



# **RICHLAND COUNTY COUNCIL**

## **ADMINISTRATION AND FINANCE COMMITTEE**

Greg Pearce	Norman Jackson	Damon Jeter (Chair)	Joyce Dickerson	Paul Livingston
District 6	District 11	District 3	District 2	District 4

**JANUARY 22, 2013  
6:00 PM**

**2020 Hampton Street**

### **CALL TO ORDER**

### **APPROVAL OF MINUTES**

1. Regular Session: December 18, 2012 [PAGES 3-6]

### **ADOPTION OF AGENDA**

### **ITEMS FOR ACTION**

2. Tax Increment Financing (TIF) on Broad River Road [PAGES 7-12]
3. Employee Discounts Link on the Employee Intranet [PAGES 13-20]

4. Richland County's Holiday Schedule [**PAGES 21-24**]
5. Miss South Carolina Pageant Funding Request [**PAGES 25-28**]
6. Consultant Services for Medicare Benefit Insurance RFQ [**PAGES 29-31**]
7. Policy to Deny Use of Outside Legal Counsel that has any Current Pending Lawsuit Against the County [**PAGES 32-35**]
8. Addressing Council's Expense Accounts for Districts 7 and 9 [**PAGES 36-38**]
9. Issuing Taxable General Obligation Bonds [**PAGES 39-41**]
10. Issuing Revenue Bonds Secured by Hospitality Tax Revenues; Refunding/Refinancing Outstanding Debt Secured by Hospitality Tax Revenues [**PAGES 42-44**]

## **ADJOURNMENT**



# Richland County Council Request of Action

## **Subject**

Regular Session: December 18, 2012 [**PAGES 3-6**]

## **Reviews**

# MINUTES OF



## RICHLAND COUNTY COUNCIL ADMINISTRATION AND FINANCE COMMITTEE TUESDAY, DECEMBER 18, 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: Damon Jeter  
Member: Joyce Dickerson  
Member: Norman Jackson  
Member: Paul Livingston  
Member: Greg Pearce

**ALSO PRESENT:** Kelvin E. Washington, Sr., Bill Malinowski, Valerie Hutchinson, Gwendolyn Davis Kennedy, Tony McDonald, Sparty Hammett, Roxanne Ancheta, Daniel Driggers, John Hixon, Sara Salley, Brad Farrar, Yanisse Adrian-Silva, David Hoops, John Hixon, Amelia Linder, Geo Price, Dale Welch, Stephany Snowden, Wanda Kelly, Justine Jones, Chris Eversmann, Nancy Stone-Collum, Buddy Atkins, Monique Walters, Michelle Onley

### CALL TO ORDER

The meeting started at approximately 6:08 p.m.

### APPROVAL OF MINUTES

**November 27, 2012 (Regular Session)** – Ms. Dickerson moved, seconded Mr. Pearce, to approve the minutes as distributed. The vote in favor was unanimous.

### ADOPTION OF AGENDA

Mr. Pearce moved, seconded by Ms. Dickerson, to adopt the agenda as published. The vote in favor was unanimous.

## ITEMS FOR ACTION

**Tax Increment Financing (TIF) on Broad River Road** – Mr. Pearce moved, seconded by Ms. Dickerson, to request staff provide further documentation as to the appropriateness of entering into a TIF in this area and bring back to committee before deciding to enter into discussions with the City of Columbia. The vote in favor was unanimous.

**Video Streaming and Broadcasting of D&S Committee, A&F Committee, and Zoning Public Hearing** – Mr. Livingston moved, seconded by Ms. Dickerson, to forward this item to Council with a recommendation to approve the request to expand the County's online video streaming and live cable broadcasting program to include D&S and A&F Committee meeting and the Zoning Public Hearing. A discussion took place.

The vote in favor was unanimous.

**Request to Expend and Transfer Funds: Lending Tree Class-Action Lawsuit** – Mr. Pearce moved, seconded by Ms. Dickerson, to move to approve the request of the distribution of the funds with the understanding that the Administration will allocate the funds in such a manner that it does not become a permanent part of the Solicitor's or Sheriff's base budget. The vote in favor was unanimous.

**Employee Intranet Link Re: Employee Discounts** – Mr. Jackson moved to forward this item to Council with a recommendation for approval. The motion died for lack of a second.

Mr. Pearce moved, seconded by Ms. Dickerson, to hold this item in committee. The vote in favor was unanimous.

**Richland County's Compliance with the PPACA (Patient Protection and Affordable Care Act) a.k.a. Health Care Reform** – Mr. Livingston moved, seconded by Mr. Jackson, to accept this as information.

Mr. Pearce requested that the County seek assistance from Palmetto Health regarding this matter.

**Professional Services/Airport Taxiway Extension Design (Phase I)** – Ms. Dickerson moved, seconded by Mr. Livingston, to forward to this item to Council with a recommendation to approve the request to authorize executing a Work Authorization for Phase I design and permitting of the extension to Taxiway 'A'. The vote in favor was unanimous.

**Conservation Department: Reallocate Grant Funds** – Mr. Jackson moved, seconded by Mr. Livingston, to forward this item to Council with a recommendation to approve a reallocation of funds of \$15,343 from a Green Development Grant to Owens Field Trail Project and \$9,356 from a completed grant to the Sims-Stackhouse Historic Preservation Grant. A discussion took place.

The vote in favor was unanimous.

**ADJOURNMENT**

The meeting adjourned at approximately 6:49 p.m.

Submitted by,

Damon Jeter, Chair

The minutes were transcribed by Michelle M. Onley

# Richland County Council Request of Action

## **Subject**

Tax Increment Financing (TIF) on Broad River Road **[PAGES 7-12]**

## **Reviews**

## **Notes**

December 18, 2012 - The Committee recommended staff confirm that the area meets TIF qualifications. The item will return to the A&F Committee on January 22, 2013 for determination of next steps.

# Richland County Council Request for Action

Subject: Tax Increment Financing (TIF) on Broad River Road

## A. Purpose

County Council is requested to approve a request to enter into a Tax Increment Financing (TIF) agreement with the City of Columbia on Broad River Road from Sunset Drive to Piney Grove Road.

## B. Background / Discussion

On November 13, 2012, a motion was made by the Honorable Bill Malinowski, which was forwarded to the December 18, 2012 D&S Committee agenda:

“I move that Richland County request the City of Columbia to enter into a Tax Increment Financing (TIF) zone on Broad River Road from Sunset Drive to Piney Grove Road.”

