

# **RICHLAND COUNTY**

## **TRANSPORTATION AD HOC COMMITTEE**

### **AGENDA**



**TUESDAY JULY 2, 2024**

**1:30 PM**

**COUNCIL CHAMBERS**



# Richland County Council 2023-2024



Derrek Pugh  
District 2  
Vice Chair



Jessica Mackey  
District 9  
Chair



Jason Branham  
District 1



Overture E. Walker  
District 8



Gretchen D. Barron  
District 7



Yvonne McBride  
District 3



Chakisse Newton  
District 11



Allison Terracio  
District 5



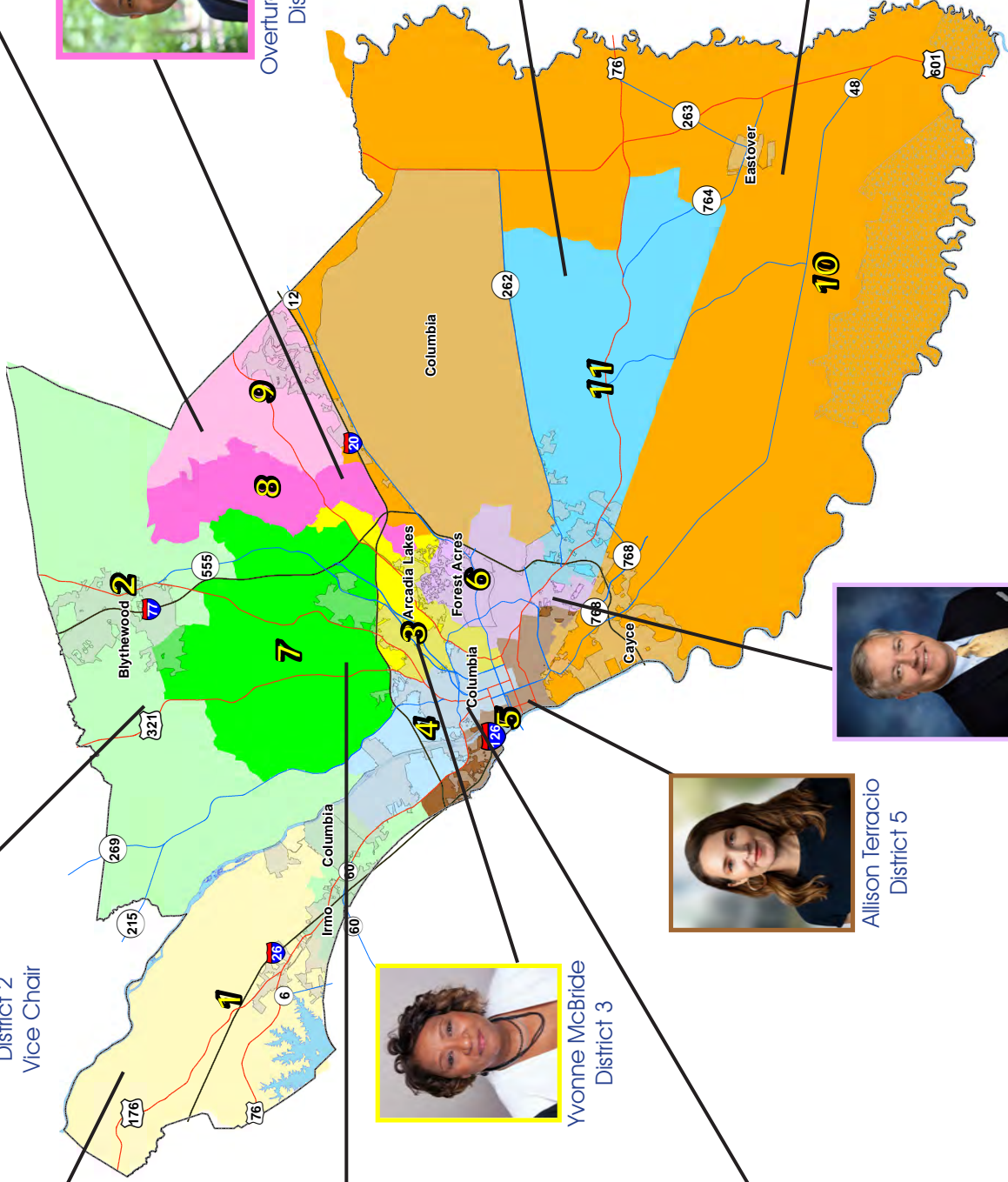
Paul Livingston  
District 4



Cheryl D. English  
District 10



Don Weaver  
District 6





**Richland County  
Transportation Ad Hoc Committee**

**AGENDA**

July 2, 2024 - 1:30 PM  
2020 Hampton Street, Columbia, SC 29204

The Honorable Yvonne McBride	The Honorable Paul Livingston	The Honorable Don Weaver	The Honorable Overture Walker, Chair	The Honorable Jesica Mackey
County Council District 3	County Council District 4	County Council District 6	County Council District 8	County Council District 9

1. **CALL TO ORDER** The Honorable Overture Walker
  
2. **APPROVAL OF MINUTES** The Honorable Overture Walker
  - a. June 18, 2024 **[PAGES 5-8]**
  
3. **ADOPTION OF AGENDA** The Honorable Overture Walker
  
4. **ITEMS FOR DISCUSSION/ACTION** The Honorable Overture Walker
  - a. Final Review of Penny Principles **[PAGES 9-23]**
  - b. Final Review of Penny Tax Ordinance **[PAGES 24-45]**
  
5. **ADJOURNMENT** The Honorable Overture Walker



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



Richland County Council  
Transportation Ad Hoc Committee  
**MINUTES**  
June 18, 2024 – 4:00 PM  
Council Chambers  
2020 Hampton Street, Columbia, SC 29204

COMMITTEE COUNCILMEMBERS PRESENT: Paul Livingston, Yvonne McBride, Don Weaver, and Jesica Mackey.

Not Present: Overture Walker

OTHERS PRESENT: Allison Terracio, Chakisse Newton (online), Derrek Pugh, Gretchen Barron, Michelle Onley, Michael Maloney, Angela Weathersby, Anette Kirylo, Patrick Wright, Ashiya Myers, Susan O’Cain, Lori Thomas, Leonardo Brown, Jackie Hancock, Dale Welch, and Stacey Hamm

1. **CALL TO ORDER** – Councilman Paul Livingston called the meeting to order at approximately 4:00 PM.

2. **APPROVAL OF MINUTES**

a. May 21, 2024 – Ms. Mackey moved to approve the minutes as distributed, seconded by Mr. Weaver.

In Favor: McBride, Livingston, Weaver, and Mackey

Not Present: Walker

The vote in favor was unanimous.

3. **ADOPTION OF AGENDA** – Ms. McBride moved to adopt the agenda as published, seconded by Ms. Mackey.

In Favor: McBride, Livingston, Weaver, and Mackey

Not Present: Walker

The vote in favor was unanimous.

4. **ITEM FOR DISCUSSION/ACTION**

a. Review of Transportation Penny Advisory Committee (TPAC) Recommendations – Mr. Ray Jones Parker Poe noted that the public has had several opportunities to attend meetings and provide feedback.

- ***Highlights of TPAC Principles Document***

- 2012 Needs Prioritized: A guiding principle of the New Penny shall be that the 2012 Needs will be addressed first. The 2012 Needs shall be prioritized in accordance with any applicable ordinance of the County. In the absence of an applicable ordinance, the 2012 Needs will be addressed in order (from highest to lowest) based on the respective Project Score assigned to each by the Transportation Department.
- Isolated Communities: If a road serves as the sole means of ingress and egress for a community, it has been addressed in the Overall Impact and Cost Ratio and the Safety principles.
- Updated Community Investment Project Description: These projects address the integrity, safety, reliability, and sustainability of the transportation infrastructure in local communities and impact the day-to-day activities of citizens and local businesses. These Projects may include viable and unfunded 2012 penny projects as well as road improvements, widening, resurfacing, paving of dirt roads, intersection improvements, bikeways, greenbelts, sidewalks, and other pedestrian-friendly enhancements.

- **Emerging Needs:** The County Council’s plan for the New Penny anticipates the presence of Emerging Needs. To identify and track Emerging Needs, the Transportation Department shall undertake the following:
  1. