

# RICHLAND COUNTY COUNCIL

# ADMINISTRATION AND FINANCE COMMITTEE

Greg Pearce	Torrey Rush	Joyce Dickerson (Chair)	Damon Jeter	Paul Livingston
District 6	District 7	District 2	District 3	District 4

## APRIL 23, 2013 6:00 PM

### **2020 Hampton Street**

#### **CALL TO ORDER**

#### **APPROVAL OF MINUTES**

1. Regular Session: March 26, 2013 [PAGES 3-6]

#### **ADOPTION OF AGENDA**

#### **ITEMS FOR ACTION**

- 2. Agencies funded by Richland County discussing budgetary decisions are subject to have Richland County staff present [PAGES 7-9]
- 3. Budget Increase for the Legal Department [PAGES 10-12]

- 4. Request funds to purchase 12 1/2 acres of land adjacent to Friarsgate Park in District 1 [PAGES 13-27]
- 5. Richland County Sheriff's Department Sole Source Purchase iRobot PackBot [PAGES 28-32]
- 6. Richland County Treasurer's Office: Purchase of OPEX-AS3690 Scanner, RTLFiRST Software, Maintenance and Installation for Lockbox Services (Equipment Purchase) [PAGES 33-41]
- 7. Reallocation of Appearance Commission Funding for Hilton Field Improvements [PAGES 42-47]
- 8. Transportation Penny Allocation Ordinance [PAGES 48-55]

#### **ADJOURNMENT**



#### <u>Subject</u>

Regular Session: March 26, 2013 [PAGES 3-6]

#### <u>Reviews</u>

#### MINUTES OF



#### RICHLAND COUNTY COUNCIL ADMINISTRATION AND FINANCE COMMITTEE TUESDAY, MARCH 26, 2013 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.

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#### **MEMBERS PRESENT**

Chair: Joyce Dickerson
Member: Damon Jeter
Member: Paul Livingston
Member: Greg Pearce
Member: Torrey Rush

**ALSO PRESENT**: Kelvin E. Washington, Sr., Bill Malinowski, Seth Rose, Julie-Ann Dixon, Norman Jackson, Tony McDonald, Sparty Hammett, Roxanne Ancheta, Brad Farrar, Amelia Linder, Justine Jones, Stephany Snowden, John Hixon, Bill Peters, Nancy Stone-Collum, Rodolfo Callwood, Monique Walters

#### **CALL TO ORDER**

The meeting started at approximately 6:03 p.m.

#### **APPROVAL OF MINUTES**

<u>February 26, 2013 (Regular Session)</u> – Mr. Pearce moved, seconded by Mr. Rush, to approve the minutes as distributed. The vote in favor was unanimous.

#### **ADOPTION OF AGENDA**

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

#### **ITEMS FOR ACTION**

<u>Bailey Bill Provisions Comparison of Richland County and City of Columbia</u> – Mr. Livingston moved, seconded by Mr. Jeter, to forward to Council a recommendation to amend the County's Bailey Bill ordinance to be consistent with the 2010 amendments to the SC Code

Richland County Council Administration and Finance Committee March 26, 2013 Page Two

of Laws; (2) amend the County's Bailey Bill ordinance to be consistent with the City of Columbia's ordinance; (3) discontinue the current practice of processing applications for properties that are located in, and have been approved by, the City of Columbia; and (4) promote the benefits of the Bailey Bill to residents and businesses, so as to encourage the renovation and preservation of historic properties.

Mr. Rush made a friendly amendment to add the retroactive language back into the ordinance.

The vote in favor was unanimous.

<u>Department of Public Works: Purchase of Tri-Axle Dump Truck</u> – Mr. Pearce moved, seconded by Mr. Livingston, to forward to Council with a recommendation to approve the request to purchase the Tri-Axle Dump truck for the asphalt paving crew. The vote in favor was unanimous.

<u>Contract Approval with Palmetto Posting, Inc.</u> – Mr. Jeter moved, seconded by Mr. Livingston, to forward to Council with a recommendation to approve the request for the County to enter into a contract with Palmetto Posting, Inc., at rate and cost estimates provided, for the purpose of posting of property in Richland County on which delinquent ad valorem property taxes are due. The vote in favor was unanimous.

Authorization to Increase the FY13 Iron Mountain Purchase Order Over \$100,000 — Mr. Livingston moved, seconded Mr. Pearce, to forward to Council with a recommendation to approve the request to grant authorization to increase the Iron Mountain blanket purchase order to a maximum limit of \$183,000, which is over the current \$100,000 authorized limit. The vote in favor was unanimous.

<u>SC 2013 Legislative Exchange Program Funding Request</u> – Mr. Pearce moved, seconded Mr. Jeter, to forward to Council a recommendation to allocate \$5,000 to the SC Legislative Exchange Program. The motion failed.

Mr. Livingston made a substitute motion, seconded by Mr. Rush, to forward this item to Council without a recommendation. The vote in favor was unanimous.

<u>Town of Eastover's 35<sup>th</sup> Annual Barbeque Festival Funding Request</u> – Mr. Pearce moved, seconded by Mr. Jeter, to forward this item to Council without a recommendation. The vote in favor was unanimous.

<u>Columbia's First HipHop Family Day: Love, Peace & HipHop Funding Request</u> – Mr. Pearce moved, seconded by Mr. Rush, to forward this item to Council with a recommendation for denial. The vote in favor was unanimous.

<u>Force Main Replacement Funding Request</u> – Mr. Pearce moved, seconded by Mr. Livingston, to forward this item to Council with a recommendation to approve the request to allow East Richland County Public Service District to issue up to \$10 million in general obligation bond funding to replace the mains. The vote in favor was unanimous.

Richland County Council Administration and Finance Committee March 26, 2013 Page Three

<u>Modifying Lease Agreement with Palmetto Health</u> – Mr. Livingston moved, seconded by Mr. Pearce, to forward this item to Council with a recommendation to approve the request to initiate a change in the Agreement to help support a new patient load at Eau Claire Health Cooperative. The vote in favor was unanimous with Mr. Jeter abstaining.

<u>Proposed Legislation to Increase SC Gas Taxes</u> – Mr. Livingston made a motion to forward to Council a recommendation to approve the adoption of a resolution that supports the State of South Carolina's proposed increase in gas taxes. The motion died for lack of a second.

<u>Election Commission Funding Request: Richland School District One Special Election</u> – Mr. Pearce moved, seconded by Mr. Jeter, to forward this item to Council with a recommendation to instruct staff to draft a letter of explanation to Richland School District One. The vote in favor was unanimous.

#### **ADJOURNMENT**

The meeting adjourned at approximately 6:55 p.m.

Submitted by,

Joyce Dickerson, Chair

The minutes were transcribed by Michelle M. Onley

#### <u>Subject</u>

Agencies funded by Richland County discussing budgetary decisions are subject to have Richland County staff present [PAGES 7-9]

#### <u>Reviews</u>

Subject: Staff Access to Meetings Held by Agencies
Funded by Richland County

#### A. Purpose

County Council is requested to provide direction regarding how to initiate open access for Richland County staff to attend budget-related meetings, as needed, for all agencies that receive County funding.

#### B. Background / Discussion

At the April 2, 2013 Council meeting, Councilman Jackson submitted the following motion:

"Agencies funded by Richland County discussing budgetary decisions are subject to have Richland County staff present."

#### C. Legislative / Chronological History

This motion was referred to the A&F Committee at the April 2, 2013 Council Meeting.

#### D. Financial Impact

There is no financial impact associated with this request.

#### E. Alternatives

- 1. Approve the request to provide direction regarding how to initiate open access for Richland County staff to attend budget-related meetings, as needed, for all agencies that receive County funding.
- 2. Do not approve the request to provide direction regarding how to initiate open access for Richland County staff to attend budget-related meetings, as needed, for all agencies that receive County funding.

#### F. Recommendation

It is recommended that Council approve the request to provide direction regarding how to initiate open access for Richland County staff to attend budget-related meetings, as needed, for all agencies that receive County funding.

Recommended by: Hon. Norman Jackson Department: County Council Date: 4/5/13

#### G. Reviews

#### **Finance**

Reviewed by: Daniel Driggers Date: 4/15/13

✓ Recommend Council approval □ Recommend Council denial

Comments regarding recommendation:

The request seems to be consistent with the County's transparency initiatives.

Legal

Reviewed by: Elizabeth McLean Date: 4/15/13

Item# 2

	☐ Recommend Council approval	☐ Recommend Council denial
	Comments regarding recommendation: As this	s is only a preliminary request for
	direction, it is a policy decision left to Council's	's discretion.
Ad	ministration	
	Reviewed by: Tony McDonald	Date: 4/15/13
	✓ Recommend Council approval	☐ Recommend Council denial
	Comments regarding recommendation: Recomm	mend approval of the concept, but would
	suggest that attendance at agency budget meeting	ngs by County staff only occur on an as
	needed basis. To try to attend all such meetings	s would be overwhelming to the staff and
	would consume more time than is practical.	Ç

#### <u>Subject</u>

Budget Increase for the Legal Department [PAGES 10-12]

#### <u>Reviews</u>

Subject: Budget Increase for the Legal Department

#### A. Purpose

County Council is requested to approve a budget increase for the Legal Department in the amount of \$324,000, which will go to the Professional Services line to pay for excessive costs related to the November 2012 general election and the Columbia Venture trial.

#### B. Background / Discussion

This budget amendment request is based on two major events during the FY2012-2013 fiscal year: the problematic November 2012 general election and the trial of the Columbia Venture lawsuit, as well as several smaller unexpected expenses.

As you know, even though the County has no control over the hiring of the Elections Director, nor any control over the conduct of such elections, the County is required to fund the costs for all election staff and activities. Along with that requirement, the County Attorney's office is required to provide legal counsel for the Richland County Election Commission and the Board of Elections and Voter Registration. Again, as you all know, the election did not go smoothly, resulting in three separate lawsuits: one at the circuit court level attempting to stop the canvassing of the votes and place the counting in the hands of SLED and the State Election Commission; one at the South Carolina Supreme Court contesting the right of the circuit court and the State Election Commission to intervene in the canvassing; and one also at the South Carolina Supreme Court (after beginning at the Richland County Election Commission and at the State Election Commission) protesting the passage of the Transportation Penny Sales Tax, with such protest being based on a violation of state law as it relates to the number of voting machines at each precinct.

The County was successful in each of these lawsuits, but not without excessive added expenses that the County Attorney's budget was not funded adequately to absorb. Given the complexities of the election issues and the different persons/parties involved, it was necessary to authorize two different outside attorneys with election specialties to help resolve the issues. On the issue of the Transportation Penny Sales Tax, the County enlisted the services of another election expert attorney to intervene in the protest and protect the County's interests. Again, the County was successful in each of these cases; however, the cost of success has been substantial.

The second event precipitating the necessity of this budget amendment was the long awaited trial of the Columbia Venture lawsuit. While, again, we earned a victory at the circuit court level, the costs accrued quickly. The trial, which required the services of a special referee, was expected to last 5 days, but turned into a 14 day ordeal. The financial impact of that extended time frame was substantial, with the County being required to pay not only its own counsel, but half of the fee for the special referee.

Along with the two major events, the department was asked to provide the funding for Franklin Lee's work in rewriting portions of the Procurement Code. Additionally, the Probate Court was uncharacteristically sued twice and required specialized outside counsel.

The County has had much recent legal success, but the cost for such has not been insignificant. In order to pay the professional services fees outlined above, the County Attorney's Office is requesting a budget amendment of \$324,000.

#### C. Legislative / Chronological History

There is no legislative history associated with this request. Council has been briefed about these expenses previously.

#### D. Financial Impact

Approval of the budget amendment will require \$324,000 be moved from the General Fund to the Legal Department budget.

#### E. Alternatives

- 1. Approve the budget amendment request.
- 2. Do not approve the budget amendment request, which would mean that the Legal Department would not be able to pay for the Professional Services outlined above.

#### F. Recommendation

	It is recommended that Council appro	ove the budget am	endment reque	est.
	Recommended by: Larry C. Smith	Department: I	Legal	Date: April 1, 2013
G.	Reviews Finance Reviewed by: Daniel Driggers  ☐ Recommend Council appr  ✓ Recommend Council discr Comments regarding recomments	oval retion	Date: 4/8/1 ☐ Recomm	3 end Council denial
	Request is an operational fund as requested would require a b	_		
	Legal			

possible.

Legal	
Reviewed by: Elizabeth McLean	Date: 4/8/13
☑ Recommend Council approval	☐ Recommend Council denial
Comments regarding recommendation:	
Administration	
Reviewed by: Tony McDonald	Date: 4/15/13
✓ Recommend Council approval	Recommend Council denial
Comments regarding recommendation: Reco	ommend approval, with funding to come
from the General Fund fund balance. Also r	recommend that we pursue reimbursement
from the State, particularly for those costs as	ssociated with the election, to the extent

#### <u>Subject</u>

Request funds to purchase 12 1/2 acres of land adjacent to Friarsgate Park in District 1 [PAGES 13-27]

#### <u>Reviews</u>

Subject: Purchase of 12.5 Acres of Land Adjacent to Friarsgate Park

#### A. Purpose

County Council is requested to provide direction as it relates to the motion by Mr. Malinowski regarding the purchase of 12.5 acres of land adjacent to Friarsgate Park.

#### B. Background / Discussion

At the April 2, 2013 Council Meeting, Councilman Malinowski made the following motion, which was forwarded to the D&S Committee:

James Brown, III, Executive Director, Richland County Recreation Commission, advised they have obtained approval from their Board of Commissioners to request funds to purchase 12.5 acres of land adjacent to Friarsgate Park in District 1. Currently, Friarsgate Park can no longer handle the volume of youth activities taking place there and is at the point of turning them away.

District 1 was allotted less than 1% of the funding from the \$50 million Recreation Bond Referendum (.00078% to be exact). The purchase price for the land including closing will be \$520,000.00.

Based on the above, I am submitting the following motion: Request funding during the upcoming budget meetings to authorize the Richland County Recreation Commission to purchase 12.5 acres of land adjacent to Friarsgate Park in the amount of \$520,000.

Per a conversation with the Richland County Recreation Commission [RCRC], when the \$50M Bond was approved in 2008, \$300,000 was appropriated for the purchase of this property. [The original \$50M Bond Ordinance, including the projects list, is attached for your convenience, as is the most recent \$50M Bond update from the RCRC.] However, since that time, the landowner passed away, and his children assumed ownership of the property. The change in ownership brought a substantial increase in the price of the property, and the purchase of the property was abandoned.

The \$300,000 appropriated in the bond for the purchase of this property was approved to be used for alternate purposes, including upgrades to the facility (new kitchen, etc.), additional baseball fields, a batting cage, etc.

Mr. Malinowski's motion requests that this potential purchase be taken up during the upcoming budget meetings. The budget work sessions begin May 7, 2013. If approved, staff would add this item to the Motions List to be voted on by Council.

Council's direction regarding this item is requested.

#### C. Legislative / Chronological History

Councilman Malinowski made the motion at the April 2, 2013 Council Meeting.

#### D. Financial Impact

There would be a \$520,000 impact if Council approves this purchase. At this time, funds have not been identified for this purpose.

#### E. Alternatives

- 1. Approve Mr. Malinowski's motion to request funding for this purchase during the budget work sessions. If approved, staff would add this item to the Motions List to be voted on by Council.
- 2. Do not approve Mr. Malinowski's motion to request funding for this purchase during the budget work sessions.

#### F. Recommendation

Request funding during the upcoming budget meetings to authorize the Richland County Recreation Commission to purchase 12.5 acres of land adjacent to Friarsgate Park in the amount of \$520,000.

Recommended by: Councilman Malinowski Date: April 2, 2013 Council Meeting

#### G. Reviews

#### **Finance**

Reviewed by: Daniel Driggers	Date: 4/17/13
☐ Recommend Council approval	☐ Recommend Council denial
✓ Recommend Council discretion	
Comments regarding recommendation:	

ROA is a request for Council to consider a project funding during the FY14 budget process and is consistent with the historical budget practices utilized by Council. As a practice any one Council Member has the ability to add an item to the motion list to be considered during the budget discussions therefore approval would be consistent with past practices. The one caveat is that a funding source is required to be identified prior to adding to the list in order to ensure it is reviewed during the appropriate discussion.

It is also recommended that Council consider the following other items prior to approval:

- It would be a recommendation that Council obtain an appraisal prior to approving a purchase price.
- Since the project was approved in the original bond and subsequently redirected to renovation and upgrading existing facility, was there any discussion at that time about funding this project in the future?
- As a funding source, it may be beneficial for Council to have discussions with the Recreation Commission to determine if available funds can be identified within the unspent bond proceeds either due to other project changes, savings realized due to lower project cost since 2008, or interest earned on the proceeds during the project.
- Recently the Recreation Commission has requested Council to consider a change in funding strategy to cover an annual recurring shortfall of approximately \$1m. At this point, I don't believe that Council has acted on this item. During the discussion it was communicated by the Recreation Commission that this, in part, may create a situation

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where new facilities are constructed but can't open due to the inability to fund operating cost. Therefore Council should consider

- Is this the appropriate time to fund additional capital cost before a resolution is reached on funding the operating cost for existing approved facilities?
- o If the additional \$520,000 is approved for a capital expansion, what would be the additional annual operating cost required for the Commission once acquired for development, maintenance, and usage? How would the incremental cost be addressed?

Legal
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- 8	
Reviewed by: Elizabeth McLean	Date: 4/17/13
☐ Recommend Council approval	☐ Recommend Council denial
Comments regarding recommendation: Policy	y decision left to Council's discretion.
Administration	
Reviewed by: Tony McDonald	Date: 4/18/13
✓ Recommend Council approval	☐ Recommend Council denial
Comments regarding recommendation: Recor	mmend that this item be discussed during
the FY 14 budget process, as requested in the	motion.

Book 11 Page 367

#### STATE OF SOUTH CAROLINA COUNTY COUNCIL FOR RICHLAND COUNTY ORDINANCE NO. 048-08HR

AUTHORIZING THE RECREATION COMMISSION OF RICHLAND COUNTY ON BEHALF OF THE RECREATION DISTRICT OF RICHLAND COUNTY, SOUTH CAROLINA, TO ISSUE GENERAL OBLIGATION BONDS IN THE PRINCIPAL AMOUNT OF NOT EXCEEDING \$50,000,000; AND OTHER MATTERS RELATING THERETO.

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

SECTION 1. The County Council (the "County Council") of Richland County; South (the "County"), hereby finds and determines:

- (a) The Recreation Commission of Richland County (the "Commission") is the governing body of The Recreation District of Richland County, South Carolina (the "District") and has submitted a petition dated June 24, 2008, to the County Council requesting authorization to issue not exceeding \$45,000,000 principal amount general obligation bonds of the District.
- (b) The District was established pursuant to Act No. 873 of the Acts and Joint Resolutions of the General Assembly of the State of South Carolina, Regular Session of 1960, as amended (the "Act").
- (c) The corporate powers and responsibilities of the District are performed by the Commission and as such the Commission is the governing body of the District. The Act committed to the Commission the power to acquire, by gift, purchase or through the exercise of eminent domain, lands, or interest thereon whereon to establish physical education and recreation facilities.
- (d) Article X, Section 14 of the Constitution of the State of South Carolina, 1895, as amended, provides that special purpose districts shall have the power to issue bonded indebtedness only for a purpose which is a public purpose and a corporate purpose in an amount not exceeding eight percent (8%) of the assessed value of all taxable property therein upon such terms and conditions as the General Assembly shall prescribe by general law.
- (e) The Council constitutes the "county board" of the County and the District constitutes a "special purpose district," as such quoted terms are defined in the Code.
- (f) Pursuant to Title 6, Chapter 11, Article 5, Code of Laws of South Carolina, 1976, as amended (the "Code"), the county boards of all counties of the State of South Carolina wherein special purpose districts exist are empowered to authorize the governing body of such special purpose district to issue bonds of the special purpose district whose proceeds shall be used in furtherance of any power of the special purpose district.
- (g) Pursuant to the Code the County Council is empowered to authorize the Commission of the District to issue bonds of the District whose proceeds shall be used in furtherance of any power of the District.

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- (h) The assessed value of all taxable property of the District as of June 30, 2007, is \$938,376,870. Eight percent of such assessed value is \$75,070,150. The general obligation debt outstanding of the District for computation purposes under Article X, Section 14, of the Constitution of the State of South Carolina, 1895, as amended, is \$5,478,618. Thus, the District may incur \$69,591,532 of general obligation debt within its applicable debt limitation.
- (i) It is now in the best interest of the District for the Commission to provide for the issuance and sale of the Bonds of the District pursuant to the aforesaid provisions of the Constitution and laws of the State of South Carolina in the principal amount of not exceeding \$50,000,000 (the "Bonds"), the proceeds of which will be used for projects (the "Projects") as identified on Exhibit A attached hereto and incorporated herein by reference and costs of issuance of the Bonds.
- (j) Prior to the enactment of this Ordinance, County Council shall hold a public hearing on the question of the issuance of the Bonds as required by Section 6-11-830, Code of Laws of South Carolina 1976 as amended.
- SECTION 2. Pursuant to the aforementioned constitutional and statutory provisions, the Commission, on behalf of the District, is hereby authorized to issue the Bonds in an aggregate amount not to exceed \$50,000,000 in such amounts and at such times as the Commission shall determine; provided that this authorization is granted upon the condition that the Commission agrees that it will not issue Bonds in an amount that will require more than three mills of taxes to be levied and collected in any tax year for debt service on the existing debt of the District and the Bonds. The Bonds may be issued in one or more series, in one or more years, with appropriate series designations. The Bonds shall be dated, shall mature, shall be in such denomination, shall bear such interest, shall be subject to redemption, shall be executed and shall contain such other provisions as the Commission shall determine. Prior to the issuance of a series of Bonds, the Commission may issue bond anticipation notes in anticipation of the receipt of proceeds of such Bonds.
- SECTION 3. Proceeds of the Bonds shall be expended only for Projects as identified on Exhibit A and only in such amounts as shown on Exhibit A attached hereto provided that an amount not to exceed ten percent (10%) of the total cost of the Projects may be reallocated among the Projects at the direction of the Commission. Interest earned on the proceeds of the Bonds, net of any rebate liability, shall be expended on the Projects at the direction of the Commission. The Projects shall be undertaken in such order and at such times as the Commission shall determine provided that if the Commission climinates a Project, then the amount of Bonds authorized to be issued shall be reduced by the cost of such Project.

SECTION 4. No election shall be held as a condition to the issuance of the Bonds.

SECTION 5. For the payment of the principal and interest on the Bonds as they respectively mature, and for the creation of such sinking fund as may be necessary to provide for the prompt payment thereof, the full faith, credit, taxing power and resources of the District shall be irrevocably pledged, and there shall be levied annually by the Auditor of Richland County and collected by the Treasurer of Richland County, in the same manner as county taxes are levied and collected, a tax without limit on all taxable property of the District sufficient to pay the principal and interest on the Bonds as they respectively mature and to create such sinking fund as may be necessary therefor.



SECTION 6. The Commission is authorized to do all things necessary or convenient in accordance with applicable law to effect the issuance of the Bonds at such times as it deems necessary and in the interest of the District.

SECTION 7. Following the enactment of this Ordinance, a Notice in substantially the form attached as Exhibit B shall be published in a newspaper of general circulation in the County for three successive weeks.

SECTION 8. All orders, resolutions, ordinances and parts thereof, procedural or otherwise, in conflict herewith or the proceedings authorizing the issuance of the General Obligation Bond and the General Obligation Refunding Bonds are, to the extent of such conflict, hereby repealed and this Ordinance shall take effect and be in full force from and after its passage and approval.

SECTION 9. Miscellaneous. All rules, regulations, resolutions and parts thereof, procedural or otherwise, in conflict herewith or the proceedings authorizing the issuance of the Bonds are, to the extent of such conflict, hereby repealed and this Ordinance shall take effect and be in full force from and after its adoption.

Enacted this 9th day of September, 2008.

RICHLAND COUNTY, SOUTH CAROLINA

oseph McEachern, Chairman Richland County Council

(SEAL)

ATTEST THIS

Michielle R. Cannon-Finch

Clerk of County Council

RICHLAND COUNTY ATTORNEY'S OFFICE

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

Date of First Reading: Date of Second Reading: July 1, 2008 July 22, 2008

Publication of Notice of

Public Hearing:

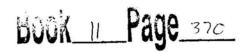
July 5, 12 and 19, 2008

Date of Public Hearing: Date of Third Reading:

July 22, 2008

September 9, 2008

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**EXHIBIT A** 

List of Recreation Commission of Richland County Projects to be funded from not to exceed \$50,000,000 of Bonds

[See Attached Pages A-1 through A-3]

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P <u>roject</u>		Amount
Ball field Lighting at Cross Roads Park	\$	60,000
Replace Fencing at Cross Roads Park	\$	-
Cross Roads Park Playground System Replacement	\$	70,000
Replace Outdoor Restrooms at Eastover Park	\$	160,000
Replace Fencing at Eastover Park	\$	47,000
Replace Outdoor Restrooms at Caughman Road Park	\$	150,000
Replace Fencing at Caughman Road Park	\$	162,000
Replace Caughman Road Racquetball Court and Climbing Wall	\$	120,000
Replace Fencing at Bluff Road Park	\$	55,000
Replace Fencing at Hopkins Park	\$	66,000
Picnic Shelter at Hopkins Park	\$	45,000
Olympia Park Playground	\$	70,000
Garners Ferry Sports Complex Playground	\$	70,000
Tennis Center Replacement on Parklane Road	\$	425,000
Ball field Lighting for Blythewood Park	\$	240,000
Replace Fencing at Blythewood Park	\$	99,000
Irrigation Improvements at Blythewood Park	\$	48,000
Replace St. Andrews Park Outdoor Restrooms	\$	160,000
Polo Road Park Outdoor Restrooms	\$	160,000
Replace Fencing at Polo Road Park	\$	202,000
Parking Lot Paving for Polo Road Park	\$	1,250,000
Stairs down to Soccer Fields at Polo Road Park	\$	42,000
Irrigation Improvements and Commercial Well at Polo Road Park	\$	136,000
Replace Fencing at Killian Park	\$	70,000
Replacement of Fencing at Trenholm Road Park	\$	65,000
Replace Racquetball Court at Meadowlake Park	\$	20,000
Irrigation Improvements at Meadowlake Park	\$	32,000
Replacement of Playground System at Meadowlake Park	\$	70,000
Replace Racquetball Court at Friarsgate Park	\$	20,000
Replacement of Playground System at Friarsgate Park	\$	70,000
Replace Racquetball Court at North Springs Park	\$	20,000
Replacement of Playground System at North Springs Park	\$	70,000
Irrigation Improvements at North Springs Park	\$	140,000
Replacement of Playground System at Summerhill Park	\$	70,000
Greenview Park Drainage Project Partnership with City of Columbia	\$	300,000
Total projects that should not increase operational costs	\$ 4	,824,000

A-1

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LAND PURCHASES:			
Project		Amount	
Friarsgate Park Expansion (12 acres)	\$	300,000	
Caughman Road Land (10 acres)	\$	320,000	
RCRC Headquarters Land (8.5 acres)	\$	835,000	
Southeast Sports Complex Land Only (40 acres)	\$	1,600,000	
Kelly Mill Land (126.17acres)	\$	2,955,000	
Marley Drive Area Land Only (11.6 acres)*	\$	600,000	
Long Town Area (220 acres)	\$	1,300,000	
TOTAL LAND PURCHASES			\$ 7,910,000
CONSTRUCTION PROJECTS:			
Blythewood Park Expansion		502.000	
Hopkins Park Canteen	\$	523,000	
Candlewood New Mini Park	\$	48,000	<u> </u>
Royal Pines New Mini Park	\$	120,000	
	\$	120,000	ļ
Bluff Road Park Replacement	\$	4,070,000	ļ
St. Andrews Park Replacement and swimming pool*	\$	5,179,000	
Hopkins Park AAC Replacement	\$	1,140,000	<u> </u>
Meadowlake Press Boxes and Canteen	\$	480,000	
Polo Road Park Two Lighted Tennis Courts	\$	70,000	ļ
Polo Road Park Improvements	\$	50,000	
Kelly Mill Development	\$	5,941,000	ļ
Cross Roads Park Community Center	\$	1,240,000	
Ridgewood Park Community Center	\$	516,000	
ower Richland Mini Parks (4)	\$	480,000	
Perrin Thomas Community Center	\$	1,700,000	1
North Springs Park Expansion	\$	2,172,000	
leadquarters Building New	\$	3,880,000	
Crane Creek Gym	\$	2,170,000	
astover Pool	\$	1,390,000	
Garners Ferry AAC	\$	2,767,000	
Sarners Ferry Technology Center	\$	408,000	
lew Castle/Trenholm Acres Community Center	\$	671,000	
Sadsden Park Gym and meeting rooms**	\$	1,500,000	
TOTAL CONSTRUCTION PROJECTS			\$ 36,635,000
TOTAL	+		\$ 44,545,000
TOTAL FROM PAGE 1			\$ 4,824,000
TOTALTROMPAGET			

A-2

<sup>\*</sup> Either one of these projects

\*\* Possible joint venture with Richland School District I (half of \$3) million)

# Book n Page 373

<u>Project</u>	Amount
Four (4) soccer fields	\$2,100,000
Two (2) lighted soccer fields	\$120,000
Three (3) football fields	\$1,575,000
One (1) baseball field with press box	\$340,000
One (1) lighted football field	\$80,000
One (1) lighted baseball field	\$80,000
One (1) playground system	\$70,000
Two (2) picnic shelters	\$70,000
Two (2) canteens with restrooms	\$360,000
Paved parking	\$920,000
Two (2) commercial wells with VFD	\$96,000
Irrigation for fields	\$55,000
Walking trail approximately half mile	\$75,000
TOTAL KELLY MILL PROPERTY DEVELOPMENT:	\$5.941.000

#### POLO ROAD PARK IMPROVEMENTS:

KELLY MILL PROPERTY DEVELOPMENT:

Project	Amount
Demolish two (2) outdoor restrooms	\$10,000
New outdoor restrooms	\$160,000
Replace fencing (black vinyl fencing)	\$202,000
Stairs to soccer fields (2 sets)	\$42,000
Fence along top of hill at stairs	\$20,000
Irrigation improvements: (2) commercial wells with VFD pumps, well	
houses	\$136,000
TOTAL POLO ROAD PARK PROJECT:	\$570,000

Book 11 Page 374

FORM OF
NOTICE PURSUANT TO
SECTION 6-11-870, CODE OF LAWS
OF SOUTH CAROLINA, 1976, AS AMENDED,
OF APPROVAL BY THE COUNTY COUNCIL
OF RICHLAND COUNTY, SOUTH CAROLINA
OF THE ISSUANCE OF

NOT EXCEEDING \$50,000,000 GENERAL OBLIGATION BONDS OF THE RECREATION DISTRICT OF RICHLAND COUNTY, SOUTH CAROLINA

On June 24, 2008, the Recreation Commission of Richland County (the "Commission") on behalf of The Recreation District of Richland County, South Carolina (the "District") petitioned the County Council of Richland County, South Carolina (the "County Council") requesting that County Council (a) accept the filing of a Petition; (b) make a finding that it is in the best interest of the District for County Council to authorize the Commission to issue not exceeding \$45,000,000 general obligation bonds (the "Bonds"), (c) order a public hearing upon the question of the issuance of the Bonds of the District; and (d) enact an ordinance authorizing the Commission on behalf of the District to issue the Bonds of the District without the necessity of an election in the District upon the question of the issuance of such Bonds.

The County Council caused the required notice to be published in a newspaper of general circulation in Richland County and on July 22, 2008, held a public hearing in Council Chambers, Richland County Administration Building, 2020 Hampton Street, Columbia, South Carolina 29201, on the question of the issuance of the Bonds. The hearing was conducted publicly and both proponents and opponents were given full opportunity to be heard.

The Bonds will be issued at such time as the Commission determines. For the payment of the principal and interest on the Bonds as they respectively mature and for the creation of such sinking fund as may be necessary to provide for the prompt payment thereof, the full faith, credit, taxing power and resources of the District shall be irrevocably pledged, and there shall be levied and collected annually upon all taxable property of the District a tax, without limitation as to rate or amount, sufficient for such purposes.

County Council determined that no election shall be ordered in the District upon the question of the issuance of the Bonds.

Any person affected by the action of the County Council may, by action de novo instituted in the Court of Common Pleas for Richland County, within twenty (20) days following the last publication of this notice, but not afterwards, challenge the action of the County Council.

Chairman, County Council of Richland County, South Carolina

B-1

## BOND CONSTRUCTION UPDATE Richland County Recreation Commission April 15, 2013

### PHASE ONE PROJECTS

I.	First Project Grouping - Playground Equipment (Bid Package A)
	□ New Modular Playground Systems have been installed at 7 park sites. (Olympia, Meadowlake, Summerhill, Cross Roads, North Springs, Friarsgate, Garners Ferry Parks). <a href="Modular-Playground-Systems"><u>Complete</u></a> .
II.	Second Project Grouping (Bid Package B & E involving fencing, lighting, irrigation and outdoor restrooms)
	<ul> <li>□ (Package B – Athletic Field Fencing has been installed @ 6 parks. (Eastover, Caughman Road, Bluff Road, Hopkins, Killian and Trenholm Parks) Complete.</li> <li>□ (Package E- Field Fencing/Irrigation @ 4 parks). Athletic field fencing (Crossroads and Blythewood Parks). Irrigation systems (Blythewood Park, North Springs Park and Meadowlake Park). Crossroads Park Baseball Field lighting. Blythewood Park Baseball Field lighting.</li> </ul>
III.	Restrooms/Picnic Shelter/Racquetball Court Renovations (Bid Package C)
	<ul> <li>Three new outdoor restrooms are <u>complete</u>. (Eastover, Caughman Road and St. Andrews)</li> <li>Picnic Shelter with tables is <u>complete</u> (Hopkins Park).</li> <li>Racquetball Court renovations. Meadowlake, Friarsgate, North Springs and Caughman Road Parks are <u>complete</u>.</li> </ul>
IV.	Tennis Center Building Replacement (Bid Package D)
	☐ Building is <b>complete</b>
V.	Polo Road Park Improvements (Bid Package G involving irrigation, fencing, paving, landscaping, storm drainage and outdoor restroom)
	<ul> <li>□ Fencing is <u>complete</u> on fields #1, #2, #3, #4, #5, #6 and #7.</li> <li>□ Irrigation systems are <u>complete</u> on fields #1, #2, #3, #4, #5, #6 and #7.</li> <li>□ Variable Frequency Drives and Irrigation Timers are <u>complete</u>.</li> <li>□ Parking Lot #1 (Soccer Complex). <u>complete</u>.</li> <li>□ Parking Lot #3 (Baseball Field). <u>complete</u>.</li> <li>□ Parking Lot #4 (Football Field) – <u>complete</u>.</li> <li>□ Outdoor Restroom is <u>complete</u>.</li> <li>□ Project is <u>complete</u>.</li> </ul>
VI.	Cross Roads-Community Center (Phase I- Bid Package F)
	☐ Project is <u>complete</u> .

VII.	St. Andrews Park-Recreation Center/Pool (Phase I- Bid Package H)				
		Project is <b>complete</b> .			
VIII.	Bluff Road Park –Recreation Center(Phase I- Bid Package I)				
		Waiting as built drawings from LCM Design Group.			
PHAS	E TWO PR	ROJECTS			
I.	Crane Creek - Gymnasium (Project Grouping A)				
		Complete.			
II.	Garners Ferry - Technology Center (Project Grouping A)				
		Working on final punch list items. Building signage was re-ordered due to incorrect size for building.			
III.	Kelly Mill – Soccer Fields, Baseball Field, Trail, Parking (Project Grouping A)				
		Construction Management has developed cost estimates for site work, buildings, fencing, irrigation, site lighting and storm drainage.  Construction Management is currently working to develop landscaping and retention wall pre-design/costs.  Architect has refined design drawings for central tower to house press boxes, restrooms, concessions, etc.			
IV.	Meadowla	ake Park – Baseball Field Improvements (Project Grouping A)			
		Complete.			
V.	Polo Road – Tennis Courts (Project Grouping A)				
		Project is awaiting delivery of light poles and fixtures.			
VI.	Garners Ferry – Adult Activity Center (Phase II- Project Grouping B)				
		Working on final punch list items. Working on final irrigation and sod installation.			
VII.	Parklane	arklane Road Property – RCRC Administrative Offices (Project Grouping B)			
	_ 	Final punchlist being developed by Architect. Final irrigation and sod installation underway. Final landscaping in progress.			

#### PHASE THREE PROJECTS

A mandatory Request for Qualifications/Construction Management Services pre-submittal meeting was held on February 12, 2013 for the phase three projects.

Construction Management Services RFQs were submitted February 26, 2013 by firms interested in the Phase Three Projects.

February 28, 2013 the RCRC AD-HOC Committee reviewed all RFQ's to check for responsiveness and to insure qualification evaluation criteria was met.

March 14, 2013 the Richland County AD-HOC Committee Members reviewed the responsive RFQ's and submitted their evaluations of the Construction Management Services Firms to the Director of Procurement.

March 21, 2013 RCRC AD-Hoc Committee received results from evaluations submitted on March 14, 2013 and selected three Firms to be interviewed.

April 11, 2013 RCRC AD-Hoc Committee is scheduled to conduct interviews for Construction Management Services for Firms selected to be interviewed.

#### <u>Subject</u>

Richland County Sheriff's Department Sole Source Purchase iRobot PackBot [PAGES 28-32]

#### **Reviews**

**Subject**: Richland County Sheriff's Department Sole Source Purchase <u>iRobot PackBot</u>

#### A. Purpose

County Council is requested to approve a sole source purchase in the amount of \$138,839 for one (1) iRobot PackBot robot platform for the Sheriff's Department Bomb Squad.

#### B. Background / Discussion

The Richland County Sheriff's Department received grant funds (grant numbers 4864900 and 4867600) through the Homeland Security Grant Program, administered by the South Carolina Law Enforcement Division, to purchase a robotic platform for explosive remediation and tactical operations. The system selected for purchase is the iRobot PackBot platform. This system is a small size robotic platform that is available exclusively through iRobot, its designer and manufacturer. This system is used exclusively for ordinance disposal training by the Federal Bureau of Investigation at the Hazardous Devices School and is the robotic platform that RCSD Bomb Squad members are trained to use.

Because of the highly technical nature of this equipment, it is critical that officers are thoroughly trained in its safe operation. The request to make a sole source purchase was made to the Homeland Security Grants Office, per grant terms and conditions and was approved April 4, 2013. Copies of this approval and the request are attached. Richland County Sole Source paperwork is attached as well.

Grant funds were approved by County Council during the FY12 budget process.

#### C. Legislative / Chronological History

- June 2010 County Council approved grant funds for the Homeland Security Grant (4867600)
- o June 2012 County Council approved grant funds for the Homeland Security Grant (4864900).
- On April 17, 2013, Administration requested the Sheriff's Department prepare a Request of Action to provide Council with the necessary information regarding this purchase.

#### D. Financial Impact

Total	\$138,839
Tax	\$ 9,082
iRobot PackBot system	\$129,757

This item will be purchased through grant account 1200992020 4867600 (\$56,796) - NIMS Type I SWAT Team FY10 and 1200992020 4864900 (\$82,043) - NIMS Type I SWAT Team FY12. Any future maintenance costs will be requested through the RCSD budget.

#### E. Alternatives

- 1. Approve the request to purchase the iRobot PackBot.
- 2. Do not approve the request for purchase the iRobot PackBot and the RCSD Bomb Squad will not possess the equipment they have been trained to use in ordinance disposal, thus jeopardizing officer and community safety.

#### F. Recommendation

It is recommended that Council approve the request to make the sole source purchase of the iRobot PackBot system for the RCSD Bomb Squad. This item will enhance the efforts of the Squad to identify and safety dispose of potential explosive devices in Richland County.

Recommended by: Stephen Birnie. Deputy Chief Department: Sheriff Date: April 17, 2013

	Recommended by: Stephen Brime, Deputy emer De	partificiti. <u>Sheriff</u> Date. <u>April 17, 20</u>
G.	Reviews Finance Reviewed by: Daniel Driggers ✓ Recommend Council approval	Date: 4/17/13  ☐ Recommend Council denial
	Comments regarding recommendation:	A Recommend Council demai
	Comments regarding recommendation.	
	Recommendation is based on grant funds are avai	lable as stated.
	Procurement	
	Reviewed by: Rodolfo Callwood	Date: 4/17/13
	☑ Recommend Council approval	☐ Recommend Council denial
	Comments regarding recommendation:	
	Grants	
	Reviewed by: Sara Salley	Date: 4/18/13
	☑ Recommend Council approval	☐ Recommend Council denial
	Comments regarding recommendation:	
	Legal	
	Reviewed by: Elizabeth McLean	Date: 4/18/13
	Recommend Council approval	☐ Recommend Council denial
	Comments regarding recommendation: Policy	y decision left to Council's discretion
	Administration	
	Reviewed by: Sparty Hammett	Date: 4/18/13
	✓ Recommend Council approval	☐ Recommend Council denial
	Comments regarding recommendation:	



#### S.C. Law Enforcement Division

## STATE HOMELAND SECURITY GRANT PROGRAM SOLE SOURCE PROCUREMENT FORM

Use of sole source procurement is discouraged. If, after completion of the competitive bidding process, only one responsive bid is received (less than two complete competitive bids received), then this is a sole source procurement (based on the Office of Management and Budget Circular 66). Sole source procurement will be awarded only under exceptional circumstances and must follow precisely the procedure set forth in the South Carolina Consolidated Procurement Code and the federal requirements as outlined below:

- All sole source procurement requires the explicit <u>prior</u> written approval of the State Administrative Agency (SAA)-SLED.
- 2. This form requesting any sole source procurement approval must be submitted to SLED by the <u>Procurement Officer for the subgrantee's unit of government prior to purchase and follow the requirements according to dollar amounts as outlined in the State Homeland Security Grant Program Procurement Procedures.</u> This form must also contain sufficient documentation to justify the request and should address the following information:
  - a. Brief description of the program;
    This program is to provide Richland County Sheriff's Department's WMD Team with the appropriate equipment in order to a respond to potential WMD incident in the Midlands region.
  - b. Complete description of requested line item(s) as they are fixted in the grant application, and costs for which the sole source procurement is being sought; iRobot PackBot Robotic System (\$138,839 including tax and shipping). This is a small robot platform designed for explosive remediation and tactical operations.
  - c. Explanation of need to contract noncompetitively to include the expertise of the contractor, management, responsiveness, knowledge of program, and experience of contractor personnel.
    The iRobot PackBot, exclusively manufactured and sold by iRobot is the system used for training by the Richland County EOD Team and the U.S. government in Hazardous Devices School. Officers have familiarity with the system, which increases efficiency of response and operator safety.
  - d. Time constraints such as when contractual coverage is required and why, impact on the program if dates are not met, time it
    would take another contractor to reach the same level of competence (equate to dollars if desired);
     Products are funded through Homeland Security and if not ordered we will lose funding.
  - e. Uniqueness:
  - f. Other points that should be expressed to substantiate the request; and,

A declaration that this action is in the "best interest" of the agency.

The purchase of the iRobot PackBot robot platform is in the best interest of the Richland County Sheriff's Department,

as it will enhance the level of officer safety when responding to explain e device incidents

Procurement Officer

Project Director

Date

04-04-13

Grant Number 10SHSP18/12SHSP18

Send the form to the following address:

State Homeland Security Grant Program Point of Contact

Donna Strange, Senior Accountant SLED Homeland Security Grants Administration Post Office Box 21398 Columbia, SC 29221-1398 (803) 896-7089 Fax (803) 896-7057

dstrange@sled.sc.gov

**OCOPY** 

## SOUTH CAROLINA LAW ENFORCEMENT DIVISION

NIKKI R. HALEY

Governor



MARK A. KEEL Chief

April 9, 2013

Sheriff Leon Lott Richland County Sheriff's Department 5623 Two Notch Road Columbia, South Carolina 29223

Re: State Homeland Security Grant 10SHSP18 and 12SHSP18
Establish/Enhance explosive ordnance disposal units/bomb squads; Enhance capabilities to respond to CBRNE/all-hazards events

Dear Sheriff Lott:

We have reviewed and approved your request for the sole source purchase of an iRobot PackBot from iRobot for \$129,757.00 plus applicable taxes.

Your commitment to addressing the homeland security needs in your community and throughout South Carolina is appreciated. If you have any questions in the future about the grant, please call me at (803) 896-7021.

Sincerely,

Bob Connell, Program Manager Office of Homeland Security

cc: Traci Dove Grant File





An Accredited Law Enforcement Agency

P.O. Box 21398 / Columbia, South Carolina 29221-1398 / (803) 737-9000 / Fax (803) 896-7588

#### <u>Subject</u>

Richland County Treasurer's Office: Purchase of OPEX-AS3690 Scanner, RTLFiRST Software, Maintenance and Installation for Lockbox Services (Equipment Purchase) **[PAGES 33-41]** 

#### **Reviews**

**Subject**: Richland County Treasurer's Office: Purchase of OPEX-AS3690 Scanner, RTLFiRST Software, Maintenance and Installation for Lockbox Services

#### A. Purpose

The Richland County Treasurer requires a payment processing station to replace expensive and changing banking lockbox services, and has identified a used piece of equipment meeting our requirements at a deeply discounted cost. The purchase of the requested equipment will require an Ordinance Amending the Fiscal Year 2012-2013 General Fund Annual Budget to appropriate \$63,801.00 of General Fund Undesignated Fund Balance to the Treasurer's Office.

#### B. Background / Discussion

The Richland County Treasurer's Office intends to process all tax payments internally using the OPEX-AS3690 to replace our banking lockbox agreement which currently processes approximately 1/3 of Richland County's property tax payments. The Treasurer's Office intends to increase efficiency, reduce risk, and reduce costs by handling all payments in a single location with this new equipment.

The Treasurer's Office has recently been notified that Banking lockbox services will cease in the Midlands with our current provider on April 19, 2013. At that time, Richland County tax payments will be transported to Atlanta to be processed, and any payments that cannot be handled by the bank will have to be transported back to Columbia to be processed by the Treasurer's Office. The new arrangement will delay the processing of tax payments by at least one (1) day.

In an effort to quickly find a remedy, the Richland County Treasurer's Office contacted a vendor it had previously worked with to evaluate the changing situation. This type of equipment is used to process payments for Colonial Life, SCE&G, Blue Cross Blue Shield, along with other notable large business interests both locally and nationally. This conversation yielded a price quote for a new OPEX station (See Attachment 2) of \$115,983.

When it became clear that the banking lockbox agreement would change immediately, the Treasurer's Office found out that a similar used piece of equipment would be available for 90 days for a cost of \$15,000 plus set-up costs (See the Financial Impact Section, Item D, within) totaling \$63,801.00.

The Treasurer's Office, and Richland County, has paid \$130,677.14 over the last three years in banking lockbox fees. It is anticipated that, by bringing this service in-house, the County will save \$25,000 per year (\$40,000 bank fees vs. \$15,000 annual maintenance) to recoup this investment in just over two years.

In ten years of service, the Richland County Treasurer has only asked for one prior budget amendment which was also for an emergency situation.

#### C. Legislative / Chronological History

There is no legislative history.

#### **D.** Financial Impact

Total cost for budget amendment \$63,801.00. (See Attachment 1 Sole Source)

RT Lawrence Corp.

	One Time Hardware Cost		Price	Maint.	
OPX-AS3690	OPEX AS3690 Scanner	1	\$15,000		
	Opex Disassembly, Packing, Assembly and Installation		\$3,459		
	Shipping Hardware Sub-total RTLFiRST Software Sub-total:		\$982 \$19,441 \$29,250		
	RTL Services Sub-total		\$9,600		
	Initial Discount		-\$2,500		
	Travel Expenses		\$1,988		
	TOTAL		\$57,779		+tax =\$62,401.32
Annual Main	tenance Payment Terms				
	Prorated Support June 1, 2013 - July 1, 2013 Due at Date of Installation			\$1,296	+ tax =\$1,399.68
	PROJECT GRAND TOTAL \$63,801.00				

#### E. Alternatives

- 1. Approve the request to purchase a used OPEX-AS3690 Scanner, RTLFiRST Software, Installation and Maintenance for Lockbox Services.
- 2. Do not approve the request to purchase a used OPEX-AS3690 Scanner, RTLFiRST Software, installation and maintenance for Lockbox Services, which will result in the loss of timely processing of incoming tax payments and lockbox services being moved out-of-state.

#### F. Recommendation

It is recommended that Council approve the request to purchase a used OEPX-AS3690 Scanner, RTLFiRST Software, installation and maintenance for Lockbox Services.

Recommended by: Department: Date:
David A. Adams Richland County Treasurer 3-15-13

#### G. Reviews

Finance

Reviewed by: Daniel Driggers Date: 4/4/13

✓ Recommend Council approval Comments regarding recommendation:	☐ Recommend Council denial			
Recommendation supports the Richland Co funding is available in the fund balance. Apreadings and a budget amendment.	, , ,			
Procurement Procurement	D 4 4/5/12			
Reviewed by: Rodolfo Callwood	Date: 4/5/13			
☑ Recommend Council approval Comments regarding recommendation:	☐ Recommend Council denial			
Legal				
Reviewed by: Elizabeth McLean	Date: 4/5/13			
☐ Recommend Council approval	☐ Recommend Council denial			
Comments regarding recommendation: Pol	licy decision left to Council's discretion.			
Administration				
Reviewed by: Tony McDonald	Date: 4/5/13			
✓ Recommend Council approval	☐ Recommend Council denial			
Comments regarding recommendation: Although a budget amendment will be required				
to fund the request, the cost will be recovered within two to three years due to savings in				
lockbox fees currently paid to the bank.				

TELEPHONE: 803-576-2275



#### JUSTIFICATION FOR SOLE SOURCE PROCUREMENT

#### Definitions that should be used when determining a True Sole Source Purchases

Sole Source Procurement is when only ONE VENDOR/CONTRACTOR possesses unique and singularly available capacity to meet the requirements such as technical specifications and qualifications, ability to deliver at and in a particular time. When the required equipment, supplies, construction, or services are available from only one source and no other type of property or services will satisfy the need. A "True Sole Source" product is available from only one source, often determined by patent or copyright protection, proprietary rights and capacity of one supplier to provide superior capabilities unobtainable from any other supplier for similar products.

Sole Source must be justified with information of efforts undertaken to locate possible alternative supplier. Whenever using Sole Source rather than full and open competition, provide an explanation of the reason why specifications suitable for full and open competition could not be developed or meet your needs and why it is necessary and in the county best interest. The use of Sole Source addresses the source of a product or services not the item itself.

#### The following examples describing circumstances which could necessitate "Sole Source" procurement:

- (a) Where the compatibility of equipment, accessories, or replacement parts is the paramount consideration;
- Where a sole supplier's item is needed for trial use or testing;
- (c) Where a sole source supplier's item is to be procured for resale;
- (d) Where public utility services are to be procured;
- (e) Where the item is one of a kind; and
- Printed forms, pamphlets, brochures, exclusive of printing equipment.

1. REQ	UIRING	DEPA	ARTMENT	T: 7	Treasurer's Offic	c
--------	--------	------	---------	------	-------------------	---

		REVISED 3-22- 200	5 I of 3			
	Addre	ss: 7740 Painter Avenue, Suite 100, Whittie	r, CA 90602			
	Teleph	hone #: 312-296-2796	Fax #:			
	Point (	of Contact: John Phillips				
	Compa	any: RT Lawrence Corporation				
	<ul> <li>For sole source requests, provide the contractor name, point of contact, address and phone/fax numbers and e-mail address. If a sole source manufacturer distributes via Vendors, provide Vendors information here.</li> </ul>					
	a. Sta	até if procurement is: Non-Urgent Sole Source	Urgent Sole Source			
2.	DESCR	RIPTION OF ACTION.				
NA	ME OF F	REQUESTOR: David Adams	TELEPHONE:803-576-2275			

DESCRIPTION OF SUPPLIES/SERVICES, ESTIMATED DOLLAR VALUE AND DELIVERY REQUIREMENTS. Give a short description of the item or service required, the estimated cost, and required delivery date.

Item:

#### 4. EXPLANATION OF SOLE SOURCE CIRCUMSTANCES.

#### For Sole Source Requirements:

- (1) Explain why the item is needed and what will happen if it's not received by the Required Delivery Date (RDD). Describe impact on overhaul/availability schedules, impact to support, personnel safety issues, potential environmental damages, etc., and include the dollar value associated with late delivery.
- Explain the unique features/function of the item and why only one manufacturer can provide it. Discuss why a similar product from another manufacturer will not work.
   If the item can only be obtained from the OEM (Original Equipment Manufacturer),
- (3) If the item can only be obtained from the OEM (Original Equipment Manufacturer), discuss the proprietary (i.e. owned by the company, not for public release) design/drawing/
- specification requirements.

  (4) If there is a higher order requirement mandating a particular manufacturer (Public Safety equipment, goods and services), cite the requirement and who approved or required its usage. For component repair or replacement parts, explain any compatibility requirements, including a description of the existing equipment and the interface requirements.
- (5) Provide Sole Source information requested above.

#### 5. PROPRIETARY INFORMATION:

 If sole source is based on proprietary data, a statement to that effect is all that is required in response to this block.

The equipment and software are proprietary to:

DOCUMENTATION OF REVIEW OF SPECIFICATIONS FOR SPARE AND REPAIR
PARTS. If the procurement is for spare or repair parts, include a statement that the
specifications have been reviewed and meet the minimum functional requirements of the
government.

REVISED 3-22- 2005

2 of 3

IS BEING PROCURED PURSUANT TO THE AUTHORITHY OF RICHLAND COUNTY CODE OF ORDINANCES.  PROCUREMENT DIRECTOR  Name and Signature  Date:  I CERTIFY THAT THE REPRESENTATIONS UNDER MY COGNIZANCE ARE BEING PROCURED PURSUANT TO THE AUTHORITHY OF RICHLAND COUNTY CODE OF ORDINANCES.  ADMINISTRATOR	₽	CERTIFICATI	ONS
IS BEING PROCURED PURSUANT TO THE AUTHORITHY OF RICHLAND COUNTY CODE OF ORDINANCES.  REQUESTOR  Name, Title and Signature: David A. Adams, Treasurer/Tax Collector Account Code 1730-5315;5471;5426  REQUESTOR  Name, Title and Signature: David A. Adams, Treasurer/Tax Collector Account Code 1730-5315;5471;5426  Representations under my cognizance WHICH ARE INCLUDED IN THIS JUSTIFICATION ARE COMPLETE AND ACCURATE AND IS BEING PROCURED PURSUANT TO THE AUTHORITHY OF RICHLAND COUNTY CODE OF ORDINANCES.  PROCUREMENT DIRECTOR  Name and Signature  Date:  I CERTIFY THAT THE REPRESENTATIONS UNDER MY COGNIZANCE ARE BEING PROCURED PURSUANT TO THE AUTHORITHY OF RICHLAND COUNTY CODE OF ORDINANCES.  ADMINISTRATOR			
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Account Code 1730-5315;5471;5426  Telephone 803-576-2275  I CERTIFY THAT THE FACTS AND REPRESENTATIONS UNDER MY COGNIZANCE WHICH ARE INCLUDED IN THIS JUSTIFICATION ARE COMPLETE AND ACCURATE AND IS BEING PROCURED PURSUANT TO THE AUTHORITHY OF RICHLAND COUNTY CODE OF ORDINANCES.  PROCUREMENT DIRECTOR  Name and Signature  Date:  I CERTIFY THAT THE REPRESENTATIONS UNDER MY COGNIZANCE ARE BEING PROCURED PURSUANT TO THE AUTHORITHY OF RICHLAND COUNTY CODE OF ORDINANCES.  ADMINISTRATOR	Name, Title and Signature	3:	
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#### Attachment-for-Sole-Source-Form¶

3.→Description¶

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The Richland County Treasurer requires a payment processing station to replace expensive and changing banking lockbox services, and has identified a used piece of equipment meeting our requirements at a deeply discounted cost. The purchase of the requested equipment will require \$63,801.00 for purchase, installation and maintenance of an OPEX-AS3690 Scanner and related software.

4.→Explanation¶

The Richland County Treasurer's Office intends to process all tax payments internally using the OPEX-AS3690 to replace our banking lockbox agreement which currently processes approximately 1/3 of Richland County's property tax payments. The Treasurer's Office has recently been notified that banking lockbox services (currently provided in the Midlands) will be moving to an Atlanta location. The Treasurer's Office intends to increase efficiency, reduce risk, and reduce costs by handling all payments in a single location with this new equipment.

The Treasurer's Office has recently been notified that Banking lockbox-services will cease in the Midlands with our current provider on April 19th, 2013. At that time, Richland County's tax payments will be transported to Atlanta to be processed, and any payments that cannot be handled by the bank will have to be transported back to Columbia to be processed by the Treasurer's Office. The new arrangement will delay the processing of tax payments by at least one (1) day.

In an effort to quickly find a remedy, the Richland County Treasurer's Office contacted a vendor it had previously worked with to evaluate the changing situation. This type of equipment is used to process payments for Colonial Life, SCE&G, Blue Cross Blue Shield, along with other notable large business interests both locally and nationally. This conversation yielded a price quote for a new OPEX station of \$115,983 plus applicable taxes.

When-it-became-clear-that-the-banking-lockbox-agreement-would-change-immediately,-the-Treasurer's-Office-found-out-that-a-similar-us-ed-piece-of-equipment-would-be-available-for-90-days-for-a-cost-of-\$15,000-plus-set-up-costs-totaling-\$63,801.00.¶

The Treasurer's Office, and Richland County, has paid \$130,677.14 over the last three years in banking lockbox fees. It is anticipated that, by bringing this service in house, the County will save \$25,000 per year (\$40,000 bank fees vs. \$15,000 annual maintenance) to recoup this investment in just over two years.

			Atta	chment 2
Pricing				
	Barriotics.	06:	Orlea	Annual
Part Number	Description	Qty	Price	Suppor
ODY AC73	Hardware ODEY AS 7200 Seconds (Includes Book Inkint, CIS Impages & ODEY	1	\$52,995	\$8,43
OPX-AS72	OPEX AS7200i Scanner (Includes Rear Inkjet, CIS Imagers & OPEX	1	\$2,750	30,43
OPX-MICR	MICR Reader (Magnetic and Optical) Front Inkjet Printer	1	\$750	
OPX-FIP OPX-M72	OPEX Model 72 Extractor	1	\$24,950	\$2,47
INS-DYO	Installation - 1 day Onsite (OPEX Certified Technician)	1	Incl	N//
1143-010	Hardware Sub-total		\$81,445	\$10,90
	Hardware Discount		-\$5,000	\$10,50
	Hardware Total		\$76,445	
OPX-01	RTLFIRST Software Opex Connect - Process Module	1	\$5,000	\$750
PRC-01	RTLFIRST Process Module	1	\$5,750	\$86
CAR-01	A2iA CAR/LAR engine (1 Million Checks/Year)	1	\$1,750	\$26
SVR-01	One-Operation Supervisor/Verification Lic (1st User Lic)Conc Lic	1	\$1,750	\$26
VRF-01	One-Operation Verification License (1st User Lic) Conc Lic	1	\$1,750	\$26
FVW-DB-01	FiRSTView Imaging-Browser Based (1st User Lic) Conc Lic	1	\$3,750	\$638
CHK 21-001	Check21/ICL Processing Module (Image Exchange)	1	\$4,000	\$600
CHK 21-IMS	Image Score License (1 Million Checks/Year)	1	\$1,500	\$300
MOP-01	Initial Operation (One Operation)	1	Incl	N/A
CUS-LKPL	Real-Time Look up Lite (lookup by accnt & by name and address)	1	\$4,000	\$720
	RTLFiRST Software Sub-total:		\$29,250	\$4,65
	Supplies & Accessories			
OPX-S&A	Scanner supplies & accessories are included in the package	1	Incl	N/
	RTLFiRST & FiRSTView Training Manual (Qty 1 each)	1	Incl	N/
	RTL Services			
	Planning, Implementation, Installation, Testing and Training Services		\$9,600	
	Dedicated Project Management & Coordination		Incl	N/A
	Check21 Setup Services - Remote		Incl	N/A
	Pre-Implementation Business Process Review		Incl	N/A
	RTL Pre-Onsite Installation Remote Setup Preparation-4 Days		Incl	N/J
	Onsite Software Installation and Testing - 2 Days		Incl	N/A
	Onsite End-User Hands-on Training -3 Days		Incl	N//
	Onsite Refresher Training After Operational - 2 Days		Incl	N//
	RTL Services Sub-total		\$9,600	N/J
	Travel Expenses and Freight Charges		\$3,188	
	PROJECT SUB-TOTAL		\$118,483	\$15,55
	Initial Discount		-\$2,500	
	PROJECT GRAND TOTAL		\$115,983	\$15,55

Plus applicable taxes.

#### <u>Subject</u>

Reallocation of Appearance Commission Funding for Hilton Field Improvements [PAGES 42-47]

#### <u>Reviews</u>

**Subject**: Reallocation of Appearance Commission funds for a grant to Columbia Green for Hilton Field Improvements, Ft. Jackson

#### A. Purpose

County Council is requested to approve a FY13 budget amendment for the Appearance Commission to reallocate funds as a grant to Columbia Green for landscaping improvements at Hilton Field, on Ft. Jackson.

#### B. Background / Discussion

During FY13, the Appearance Commission has been working cooperatively with Columbia Green and Ft. Jackson civilian staff to assist financially in certain appearance improvements to Hilton Field on Ft. Jackson. Hilton Field serves as the location for graduation ceremonies for recruits at the Fort. As such, it hosts approximately 200,000 out of town visitors annually. Hilton Field is currently undergoing a \$1-2 million renovation including road paving, parking improvements, permanent restroom facilities, and construction of a landscaped flag promenade in front of the bleachers. A dramatic entrance feature, including a tank and sculpture, is also under construction with an allée of 300 live oak trees leading to the flag promenade. A schematic of the Hilton Field improvements is attached (see Appendix 1).

In February, the Appearance Commission voted to allocate \$5,000 to assist in this effort. More specifically, the \$5,000 will be used to purchase and plant trees along the allée. Because the improvements to Hilton Field are being conducted by contractors overseen by the Department of Defense (DoD), it would be difficult for Richland County to select, hire and oversee a contractor on DoD property. Therefore, the Appearance Commission is requesting the reallocation of \$5,000 for a grant to Columbia Green, a well-known not-for-profit concerned with improving the appearance of Columbia and Richland County, to conduct this effort. In addition, DoD must approve the \$5,000 "gift" before the work can be conducted. Also attached is a letter from Kim Murphy, Chair of the Appearance Commission and Ann Holtschlag of Columbia Green to Colonel Michael Graese at Ft. Jackson making the gift offer (see Appendix 2). DoD's decision is expected in May 2013 and we are optimistic of its approval.

If approved by Council, the Appearance Commission will enter into a grant agreement with Columbia Green describing the scope of the grant and period of performance. Columbia Green will make the tree purchases for planting at Hilton Field by the DoD contractors and Richland County will reimburse Columbia Green based on receipts submitted to Richland County staff. County staff will inspect the work prior to making any requested reimbursements to Columbia Green. This process is consistent with the administration of the Richland County Conservation Commission Grants program.

# C. Legislative / Chronological History

This request was initiated by staff at the directive of the Appearance Commission and has no legislative history.

# D. Financial Impact

A total of \$5,000 of County funds will be used for this grant.

#### E. Alternatives

- 1. Approve the request to reallocate \$5,000 of Appearance Commission funds to a grant to Columbia Green for appearance improvements to Hilton Field on Ft. Jackson. If approved, a grant will provide the most straightforward vehicle to assist in the appearance improvements to Hilton Field.
- 2. Do not approve the request to reallocate \$5,000 of Appearance Commission funds to a grant to Columbia Green for appearance improvements to Hilton Field on Ft. Jackson. If the grant is not approved, County staff will need to follow the County procurement process and select and hire a landscape contractor. Staff and the contractor will then need to coordinate this effort with the DoD contractors which could prove problematic from both a scheduling and logistics perspective.

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It is recommended that Council approve the above request.

Recommended by: James B. Atkins Department: Conservation Date: April 5, 2013

G. Reviews
Finance
Reviewed by: Daniel Driggers
✓ Recommend Council approval
Comments regarding recommendation:

Department: Conservation Date: 4/4/13
□ Recommend Council denial

Recommendation based on Commission recommendation and funds are available as stated.

# **Procurement**

Reviewed by: Rodolfo Callwood

☐ Recommend Council approval

Comments regarding recommendation:

Date: 4//5/13

☐ Recommend Council denial

#### Legal

Reviewed by: Elizabeth McLean

Date: 4/16/13

Recommend Council approval

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

#### Administration

Reviewed by: Sparty Hammett

✓ Recommend Council approval

Comments regarding recommendation:

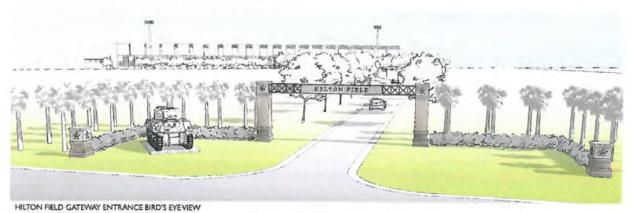
Date: 4/16/13

□ Recommend Council denial

APPENDIX 1



HILTON FIELD GATEWAY ENTRANCE EYE LEVEL VIEW



Land

FORT JACKSON
HILTON FIELD IMPROVEMENTS | FORT JACKSON, SOUTH CAROLINA



Appendix 2



Richland County Appearance Commission 2020 Hampton Street, Rm. 3063A Columbia, SC 29204 803-576-2080

March 29, 2013

Colonel Michael Graese Garrison Commander United States Army Training Center & Fort Jackson 4325 Jackson Street Fort Jackson, South Carolina 29207

Dear Colonel Graese:

The Richland County Appearance Commission and Columbia Green are working cooperatively to improve the appearance and beauty of Richland County. The Commission was created by Richland County Council and works with County Departments and other governmental and non-profit organizations to improve the appearance of Richland County. Since 1984, Columbia Green has promoted beautification, education and conservation efforts in Columbia and the Midlands. Previously, Columbia Green and the RCAC helped beautify the Fort Jackson's Boyden Arbor and Fort Jackson Boulevard entrances, supplied volunteers to assist with several plantings of evergreens at Hilton Field, and created a landscaped feature at the Hilton Field entrance.

Together we would like to express our gratitude for the sacrifices and services given by all Soldiers that defend our freedom. To appropriately honor the active duty fallen from South Carolina during OEF and OIF operations, we would like to donate trees to be installed at Hilton Field from the planned entrance feature to the new promenade and at other areas of the parade grounds and provide appropriate historical markers to Army Community Services (ACS) Survivor Outreach Services (SOS). We also want to honor the history and importance of Fort Jackson to our community, honor the histories of particular Soldiers that have served with honor and distinction and enhance Hilton Field with a sculptural art feature. The estimated value of these combined donations and pro bono services provided by community leaders and business will be in excess of \$500,000.

Should the proposed offer be accepted, it is our intent to complete the project in three phases. 1) The planting of trees, 2) installation of markers honoring the native South Carolina men and women that have given their lives and other honoree's and 3) completion of the art feature. This project will be partially funded by and spearheaded by the Richland County Appearance Commission and Columbia Green, but the project will ultimately be funded and given as a gift from the businesses and private citizens of the State of South

Carolina. We would like to have all phases complete in time for it to be dedicated on June 2, 2017 on the 100 year anniversary of Fort Jackson.

The offer is contingent upon initial funding approval by Richland County Council. There would be no restrictions or conditions beyond what is outlined above. We understand the acceptance of this gift would not imply U.S. Army endorsement of our products or services. We also understand the U.S. Army would make no public announcement of the gift and we would receive no special concessions or privileges.

Please do not hesitate to contact us if you have additional questions or issues with this offer.

Respectfully yours,

Kim Murphy, Chair Richland County Appearance Commission 803-446-6565 Ann Holtschlag, President Columbia Green 803-351-2332

#### <u>Subject</u>

Transportation Penny Allocation Ordinance [PAGES 48-55]

#### <u>Reviews</u>

**Subject:** Budget and Distribution of Revenues for Sales and Use Tax (Transportation Penny)

#### A. Purpose

County Council is being asked to adopt an ordinance approving a budget for and the distribution of the revenues from the one percent (1%) sales and use tax (Transportation Penny) for transportation projects for fiscal year 2013-2014 and other matters related thereto.

# **B.** Background / Discussion

Pursuant to the South Carolina Code of Laws, Richland County must adopt an ordinance which approves the budget, and distribution of, Transportation Penny revenues.

On July 18, 2012, County Council enacted Ordinance No. 039-12HR (the "Sales Tax Ordinance") imposing, subject to a successful referendum, a one percent (1%) sales and use tax (the "Sales and Use Tax") for 22 years to be used to fund transportation projects. On November 6, 2012, the County held a referendum which resulted in a favorable vote of a majority of the qualified electors. No further action is needed to impose the Sales and Use Tax. The Sales and Use Tax will be collected beginning May 1, 2013.

The proposed ordinance (attached) provides for the distribution of each quarterly payment of the Sales and Use Tax in a manner required by the Sales Tax Ordinance and the question presented in the referendum as follows:

- (a) 3% of each quarterly payment shall be paid to the County for payment of administrative costs related to the Projects;
- (b) The balance of each quarterly payment shall be distributed as follows:
- (i) Improvements to highways, roads (paved and unpaved), streets, intersections, and bridges including related drainage system improvements. Maximum Amount: \$656,020,644 which is 63% of the amount available for project costs;
- (ii) Continued operation of mass transit services provided by Central Midlands Regional Transit Authority including implementation of near, mid and long-term service improvements. Maximum Amount: \$300,991,000 which is 29% of the amount available for project costs; and
- (iii) Improvements to pedestrian sidewalks, bike paths, intersections and greenways. Maximum Amount: \$80,888,356 which is 8% of the amount available for project costs.

Pursuant to the Sales Tax Ordinance, County Council shall adopt annually prior to the beginning of each fiscal year a budget for expenditures of Sales and Use Tax revenues. For this first fiscal year, a detailed list of expenditures for Projects 1 and 3 (roadway projects (b) (i) and pedestrian improvements / bikeways / greenways (b) (iii)) is not yet available. The proposed ordinance provides that the County Administrator obtain approval of County Council before the expenditure of revenues for those Projects.

The amount to be distributed to the Central Midlands Regional Transit Authority (the "CMRTA") shall be expended pursuant to its Fiscal Year 2013-2014 budget, which is forthcoming. The proposed ordinance requires that the CMRTA shall provide County Council with a copy of its budget for fiscal year 2013-2014.

The proposed ordinance provides that the County Administrator shall provide to County Council periodic reports as requested by County Council. It also requires the CMRTA to provide quarterly financial information and a copy of its annual audit.

## C. Legislative / Chronological History

On July 18, 2012, County Council enacted Ordinance No. 039-12HR (the "Sales Tax Ordinance") imposing, subject to a successful referendum, a one percent (1%) sales and use tax (the "Sales and Use Tax") for 22 years to be used to fund transportation projects.

On November 6, 2012, the County held a referendum which resulted in a favorable vote of a majority of the qualified electors.

The Sales and Use Tax will be collected beginning May 1, 2013.

### **D.** Financial Impact

Enactment of the proposed ordinance relates only to the receipt and expenditure of Sales and Use Tax revenue. Enactment of the proposed ordinance will have no financial impact on any other County funds.

#### E. Alternatives

- 1. Approve the request to enact the proposed ordinance as presented.
- 2. Do not approve the request which would require an alternate form of direction regarding distribution of the Sales and Use Tax.

#### F. Recommendation

It is recommended the Council approve the proposed ordinance as presented. Recommended by: Roxanne Ancheta Date: April 15, 2013

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Keviews	
Finance	
Reviewed by: Daniel Driggers	Date: 4/17/13
✓ Recommend Council approval	☐ Recommend Council denial
Comments regarding recommendation:	
Legal Reviewed by: Elizabeth McLean ☑ Recommend Council approval Comments regarding recommendation:	Date: ☐ Recommend Council denial
Comments regarding recommendation:  Legal Reviewed by: Elizabeth McLean  Recommend Council approval	Date:

#### Administration

Reviewed by: Tony McDonald

✓ Recommend Council approval

Comments regarding recommendation: Recommend approval of the proposed ordinance as presented.

## STATE OF SOUTH CAROLINA COUNTY COUNCIL FOR RICHLAND COUNTY ORDINANCE NO.

AN ORDINANCE APPROVING A BUDGET FOR AND THE DISTRIBUTION OF THE REVENUES FROM THE ONE PERCENT (1%) SALES AND USE TAX FOR TRANSPORTATION PROJECTS FOR FISCAL YEAR 2013-2014 AND OTHER MATTERS RELATED THERETO.

Pursuant to the authority 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:

<u>SECTION 1. Findings and Determinations.</u> The County Council (the "County Council") of Richland County, South Carolina (the "County"), hereby finds and determines:

- (a) The South Carolina General Assembly has enacted Section 4-37-30 of the Code of Laws of South Carolina 1976, as amended (the "Act"), pursuant to which the county governing body may impose by ordinance a sales and use tax in an amount not to exceed one percent, subject to the favorable results of a referendum, within the county area for a specific purpose or purposes and for a limited amount of time to collect a limited amount of money.
- (b) Pursuant to the Act, on July 18, 2012, the County enacted Ordinance No. 039-12HR (the "Sales Tax Ordinance") imposing a one percent (1%) sales and use tax (the "Sales and Use Tax") within the County for a period of 22 years for the purpose hereinafter described.
- (c) Pursuant to the terms of the Act and the Sales Tax Ordinance, a referendum was held in the County on November 6, 2012, regarding imposition of the Sales and Use Tax, which resulted in a favorable vote of a majority of the qualified electors.
- (d) The Sales and Use Tax will be expended for the payment of administrative expenses and the costs of the following projects, including payment of any sums as may be required for the issuance of and debt service for bonds, the proceeds of which are applied to such projects, for the following purposes:
- (i) Improvements to highways, roads (paved and unpaved), streets, intersections, and bridges including related drainage system improvements. Maximum Amount: \$656,020,644 which is 63% of the amount available for project costs ("Project 1");
- (ii) Continued operation of mass transit services provided by Central Midlands Regional Transit Authority including implementation of near, mid and long-term service improvements. Maximum Amount: \$300,991,000 which is 29% of the amount available for project costs ("Project 2"); and
- (iii) Improvements to pedestrian sidewalks, bike paths, intersections and greenways. Amount: Maximum Amount: \$80,888,356 which is 8% of the amount available for project costs ("Project 3," together with Project 1 and Project 2, the "Projects").
- (e) The imposition of the Sales and Use Tax and the use of Sales and Use Tax revenue shall be subject to the conditions precedent and conditions or restrictions on the use and expenditure of Sales and Use Tax revenue established by the Act and other applicable law. Subject to annual appropriations

Item# 8

by County Council, Sales and Use Tax revenues shall be used for the costs of the Projects approved in the referendum, including, without limitation, payment of administrative costs of the Projects, and such sums as may be required in connection with the issuance of bonds, the proceeds of which are applied to pay costs of the Projects.

- (f) The Sales and Use Tax will be imposed beginning May 1, 2013. The revenue from May and June 2013 will be received in fiscal year 2013-2014. The terms and provisions of this ordinance relate to the fiscal year in which the County receives the Sales and Use Tax revenue.
- SECTION 2. Receipt of Funds by County Treasurer; Distribution Thereof. Pursuant to the Act, the State Treasurer shall distribute the revenue from the Sales and Use Tax quarterly to the Richland County Treasurer (the "County Treasurer"). The County Treasurer shall hold the revenues and any interest earnings of the Sales and Use Tax in a fund separate and distinct from all other funds of the County. Quarterly distributions of the revenue shall be made by the County in the amounts and only for the purposes stated herein.
- SECTION 3. Approval of Budget; Authorization to Distribute Sales Tax Revenue. Pursuant to the Act and the ballot question approved in the referendum held on November 6, 2012, the distribution of the Sales and Use Tax revenue shall be as follows:
- (a) 3% of each quarterly payment shall be paid to the County for payment of administrative costs related to the Projects;
  - (b) The balance of each quarterly payment shall be distributed as follows:
    - (i) 63% shall paid to the County for costs of Project 1;
    - (ii) 29% shall paid to the Central Midlands Regional Transit Authority for Project 2; and
    - (ii) 8% shall paid to the County for costs of Project 3.
- (c) Prior to the expenditure of funds for Projects 1 and 3, the County Administrator will obtain County Council's approval for such expenditure. Prior to the expenditure of funds by the Central Midlands Regional Transit Authority (the "CMRTA") for Project 2, the CMRTA shall provide County Council with a copy of its budget for fiscal year 2013-2014.

#### SECTION 4. Reporting Requirements.

- (a) The County Administrator shall provide periodic reports to County Council regarding the use of Sales and Use Tax revenues for Projects 1 and 3 in such form and in such frequency as shall be requested by County Council.
- (b) The CMRTA shall provide to County Council an independent annual audit and quarterly financial information, all in a form satisfactory to County Council.

#### SECTION 5. Miscellaneous.

(a) If any one or more of the provisions or portions hereof are determined by a court of competent jurisdiction to be contrary to law, then that provision or portion shall be deemed severable

from the remaining terms or portions hereof and the invalidity thereof shall in no way affect the validity of the other provisions of this Ordinance; if any provisions of this Ordinance shall be held or deemed to be or shall, in fact, be inoperative or unenforceable or invalid as applied to any particular case in any jurisdiction or in all cases because it conflicts with any constitution or statute or rule of public policy, or for any other reason, those circumstances shall not have the effect of rendering the provision in question inoperative or unenforceable or invalid in any other case or circumstance, or of rendering any other provision or provisions herein contained inoperative or unenforceable or invalid to any extent whatever.

- (b) This Ordinance shall be construed and interpreted in accordance with the laws of the State of South Carolina
- (c) The headings or titles of the several sections hereof shall be solely for convenience of reference and shall not affect the meaning, construction, interpretation, or effect of this ordinance.
  - (d) This Ordinance shall take effect immediately upon approval at third reading.
- (e) All previous ordinances regarding the same subject matter as this ordinance are hereby repealed.

[Signatures Follow]

Enacted this day of	, 201	3.
	RICH	ILAND COUNTY, SOUTH CAROLINA
	Ву: _	Kelvin Washington, Chairman Richland County Council
(SEAL)		,
ATTEST THIS DAY OF		
, 2013:		
Michelle Onley Interim Clerk to County Council		
RICHLAND COUNTY ATTORNEY'S OF	FFICE	
Approved As To LEGAL Form Only No Opinion Rendered As To Content		
Date of First Reading:		
Date of Second Reading:		
Date of Third Reading:		