The Broad River Road Corridor and Community Master Plan, adopted in December 2010, make the recommendation of using Tax Increment Financing as a tool for redevelopment. Tax Increment Financing uses increased revenues generated from taxes gained from growth in property values resulting from successful redevelopment activities. Tax Increment funds can be used for development in a designated redevelopment project area only and act as an additional source of funding for continuation of improvements. These actions present the best opportunity to accomplish many long-range goals that will benefit the community.

A map of the Broad River Road corridor is attached.

## C. Legislative/Chronological History

On November 13, 2012 the motion pertaining to the Broad River Road TIF was made by the Honorable Bill Malinowski, which was forwarded to the December 18, 2012 D&S Committee agenda.

### UPDATED INFORMATION

At the request of Council during the December 18, 2012 D&S Committee, staff researched whether or not TIF is appropriate for the Broad River Road Corridor (from Sunset Drive to Piney Grove Road), according to the provisions of SC Code of Laws, Title 31, Chapter 7.

It is staff's opinion that **portions** of the corridor would qualify, based on the Legislation's definition of blight found below.

Sec. 31-7-30: “Blighted area’ means any improved or vacant area within the boundaries of a redevelopment project area located within the territorial limits of a county where: if improved, industrial, commercial, and residential buildings or improvements, because of a combination of five or more of the following factors: age; dilapidation; obsolescence; deterioration; illegal use of individual structures; presence of structures below minimum code standards; excessive vacancies; overcrowding of structures and community facilities;



presence of or potential environmental hazard; lack of ventilation, light, storm drainage, or sanitary facilities; inadequate utilities; inadequate transportation infrastructure; excessive land coverage; deleterious land use or layout; depreciation of physical maintenance; lack of community planning, are detrimental to the public safety, health, morals, or welfare.”

It is not likely that all of the areas studied as part of the Broad River Corridor and Community Master Plan would qualify. The boundaries of the areas that would qualify will determine jurisdictional responsibility for managing the TIF and would be determined through a Finding of Necessity study, establishing blight and other required characteristics.

The Broad River Corridor and Community Master Plan also support TIF for redevelopment of the study area and outline the process required to establish a TIF Plan. It is copied here:

***“Establish Redevelopment Project Area and Authorize a Tax Increment Financing Plan***

“The Richland County Council should consider designating portions of the Broad River Road Study Area as a redevelopment Project Area, in accordance with the provisions of South Carolina Code of Laws (Title 31, Chapter 7) for the management of the program. To designate a Redevelopment Project Area, the Legislation requires that a Finding of Necessity establishing blight conditions be conducted to establish the boundaries of the redevelopment project area. Based upon the results of the Finding of Necessity study, the established Agency should prepare a redevelopment plan in accordance with the provisions of the “Tax Increment Financing Act for Counties.”

This would enable the County to use Tax Increment Financing as a tool for redevelopment. Tax Increment Financing uses increased revenues generated by taxes gained from growth in property values resulting from successful redevelopment activities. Tax Increment funds can be used for development in a designated redevelopment project area only and act as an additional source of funding for continuation of improvements. These actions present the best opportunity to accomplish many long-range goals that will benefit the community.

The next steps are to finalize the redevelopment project boundaries; prepare the development plan; hold public hearings; and adopt or approve the redevelopment plan through the approval of an ordinance. Section 31-7-10, Code of Laws of South Carolina contains a detailed description of the required contents of the Redevelopment Plan. This Master Plan also contains many of the elements required by South Carolina legislation for preparing redevelopment plans, including preliminary “redevelopment project costs.” The Broad River Road Corridor and Community Master Plan contain many of the elements required by the South Carolina Code of Laws to be included in a Redevelopment Plan, and therefore should be revised and adopted to streamline the process.

“The formulation of a redevelopment plan, using the tools made available in the South Carolina Code of Laws, is the most appropriate means of overcoming the obstacles to economic development cited in this study. The redevelopment plan can provide focus and oversight for the land development process while improving the appearance and marketability of the area. While not required by the State Legislation, the County should consider establishing a combined Richland County/City of Columbia/Broad River Road

Community Redevelopment Board. This Board will be responsible for assisting in the preparation of the Redevelopment Plan.

“Subsequent to establishing a finding of necessity study, the County should consider commissioning a Tax Increment Financing Economic Impact Study to determine the anticipated tax base increase for properties in the designated Redevelopment Project Area.”

Council also directed staff to reactivate and include the Broad River Road Business Alliance.

**END OF UPDATED INFORMATION**

**D. Financial Impact**

There is no financial impact associated with requesting this action of the City of Columbia. Studies may be required to implement the TIF; if approved at a later date, those studies may require funding.

**E. Alternatives**

1. Approve the request to ask the City of Columbia to enter into a Tax Increment Financing (TIF) zone on Broad River Road from Sunset Drive to Piney Grove Road.
2. Do not approve the request to ask the City of Columbia to enter into a Tax Increment Financing (TIF) zone on Broad River Road from Sunset Drive to Piney Grove Road, and do nothing further.

**F. Recommendation**

This request is at the discretion of County Council.

Recommended by: Councilman Bill Malinowski

Date: 11/13/12

**G. Approvals**

**Finance**

Reviewed by: Daniel Driggers

Date: 1/8/13

Recommend Council approval

Recommend Council denial

Recommend Council discretion

Comments regarding recommendation:

Request is a policy decision within Council discretion and the request has no immediate financial impact. Based on the final language, subsequent approval of a TIF would potentially reinvest the incremental increase from the TIF area to the specific investment area.

**Planning**

Reviewed by: Tracy Hegler

Date: 1/10/13

Recommend Council approval

Recommend Council denial

Recommend Council discretion

Comments regarding recommendation: Recommend approval to discuss the option with the City of Columbia, in support of the recommendations of the Broad River Road Master Plan.

**Legal**

Reviewed by: Elizabeth McLean

Date: 1/10/13

 Recommend Council approval Recommend Council denial

Comments regarding recommendation: As this is only a request to recommend a TIF to the City of Columbia, it is a policy decision at Council's discretion. Legal guidance can be provided at a later time if plans to create a TIF move forward.

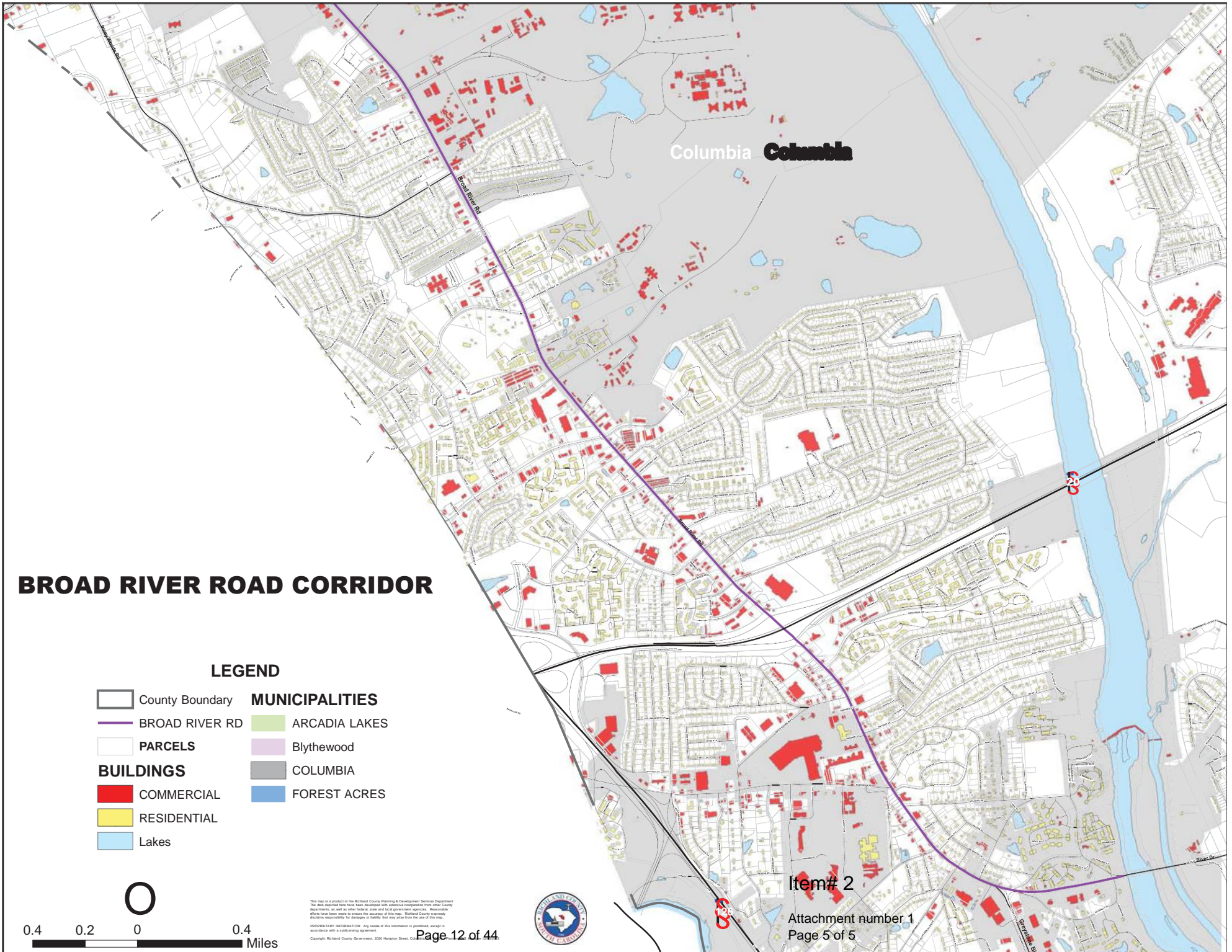
**Administration**

Reviewed by: Sparty Hammett

Date: 1/14/13

 Recommend Council approval Recommend Council denial

Comments regarding recommendation: Recommend Council approval to discuss the TIF with the City of Columbia, in support of the recommendations of the Broad River Road Master Plan.



Columbia **Columbia**

# BROAD RIVER ROAD CORRIDOR

## LEGEND

- |                  |                       |
|------------------|-----------------------|
| County Boundary  | <b>MUNICIPALITIES</b> |
| BROAD RIVER RD   | ARCADIA LAKES         |
| PARCELS          | Blythewood            |
| <b>BUILDINGS</b> | COLUMBIA              |
| COMMERCIAL       | FOREST ACRES          |
| RESIDENTIAL      |                       |
| Lakes            |                       |



0.4 0.2 0 0.4 Miles

This map is a product of the Richland County Planning & Development Services Department. The data depicted herein have been developed with extensive cooperation from other County departments, as well as other private, state and local government agencies. Reasonable efforts have been made to ensure the accuracy of this map. Richland County assumes no liability for damages or liability, past or future, resulting from the use of this map. PROPRIETARY INFORMATION: Any reuse of this information is prohibited, except in accordance with a licensing agreement. Copyright Richland County Government, 2009 Hampton Street, Columbia, SC 29204



Item# 2

# Richland County Council Request of Action

**Subject**

Employee Discounts Link on the Employee Intranet [**PAGES 13-20**]

**Reviews**

## Richland County Council Request of Action

**Subject:** Employee Discounts Link on the Employee Intranet

### **A. Purpose**

Council is being asked to approve the creation of an Employee Discounts link on the Employee Intranet.

### **B. Background / Discussion**

The Employee Intranet is accessible only to County employees. The intranet contains information on such topics as Human Resources, Information Technology, and Training opportunities. Currently, the Employee Intranet does not have a link or section for employee discounts.

Periodically, information regarding discounted tickets to events at venues such as the Colonial Life Arena, Township, etc. are emailed to employees by the Public Information Office. If the Employee Discounts link is approved, these emails will cease, and instead, information regarding employee discounts will be provided solely at the link.

Discussions were held with the City of Columbia regarding their employee discounts. Per City representatives, Verizon offers City employees a 19% discount for personal cell phone services and a 25% discount on accessories; T-Mobile offers 15% off (which is consistent with state cell phone contract prices). Information regarding these discounts is **not** provided on their intranet, but is disseminated strictly by word of mouth. Further, the City of Columbia does **not** have an “Employee Discounts” link or a formal “Employee Discounts” program on their intranet site. Information that is received regarding discounts for their employees is sent to employees by the HR director as it is received. Some examples of information regarding discounts that have been sent to employees include Sam’s Club memberships, T-Mobile services, and educational courses offered through an educational institution of higher education.

It is at this time that Council’s direction is requested regarding the creation of an Employee Discounts link on the Employee Intranet. If Council approves the creation of the link, an implementation plan and ongoing maintenance process will be established and implemented after review by the Legal Department.

### **C. Legislative History / Chronology**

A version of this item appeared on the July 31, 2012 A&F Committee agenda. However, this item has been revised since then, and is appearing before the Committee now in a holistic approach, versus an individual request by an outside entity, as was the case in July.

### **D. Financial Impact**

At this time, a cost is not known. Existing staff should be able to create and maintain the link with minimal financial or operational impact.



**E. Alternatives**

1. Approve the request to create an Employee Discounts link on the Employee Intranet. An implementation plan and ongoing maintenance process will be established and implemented after review by the Legal Department.
2. Do not approve the request to create Employee Discounts link on the Employee Intranet at this time.
3. Direct staff to provide employee discounts to employees via other means.

**F. Recommendation**

It is recommended that Council approve the creation of an Employee Discounts link on the Employee Intranet. An implementation plan and ongoing maintenance process will be established and implemented after review by the Legal Department.

Recommended by: Kelvin Washington

Date: December 12, 2012

**G. Reviews**

**Finance**

Reviewed by: Daniel Driggers

Date: 1/18/13

Recommend Council approval

Recommend Council denial

Council Discretion (please explain if checked)

Comments regarding recommendation: Policy decision for Council with no known financial impact.

**Human Resources**

Reviewed by: Dwight Hanna

Date:

Recommend Council approval

Recommend Council denial

Council Discretion (please explain if checked)

Comments regarding recommendation: There are many important decisions that could significantly influence the scope of the program, such as but not limited to; vendor criteria, vendor review process, vendor products or services not eligible (if any), approval authority for vendors, will there be any limit on the number and/or types of vendors, whether vendors may appeal denial by the County, what is the definition of a “discount.” will there be a minimum percentage for discount, what responsibility and/or accountability does Richland County have relating to vendor products or services, will vendors be authorized to use Richland County name or logo and if so under what conditions, what evidence the employee must provide to receive discount, will part time employees be eligible, and what department will be responsible for managing the program.

**Information Technology**

Reviewed by: Janet Claggett

Date: 12/12/12

Recommend Council approval

Recommend Council denial

Council Discretion (please explain if checked)

Comments regarding recommendation: Policy decision for Council. The RCIT Department labor costs required to create and maintain an Employee Discounts page are expected to be minimal and probably could be absorbed by existing staff.

**Legal**

Reviewed by: Elizabeth McLean

Date: 1/18/13

Recommend Council approval

Recommend Council denial

Council Discretion (please explain if checked)

Comments regarding recommendation: Policy decision left to Council’s discretion. Due to the expedited nature of the request, I am unable to provide an adequate legal recommendation. I would note, however, that Mr. Hanna’s concerns are legitimate. Legal will provide a thorough review upon request.

**Administration**

Reviewed by: Tony McDonald

Date: 1/18/13

Recommend Council approval

Recommend Council denial

Council Discretion (please explain if checked)

Comments regarding recommendation: It is recommended that Council approve the creation of an Employee Discounts link on the Employee Intranet.

The Public Information Office has researched similar programs throughout the southeast and the nation and has determined that the implementation of, as well as the ongoing management of, such a program would require little staff time and resources.

The Public Information Director has spoken with the directors of Procurement, Human Resources and Information Technology and has agreed to manage the discount program pending a legal review of the policy and procedures by the Richland County Attorney.

Public Information has crafted a formal policy statement for the proposed program (Exhibit A), in addition to a web page disclaimer (Exhibit B) and a proposed discount vendor application form (Exhibit C). Furthermore, the County is not endorsing any vendors, and no company logos will appear on the Employee Intranet page aside from the links themselves.

Pending legal review, the following implementation schedule is proposed:

**February 2013** - Employee Discount Intranet Link Designed – Richland County PIO

**March 2013** - Employee Discount Intranet Link Launched – Richland County PIO/IT



## ***Attachment A: Policy Statement***

### **Policy Statement for Richland County's Proposed Employee Discount Program**

***01/17/2013***

Richland County Government assumes no obligation or liability and does not endorse any products, services, or discount vendors. The Employee Discount Program reserves the right to revoke, deny, or disapprove any existing or applying vendor, based on the Employee Discount Program Policy. All discount vendors agree to all conditions set forth in this policy and any subsequent revisions.

An approved application and discount offer is effective for a 12-month period. Another application must be submitted if the vendor wishes to renew or offer a similar discount, after the expiration of the 12-month period.

The vendor's discount offer must provide an added value or actual discount on products or services and the business must be legitimate, with the discounted products or services offered of an appropriate nature and not referenced anywhere within the EDP policy as restricted or prohibited. Vendors may not disclaim knowledge of, or responsibility for, the authenticity or legality of the products or services offered.

Richland County employees are encouraged to shop and compare prices and services before purchasing, signing any contract, or making any arrangements. Richland County Government assumes no responsibility for any arrangements, contracts, purchases, or disputes between an individual employee and any discount vendor. Richland County does not negotiate, guarantee, or endorse discount vendors or discount prices, and it is highly suggested that each employee research and compare prices, levels of service, and any licensing or certification requirements, as should be done when making any purchase.

Generally, all Richland County employees are eligible for these discounts. Limitations on participation may exist for those specific employees directly and significantly involved in the procurement process.

All vendors and products or services must be appropriate and not of an offensive nature or promote hatred, violence, or intolerance, and not be political, religious, or pornographic or sexual in nature.

#### **Prohibited and Restricted Products and Services**

##### **Alcohol and Tobacco**

All alcoholic beverages and tobacco products are prohibited due to the highly-regulated and taxed nature of the items within the United States. Due to the many difficulties inherent in Internet alcohol and tobacco sales or discount offerings, Richland County Government will not permit the listing of wine, beer, or other alcoholic beverages, and tobacco products.

*Note: Vendors representing food establishments or general merchandising (e.g., restaurants or retail sales) shall exclude alcohol and tobacco products from their discounts.*

##### **Counterfeit or Unauthorized Items**

**Item# 3**

Items such as counterfeits, unauthorized replicas, or otherwise unauthorized items are prohibited. Unauthorized items (such as pirated, duplicated, backup, bootleg, and so forth) copies of software programs, video games, music albums, movie, television programs, or photographs are prohibited.

### **Drugs and Drug Paraphernalia**

Narcotics, steroids, or other controlled substances (including any substance in Schedules I,II, III, IV or V of the Uniform Controlled Substances Act, 21 U.S.C. 801 et seq.) shall not be listed within the EDP.

Drug paraphernalia, as defined in 21 U.S.C. 863, are prohibited. Such paraphernalia includes all items that are primarily intended for or designed for use in manufacturing, concealing, or using a controlled substance.

### **Firearms (including Replicas and Militia) and Ammunition**

Firearms and firearms dealers are prohibited within the EDP website. Firearms include all “pre-ban,” sporting, collectible, curio and relic (C&R), and antique firearms, regardless of their capability to fire a shot. Any item that is designed to propel a metal (or similar) projectile is covered by this restriction, regardless of that item’s present ability to fire.

All firearms-related items and components (BB guns, air guns, any kit designed to create a firearm, silencers, or converters), ammunition magazines, including high-capacity magazines (magazines that can hold more than 10 rounds) and ammunition with propellant (such as gunpowder) are prohibited from the Employee Discount Program.

### **Hazardous Items**

Hazardous or dangerous goods are items that may pose a danger to health, safety, or property while being transported, such as explosives, fireworks, radioactive materials, flammable gases and solids, and toxic substances, are prohibited.

### **Offensive and Pornographic Materials**

Vendors or products and services that promote or glorify hatred, violence, intolerance, or items that promote organizations with such views are prohibited. Pornographic material and products, items, or services of a sexual nature are prohibited.

### **Weapons and Knives**

Weapons, knives and any other item where the sole purpose is to harm or take a life are prohibited. This policy and list of prohibited or restricted items may not be all encompassing and the EDP reserves the right to refuse, revoke, or not approve any vendor’s discount application based in part or whole on this policy.

***Attachment B: Proposed Web Page Disclaimer for Employee Discount Program***

Item# 3

## **Proposed Disclaimer for Richland County's Proposed Employee Discount Program**

***01/17/2013***

“The services and products displayed on this page are discounted offers from local businesses made available to all Richland County employees. All rates and discount percentages are subject to change.

“They are not Richland County offers and Richland County Government assumes no obligation or liability and does not endorse any products, services, or discount vendors.

“Employees are encouraged to shop and compare prices and services before purchasing, signing any contract, or making arrangements.”

**Exhibit C: Proposed Vendor Application for Employee Discount Program**

Proposed Richland County Employee Program  
*Employee Discount Vendor Request Form*

Vendor Name: \_\_\_\_\_

Vendor's Website Address: \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_

Phone Number: \_\_\_\_\_ Fax: \_\_\_\_\_

Person of Contact: \_\_\_\_\_ Contact Number: \_\_\_\_\_

Contact Email: \_\_\_\_\_

Type of Service:

Please give a complete description of discount offer, to include requirement and restrictions:

I certify that I am authorized to submit this Vendor Request Form.

Authorized Representative: \_\_\_\_\_ Date: \_\_\_\_\_

Approved By: \_\_\_\_\_ Date: \_\_\_\_\_

Please submit a completed form and return:

Via e-mail to [pio@rcgov.us](mailto:pio@rcgov.us)

Via fax to (803) 576-2137

**Via mail to:**  
Richland County Office of Public Information  
P.O. Box 192  
Columbia SC 29202

Item# 3

# Richland County Council Request of Action

**Subject**

Richland County's Holiday Schedule [**PAGES 21-24**]

**Reviews**

## RichlandCounty Council Request of Action

**Subject:** Richland County’s Holiday Schedule

**A. Purpose**

Council is requested to provide direction on Mr. Washington’s motion regarding the County’s Holiday Schedule.

**B. Background / Discussion**

At the January 8, 2013 Council Meeting, Councilman Washington made the following motion:

**“Amend Richland County’s holiday schedule so that it matches with the State’s holiday schedule.”**

Richland County Government currently observes 11 holiday days annually. The State of South Carolina currently observes 13 holiday days annually.

Please find a side-by-side comparison of Richland County’s and the State of South Carolina’s 2013 Holiday Schedules. The two additional holiday days observed by the State of South Carolina are highlighted in yellow below.

RichlandCounty			State of South Carolina		
New Year’s Day	Tuesday	January 1	New Year’s Day	Tuesday	January 1
Martin Luther King, Jr. Day	Monday	January 21	Martin Luther King, Jr. Day	Monday	January 21
President’s Day	Monday	February 18	President’s Day	Monday	February 18
			Confederate Memorial Day	Friday	May 10
National Memorial Day	Monday	May 27	National Memorial Day	Monday	May 27
Independence Day	Thursday	July 4	Independence Day	Thursday	July 4
Labor Day	Monday	September 2	Labor Day	Monday	September 2
Veterans’ Day	Monday	November 11	Veterans’ Day	Monday	November 11
Thanksgiving Day	Thursday	November 28	Thanksgiving Day	Thursday	November 28
Day After Thanksgiving	Friday	November 29	Day After Thanksgiving	Friday	November 29
Christmas Eve	Tuesday	December 24	Christmas Eve	Tuesday	December 24
Christmas Day	Wednesday	December 25	Christmas Day	Wednesday	December 25
			Day After Christmas	Thursday	December 26

**C. Legislative/Chronological History**

Motion by Councilman Washington at the January 8, 2013 Council Meeting.

**D. Financial Impact**

There is an additional cost associated with each holiday day. The previous calculation was approximately \$275,000 per day. If the County were to observe the two additional holidays observed by the State of South Carolina, the additional annual cost to the County would be approximately \$550,000.



There are advantages that would be realized by the addition of the two holidays, as proposed. For example, making the County's holidays consistent with those of the State and Lexington County would resolve the repeated argument that the County's operations are limited when the County remains open on holidays while other agencies with which the County does business are closed.

Another advantage is that the increase in the number of holidays would provide an additional benefit to our employees and makes the County more competitive in terms of recruitment.

On the cost side, however, as the above report rightly points out, there is an associated cost (loss of productivity) of \$275,000 for each additional day that the County adds to its existing list of holidays.

While I do not feel strongly either for or against the proposal, I would support it for the reasons mentioned above.



# Richland County Council Request of Action

**Subject**

Miss South Carolina Pageant Funding Request [**PAGES 25-28**]

**Reviews**

# Richland County Council Request of Action

**Subject:** Miss South Carolina Pageant Funding Request

**A. Purpose**

County Council is requested to approve a request to allocate \$25,000 in Hospitality Tax (H-Tax) funds to the Miss South Carolina Pageant.

**B. Background / Discussion**

During the December 11, 2012 County Council meeting Councilman Manning brought forward the following motion:

*“Motion to provide \$25,000 from H-Tax to fund the 2013 Miss SC Pageant.”*

Columbia will host the Miss South Carolina Pageant and related activities from July 5-14, 2013. While the activities will take place in FY14, the funds are needed prior to July 1, 2013. Funds will be used for marketing and event expenses at the Township Auditorium. Currently, there is \$25,000 in unallocated H-Tax funds budgeted for use at Council’s discretion.

In an attached email from Ric Luber of the Midlands Authority for Conventions, Sports & Tourism, the 2012 pageant “brought 1,500 hotel room nights to the area and \$850,000 in economic spending, along with positive national and regional publicity for the metro region.” According to the Township Auditorium, 3,831 people attended pageant events in 2011, and this number increased to 5,879 in 2012.

Staff reached out to the Miss South Carolina Pageant Foundation and to the Midlands Authority for Conventions, Sports and Tourism to ensure that the Pageant submits an FY14 H-Tax application for the upcoming FY14 grant round. Due to the timing of the event, the organization has not applied for funds through the H-Tax grant process in the past. Moving forward, however, applying for the July 2014 pageant during the FY14 cycle will put them in the annual application process and prevent out-of-cycle funding requests.

County Council supported this event in 2011 and 2012.

**C. Legislative/Chronological History**

- December 11, 2012 – Motion from Councilman Manning to fund the Pageant.
- FY12 – Richland County funded the pageant at \$20,000 from H-Tax funds.
- FY11 – Richland County funded the pageant at \$25,000 from H-Tax funds.

**D. Financial Impact**

County Council has \$25,000 budgeted in undesignated H-Tax funds that can be spent on out-of-cycle funding requests.

**E. Alternatives**

1. Approve the request to allocate \$25,000 in H-Tax to the Miss South Carolina Pageant.
2. Do not approve the request to allocate \$25,000 in H-Tax to the Miss South Carolina Pageant.

**F. Recommendation**

This request is at the discretion of County Council.

Recommended by: Jim Manning Department: County Council Date: 12/11/12

**F. Reviews**

(Please **SIGN** your name, ✓ the appropriate box, and support your recommendation before routing. Thank you!)

**Finance**

Reviewed by: Daniel Driggers

Date: 1/7/13

Recommend Council approval

Recommend Council denial

Council Discretion (please explain if checked)

Comments regarding recommendation: The request is a funding decision within Council Discretion and based on request would not require a budget amendment.

Recommendation is based on request being out of budget cycle and not on the merits of the request.

**Grants**

Reviewed by: Sara Salley

Date: 1/7/13

Recommend Council approval

Recommend Council denial

Council Discretion (please explain if checked)

Comments regarding recommendation: County Council has a budgeted amount of \$25,000 in undesignated H-Tax funds for the purpose of items that come up during the year. I recommend approval. The organization has been contacted about the FY14 grant round for the 2014 event.

**Legal**

Reviewed by: Elizabeth McLean

Date: 1/7/13

Recommend Council approval

Recommend Council denial

Council Discretion (please explain if checked)

Comments regarding recommendation: Policy decision left to Council’s discretion.

**Administration**

Reviewed by: Tony McDonald

Date: 1/17/13

Recommend Council approval

Recommend Council denial

Council Discretion (please explain if checked)

Comments regarding recommendation: Recommend approval due to the success of previous pageants at the Township and to the ongoing relationship that the County has formed with the event. Funding in the amount of \$25,000 is available in the H-Tax budget for out-of-cycle requests such as this. For FY14, as indicated above, the event organizers will apply for funds within the regular budget cycle.

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**From:** Ric Luber <RLuber@Columbiaauthority.com>  
**Sent:** Tuesday, November 13, 2012 11:03 AM  
**To:** TONY MCDONALD; Kelvin Washington; Sara Salley  
**Cc:** Kelly Barbrey; Jason Outman  
**Subject:** Miss SC Pageant to Return in 2013

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

Dear Richland County Partners,

A few months back we sent you an email indicating that the Miss South Carolina Pageant could potentially return to Columbia in July 2013. We recently received word that the Columbia region has been selected and the dates have been set for July 5-14, 2013. Last year this pageant brought 1,500 hotel room nights to the area and \$850,000 in economic spending along with positive national and regional publicity for the metro region. In the past, Richland County – along with the Midlands Authority and the City of Columbia – has been an economic supporter of this event, with a County investment of \$25,000 in 2011 and \$20,000 in 2012. The County investment was designated for rental of the Township Auditorium for the week of rehearsals and events.

The group has requested our assistance in securing support for the 2013 event. We are coming to you to determine the best approach for the Miss SC Pageant team to take to secure \$25,000 to be used for event expenses at the Township Auditorium. We considered suggesting that they go through the Hospitality Tax Grant Application process which will begin in February with awards typically being given after the start of the fiscal year. The challenge with that approach is that the marketing for the event as well as the event itself will occur before funding award letters are received.

This group seems to have long-range plans for this event in the Columbia area. Is Richland County interested in being a long-term supporter of this event, and if so, how do we plan and align your funding and budget cycle with their event and marketing needs? They would like to have plans in place for the following year immediately after the July event wraps, but this has been a challenge since they do not know what level of support they will receive until much later in the planning process.

We are available to discuss at your convenience and would like the next step to be a meeting among City, County and Authority partners. Please let me know if you are open to further discussion.

Regards,

**Ric Luber**  
Midlands Authority for Conventions, Sports & Tourism  
1101 Lincoln Street | Columbia, SC | 29201  
Phone 803.545.0007 | Fax 803.545.0013  
[www.famouslyhot.com](http://www.famouslyhot.com)



# Richland County Council Request of Action

**Subject**

Consultant Services for Medicare Benefit Insurance RFQ [**PAGES 29-31**]

**Reviews**

# Richland County Council Request of Action

**Subject:** Consultant Services for Medicare Benefit Insurance RFQ

**A. Purpose**

County Council is requested to allow Procurement and Human Resources to negotiate with and award AON to assist Richland County in an RFP analyzing responses and making recommendations for Medicare retiree benefit services, employee benefit services, and supplemental products and vendors insurance programs.

**B. Background / Discussion:**

Health care costs have been rapidly escalating for the past decade at double-digit rates. Major aspects of the PPACA (Patient Protection Affordable Care Act), commonly called Health Care Reform, will come on line in 2014. The County must make plans during 2013 to become compliant for the 2014 benefit year.

The County is in need of an outside agency to assist with a review of our current plan, review other plans available in the market, develop an RFP, evaluate RFP responses, assist with PPACA compliance, and help us recommend the best options for Richland County to help curb the issue of rising health care costs. We also need to examine how to continue providing value and quality insurance services for retirees and Medicare retirees, and make sure we are offering value-added supplemental products at a competitive cost to employees through payroll deductions.

Following the County's procurement process in 2012, a Request for Qualifications was published and the County received many responses. Our review team has reviewed the responses from the different consulting agencies and has unanimously agreed that AON is able to provide the service level needed to make viable recommendations for PPACA compliance.

Companies Evaluated and their Rankings:

- 1<sup>st</sup> Place - AON
- 2<sup>nd</sup> Place – Wells Fargo Services
- 3<sup>rd</sup> Place – Gallagher Benefit Services
- 4<sup>th</sup> Place – Hays Companies

**C. Legislative/Chronological History**

Request for Qualifications completed in December 2012.

**D. Financial Impact**

Staff will negotiate the cost of the contract upon approval by County Council.

**E. Alternatives**

1. Approve the request to move forward with negotiations with AON.
2. Approve the request to move forward with negotiations with another vendor.
3. Do not approve the request to move forward with negotiations with AON or any other vendor.

Option 3 would cause Richland County to negotiate renewals with all our current insurance providers.

**F. Recommendation**

It is recommended that Council approve the request to move forward with negotiations with AON.

Recommended by: Dwight Hanna      Department: Human Resources      Date: 1/4/13

**G. Reviews**

(Please ***SIGN*** your name, ✓ the appropriate box, and support your recommendation before routing. Thank you!)

**Finance**

Reviewed by: Daniel Driggers      Date: 1/11/13  
✓ Recommend Council approval       Recommend Council denial  
 Council Discretion (please explain if checked)  
Comments regarding recommendation: Recommendation based on request to negotiate. It is unclear from the ROA and research if the funding for the contract has been identified, therefore, it is advisable that funding source be determined as part of the approval process.

**Legal**

Reviewed by: Elizabeth McLean      Date: 1/15/13  
 Recommend Council approval       Recommend Council denial  
 Council Discretion (please explain if checked)  
Comments regarding recommendation: Policy decision left to Council's discretion.

**Procurement**

Reviewed by: Rodolfo Callwood      Date: 1/15/13  
 Recommend Council approval       Recommend Council denial  
 Council Discretion (please explain if checked)  
Comments regarding recommendation: Negotiations should include scope of service, performance, communication, objectives, MWDBE and cost.

**Administration**

Reviewed by: Tony McDonald      Date: 1/16/13  
✓ Recommend Council approval       Recommend Council denial  
 Council Discretion (please explain if checked)  
Comments regarding recommendation: Recommend that staff be authorized to negotiate, and assuming the negotiations are successful, award a contract to AON for insurance consulting services. Funding for the contract will come from the Human Resources budget.

# Richland County Council Request of Action

**Subject**

Policy to Deny Use of Outside Legal Counsel that has any Current Pending Lawsuit Against the County [**PAGES 32-35**]

**Reviews**



## Richland County Council Request of Action

**Subject:** Policy to Deny Use of Outside Legal Counsel that has any Current Pending Lawsuit Against the County

### A. Purpose

County Council is requested to consider adopting a policy whereby no outside counsel would be allowed to represent the County if such counsel has a pending lawsuit against the County.

### B. Background / Discussion

At the December 6, 2012 Council meeting, Councilman Washington made the following motion:

“No law firm, law office or lawyer will not do legal work on behalf of the County when they have pending lawsuits against the County.”

It would not be uncommon, in a city this size, for the County to have outside counsel from X LAW FIRM on one matter and have other counsel from X LAW FIRM representing a party who is suing the County on another matter. This is often the nature of what happens with big law firms, some of whom the County uses on a recurring basis.

The Rules of Professional Conduct governing the practice of law in South Carolina address conflicts of interest and the circumstances under which a lawyer may represent a client when a conflict of interest exists, providing in pertinent part:

*RULE 1.7: CONFLICT OF INTEREST: CURRENT CLIENTS*

*(a) Except as provided in paragraph (b), a lawyer shall not represent a client if the representation involves a concurrent conflict of interest. A concurrent conflict of interest exists if:*

- (1) the representation of one client will be directly adverse to another client; or*
- (2) there is a significant risk that the representation of one or more clients will be materially limited by the lawyer's responsibilities to another client, a former client or a third person or by a personal interest of the lawyer.*

*(b) Notwithstanding the existence of a concurrent conflict of interest under paragraph (a), a lawyer may represent a client if:*

- (1) the lawyer reasonably believes that the lawyer will be able to provide competent and diligent representation to each affected client;*
- (2) the representation is not prohibited by law;*
- (3) the representation does not involve the assertion of a claim by one client against another client represented by the lawyer in the same litigation or other proceeding before a tribunal; and*
- (4) each affected client gives informed consent, confirmed in writing.*



**Administration**

Reviewed by: Tony McDonald

Date: 1/15/13

Recommend Council approval

Recommend Council denial

Comments regarding recommendation: Recommend approval with the inclusion of the provision that the policy can be overridden by the Council when in the best interest of the County, as suggested by the Legal Department.

# Richland County Council Request of Action

**Subject**

Addressing Council's Expense Accounts for Districts 7 and 9 **[PAGES 36-38]**

**Reviews**

## Richland County Council Request of Action

**Subject:** Addressing Council's Expense Accounts for Districts 7 and 9

### **A. Purpose**

County Council is requested to provide direction as it relates to the expense accounts for Council Districts 7 and 9.

### **B. Background / Discussion**

At the January 8, 2013 Council Meeting, Councilman Pearce made the following motion, which was forwarded to the A&F Committee:

“That the expense account balances for County Council Districts 7 and 9 be adjusted by the transfer of funds from one account to the other in order that both accounts have a minimum balance of one-half fiscal year funding.”

At the November 6, 2012 election, two new Council Members were elected in Districts 7 and 9. These Council members officially assumed office on January 1, 2013. They will serve six months of FY13. Currently, each Council District has an expense account that is approved for \$7,000 annually.

As of January 10, 2013, the expense account balance in Council District 7 is \$2,145.59.

As of January 10, 2013, the expense account balance in Council District 9 is \$7,000.

According to Mr. Pearce's motion, the following would occur:

\$1,354.41 from the expense account balance in Council District 9 would be transferred to the expense account in Council District 7, providing Council District 7 with \$3,500 and Council District 9 with \$5,645.59.

Although this is one possible solution, other potential solutions exist, such as:

1. Doing nothing. The expense account balances would remain as-is.
2. Council members may volunteer that funds from their expense accounts transfer to other expense accounts.
3. Obtaining additional funding for expense accounts from other sources (i.e., Fund Balance, etc.).

### **C. Legislative / Chronological History**

Councilman Pearce made the motion at the January 8, 2013 Council Meeting.

### **D. Financial Impact**

There is no additional financial impact associated with Councilman Pearce's request, nor that of options 1 and 2 beyond the overall amount approved for Council's expense accounts in the FY13 budget. However, there would be a financial impact associated with selecting solution 3 above.

**E. Alternatives**

1. Approve Mr. Pearce’s recommendation.
2. Approve one of the other options listed above.
3. Approve another option.
4. Do not approve Mr. Pearce’s recommendation.

**F. Recommendation**

It is recommended that the expense account balances for County Council Districts 7 and 9 be adjusted through the transfer of funds from one account to the other in order that both accounts have a minimum balance of one-half fiscal year funding.

Recommended by: Councilman Pearce Date: January 8, 2013 Council Meeting

**G. Reviews**

(Please **SIGN** your name, ✓ the appropriate box, and support your recommendation before routing. 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 Date: 1/15/13  
 ✓ Recommend Council approval  Recommend Council denial  
 Comments regarding recommendation:  
 All alternatives are within Council discretion and recommendation is reasonable and financially immaterial.

**Legal**

Reviewed by: Elizabeth McLean Date: 1/15/13  
 Recommend Council approval  Recommend Council denial  
 Comments regarding recommendation: Policy decision left to Council’s discretion.

**Administration**

Reviewed by: Tony McDonald Date: 1/17/13  
 ✓ Recommend Council approval  Recommend Council denial  
 Comments regarding recommendation: Recommend approval as proposed. No additional funds are required to implement the proposal, only a simple transfer of funds from one account to another.

# Richland County Council Request of Action

**Subject**

Issuing Taxable General Obligation Bonds [**PAGES 39-41**]

**Reviews**





**Administration**

Reviewed by: Tony McDonald

Date: 1/17/13

Recommend Council approval

Recommend Council denial

Comments regarding recommendation: Recommend approval due to the fact that the refunding of the 2004 bond will save the County debt service over the remaining life of the bond.

# Richland County Council Request of Action

**Subject**

Issuing Revenue Bonds Secured by Hospitality Tax Revenues; Refunding/Refinancing Outstanding Debt Secured by Hospitality Tax Revenues [**PAGES 42-44**]

**Reviews**

## Richland County Council Request of Action

**Subject:** Issuing Revenue Bonds Secured by Hospitality Tax Revenues; Refunding/Refinancing Outstanding Debt Secured by Hospitality Tax Revenues

**A. Purpose**

County Council is being requested to enact a general bond ordinance authorizing the issuance of revenue bonds secured by Hospitality Tax revenues and a first supplemental ordinance authorizing the refunding of the 2007 Loan Agreement.

**B. Discussion**

On April 17, 2007 County Council authorized the County to enter into a \$23,765,000 Loan Agreement dated April 30, 2007 by and between the County and Bank of America Public Corp (the "Loan Agreement"). The proceeds of the Loan Agreement were used to fund improvements to the Township Auditorium and to provide long-term financing for properties acquired by the County for use as (1) the Farmers' Market and (2) as the Regional Sports Complex.

The County has been informed by its bond counsel that state law has changed and the County can now issue revenue bonds secured by Hospitality Tax revenues by enacting a general bond ordinance and a supplemental ordinance for a specific transaction. The County has also been advised by its financial advisor that a debt service savings could be realized by refunding the Loan Agreement. Therefore, it would be in the County's best interests to authorize the issuance of revenue bonds by adopting a general bond ordinance and authorizing the refunding of the Loan Agreement by enacting a first supplemental ordinance. The County would issue revenue bonds in an amount necessary to provide sufficient funds for the refunding.

The advantage of issuing the taxable debt is that it will provide the County with increased flexibility regarding the implementation of several phases of development of the Regional Sports Complex. Specifically, the use of taxable debt would give the County flexibility to provide property for non-tax-exempt purposes as needed for future projects.

**C. Financial Impact**

The direct financial impact of an approval of this request would result in a debt service savings over the life of the revenue bonds.

The issuance of the taxable debt will not increase millage or require additional Hospitality Tax dollars. The required payments on the debt can be made within the current allocated debt service amount.

**D. Alternatives**

1. Approve the request to enact the ordinances.
2. Do not approve the request to enact the ordinances.

**E. Recommendation**

It is recommended that Council approve the request to enact the ordinances, the first alternative.

Recommended by: Daniel Driggers      Department: Finance      Date: 1/17/13

**Reviews**

(Please ***SIGN*** your name, ✓ the appropriate box, and support your recommendation before routing. Thank you!)

Item# 10

**Finance**

Reviewed by: Daniel Driggers

Date: 1/17/13

Recommend Council approval

Recommend Council denial

Comments regarding recommendation:

**Legal**

Reviewed by: Elizabeth McLean

Date: 1/17/13

Recommend Council approval

Recommend Council denial

Comments regarding recommendation: Council discretion.

**Administration**

Reviewed by: Tony McDonald

Date: 1/17/13

Recommend Council approval

Recommend Council denial

Comments regarding recommendation: Recommend approval due to the fact that the refunding of the 2007 bond will save the County debt service over the remaining life of the bond and will provide for more flexibility in terms of how the bond proceeds can be used.