There would be no fiscal impact as the additional compensation would be paid from allocated funds for 50 detention officer positions that would be temporarily frozen.

The Office of Budget & Grants Management has shared its concerns with the County Administrator that the proposed plan may not be able to be absorbed by the detention center without additional outside funding being necessary. Much of the detention center’s budget surplus in “Salaries” is used to cover the deficit in “Overtime” and other, unbudgeted needs of the facility. Additional funding may be necessary toward the end of the fiscal year.

COUNTY ATTORNEY’S OFFICE FEEDBACK/POSSIBLE AREA(S) OF LEGAL EXPOSURE:

None.

REGULATORY COMPLIANCE:

None applicable.

MOTION OF ORIGIN:

There is no associated Council motion of origin; however, at the Detention Center Ad Hoc committee meeting held on June 24, 2021, committee members unanimously approved staff’s recommendations.

Council Member	
Meeting	
Date	

STRATEGIC & GENERATIVE DISCUSSION:

This proposal specifically addresses the recruitment of new detention officers and retention of recent hires at the ASGDC. As of June 4, 2021, there were approximately 141 detention officer vacancies. This number is higher than normal.

An evaluation of staff by detention center management indicates that the facility could operate effectively with less than the 264 budgeted detention officers. This proposal would temporarily freeze 50 detention officer positions with the goal of achieving a staffing level of 214 detention officers. The savings of this measure would allow the starting pay and pay for those existing employees with the same qualifications to increase by up to \$2,789 annually, dependent on experience.

This starting salary range would place Richland County on average with all counties with a population of 200,000 or greater and above the average of all surrounding competitors with the exception of Lexington County.

County	Minimum	Maximum	Midpoint	Population
Berkeley	31,405	48,677	40,041	221,091
Charleston	33,041	56,852	44,947	405,905
Greenville	37,842	51,977	44,910	514,213
Lexington	36,891	55,337	46,114	295,032
Richland	32,210	51,536	41,873	414,576
Spartanburg	33,388	50,082	41,735	313,888
York	35,520	49,728	42,624	274,118
ARITHMETIC AVERAGES:	34,328	52,027	43,178	

County	Minimum	Maximum	Midpoint	Population
Fairfield	29,184	35,021	40,858	22,402
Kershaw	25,621	31,738	37,855	65,592
Newberry	27,528	35,061	42,594	38,520
Orangeburg	33,935	42,826	51,717	86,934
Sumter	29,000	31,500	34000	106,512

To accomplish this, an aggressive recruitment program would be implemented with emphasis on social media platforms such as Facebook, Twitter, Instagram and YouTube as well as press releases and traditional recruiting methodology. Human Resources and the PIO have developed materials that would be quickly available for publication.

This change would be augmented by a full development of a new career and salary structure for the detention center that would be implemented over the coming fiscal year that would ensure competitive pay as well as clarity for employees related to career growth.

The results of these efforts would be as follows:

- Competitive wages
- Career opportunities
- Reduced overtime to ensure work/like balance for employees
- Increased security and safety for employees, inmates and detainees.

ADDITIONAL COMMENTS FOR CONSIDERATION:

A full recommendation on detention center staffing structure and salaries is forthcoming at the next Council meeting.

ATTACHMENTS:



REQUEST OF ACTION

Subject: FY22 - District 1 Hospitality Tax Allocations

A. Purpose

County Council is being requested to approve a total allocation of **\$117,000** for District 1.

B. Background / Discussion

For the 2021 - 2022 Fiscal Year, County Council approved designating the Hospitality Discretionary account funding totaling \$82,425.00 for each district Council member. The details of these motions are listed below:

Motion List (3rd reading) for FY17: Hospitality Tax discretionary account guidelines are as follows: (a) Establish a H-Tax discretionary account for each Council District; (b) Fund the account at the amount of \$164,850.00; (c) Council members will recommend Agencies to be funded by their allocation. Agencies and projects must meet all of the requirements in order to be eligible to receive H-Tax funds; (d) All Council recommendation for appropriations of allocations to Agencies after the beginning of the fiscal year will still be required to be taken back to Council for approval by the full Council prior to the commitment of funding. This would only require one vote.

Motion List (3rd reading) for FY22, Special Called Meeting – June 10, 2021: Establish Hospitality Tax discretionary accounts for each district in FY22 at the amount of \$82,425. Move that all unallocated district specific H-Tax funding for FY20-21 be carried over and added to any additional funding for FY21-22.

Pursuant to Budget Memorandum 2017-1 and the third reading of the budget for FY22 each district Council member was approved \$82,425.00 to allocate funds to Hospitality Tax eligible organizations of their own discretion. As it relates to this request, District 1 H-Tax discretionary account breakdown and its potential impact is listed below:

Initial Discretionary Account Funding	\$ 82,425
FY2021 Remaining	\$308,975
Capital city/ Lake Murray Country	\$104,000
Town of Irmo Okra Strut	\$ 3,000
Midlands Tech Harbison Theater	\$ 5,000
South Carolina Military Museum	\$ 5,000
Total Allocation	\$117,000
Remaining Balance	\$191,975

C. Legislative / Chronological History

- 3rd Reading of the Budget – June 8, 2017
- Regular Session - May 15, 2018
- 3rd Reading of Budget FY19 June 21 ,2018
- 3rd Reading of the Budget FY20 June 10, 2019
- 3rd Reading of the Budget FY21 June 11, 2020

D. Alternatives

1. Consider the request and approve the allocation.
2. Consider the request and do not approve the allocation.

E. Final Recommendation

Staff does not have a recommendation regarding this as it is a financial policy decision of County Council. The funding is available to cover the request. Staff will proceed as directed.



REQUEST OF ACTION

Subject: FY22 - District 7 Hospitality Tax Allocations

A. Purpose

County Council is being requested to approve a total allocation of **\$20,000** for District 7.

B. Background / Discussion

For the 2021 - 2022 Fiscal Year, County Council approved designating the Hospitality Discretionary account funding totaling \$82,425.00 for each district Council member. The details of these motions are listed below:

Motion List (3rd reading) for FY17: Hospitality Tax discretionary account guidelines are as follows: (a) Establish a H-Tax discretionary account for each Council District; (b) Fund the account at the amount of \$164,850.00; (c) Council members will recommend Agencies to be funded by their allocation. Agencies and projects must meet all of the requirements in order to be eligible to receive H-Tax funds; (d) All Council recommendation for appropriations of allocations to Agencies after the beginning of the fiscal year will still be required to be taken back to Council for approval by the full Council prior to the commitment of funding. This would only require one vote.

Motion List (3rd reading) for FY22, Special Called Meeting – June 10, 2021: Establish Hospitality Tax discretionary accounts for each district in FY22 at the amount of \$82,425. Move that all unallocated district specific H-Tax funding for FY20-21 be carried over and added to any additional funding for FY21-22.

Pursuant to Budget Memorandum 2017-1 and the third reading of the budget for FY22 each district Council member was approved \$82,425.00 to allocate funds to Hospitality Tax eligible organizations of their own discretion. As it relates to this request, District 7 H-Tax discretionary account breakdown and its potential impact is listed below:

Initial Discretionary Account Funding	\$ 82,425
FY2021 Remaining	\$104,975
	Big Red Barn : Fall Jam 2021
	\$ 10,000
	The Brasley Foundation :Nova Fest
	\$ 10,000
Total Allocation	\$ 20,000
Remaining Balance	\$167,400

C. Legislative / Chronological History

- 3rd Reading of the Budget – June 8, 2017
- Regular Session - May 15, 2018
- 3rd Reading of Budget FY19 June 21 ,2018
- 3rd Reading of the Budget FY20 June 10, 2019
- 3rd Reading of the Budget FY21 June 11, 2020

D. Alternatives

1. Consider the request and approve the allocation.
2. Consider the request and do not approve the allocation.

E. Final Recommendation

Staff does not have a recommendation regarding this as it is a financial policy decision of County Council. The funding is available to cover the request. Staff will proceed as directed.



REQUEST OF ACTION

Subject: FY21 - District 11 Hospitality Tax Allocations

A. Purpose

County Council is being requested to approve a total allocation of **-\$10,000** for District 11.

B. Background / Discussion

For the 2020 - 2021 Fiscal Year, County Council approved designating the Hospitality Discretionary account funding totaling \$82,425.00 for each district Council member. The details of these motions are listed below:

Motion List (3rd reading) for FY17: Hospitality Tax discretionary account guidelines are as follows: (a) Establish a H-Tax discretionary account for each Council District; (b) Fund the account at the amount of \$164,850.00; (c) Council members will recommend Agencies to be funded by their allocation. Agencies and projects must meet all of the requirements in order to be eligible to receive H-Tax funds; (d) All Council recommendation for appropriations of allocations to Agencies after the beginning of the fiscal year will still be required to be taken back to Council for approval by the full Council prior to the commitment of funding. This would only require one vote.

Motion List (3rd reading) for FY21, Special Called Meeting – June 11, 2020: Establish Hospitality Tax discretionary accounts for each district in FY21 at the amount of \$82,425. Move that all unspent H-Tax funding for FY19-20 be carried over and added to any additional funding for FY20-21.

Pursuant to Budget Memorandum 2017-1 and the third reading of the budget for FY21 each district Council member was approved \$82,425.00 to allocate funds to Hospitality Tax eligible organizations of their own discretion. As it relates to this request, District 11 H-Tax discretionary account breakdown and its potential impact is listed below:

Initial Discretionary Account Funding	\$ 82,425
FY2020 Remaining	\$167,550
FY2021 Allocation	\$100,798
Kingsville Historical Foundation	-\$ 10,000
Total Allocation	-\$ 10,000
Remaining Balance	\$159,177

C. Legislative / Chronological History

- 3rd Reading of the Budget – June 8, 2017
- Regular Session - May 15, 2018
- 3rd Reading of Budget FY19 June 21 ,2018
- 3rd Reading of the Budget FY20 June 10, 2019
- 3rd Reading of the Budget FY21 June 11, 2020

D. Alternatives

1. Consider the request and approve the allocation.

2. Consider the request and do not approve the allocation.

E. Final Recommendation

Staff does not have a recommendation regarding this as it is a financial policy decision of County Council. The funding is available to cover the request. Staff will proceed as directed.



REQUEST OF ACTION

Subject: FY22 - District 11 Hospitality Tax Allocations

A. Purpose

County Council is being requested to approve a total allocation of **\$25,000** for District 11.

B. Background / Discussion

For the 2021 - 2022 Fiscal Year, County Council approved designating the Hospitality Discretionary account funding totaling \$82,425.00 for each district Council member. The details of these motions are listed below:

Motion List (3rd reading) for FY17: Hospitality Tax discretionary account guidelines are as follows: (a) Establish a H-Tax discretionary account for each Council District; (b) Fund the account at the amount of \$164,850.00; (c) Council members will recommend Agencies to be funded by their allocation. Agencies and projects must meet all of the requirements in order to be eligible to receive H-Tax funds; (d) All Council recommendation for appropriations of allocations to Agencies after the beginning of the fiscal year will still be required to be taken back to Council for approval by the full Council prior to the commitment of funding. This would only require one vote.

Motion List (3rd reading) for FY22, Special Called Meeting – June 10, 2021: Establish Hospitality Tax discretionary accounts for each district in FY22 at the amount of \$82,425. Move that all unallocated district specific H-Tax funding for FY20-21 be carried over and added to any additional funding for FY21-22.

Pursuant to Budget Memorandum 2017-1 and the third reading of the budget for FY22 each district Council member was approved \$82,425.00 to allocate funds to Hospitality Tax eligible organizations of their own discretion. As it relates to this request, District 11 H-Tax discretionary account breakdown and its potential impact is listed below:

Initial Discretionary Account Funding	\$ 82,425
FY2021 Remaining	\$159,177
Kingsville Historical Foundation	\$ 10,000
Total Allocation	\$ 10,000
Remaining Balance	\$231,602

C. Legislative / Chronological History

- 3rd Reading of the Budget – June 8, 2017
- Regular Session - May 15, 2018
- 3rd Reading of Budget FY19 June 21 ,2018
- 3rd Reading of the Budget FY20 June 10, 2019
- 3rd Reading of the Budget FY21 June 11, 2020

D. Alternatives

1. Consider the request and approve the allocation.
2. Consider the request and do not approve the allocation.

E. Final Recommendation

Staff does not have a recommendation regarding this as it is a financial policy decision of County Council. The funding is available to cover the request. Staff will proceed as directed.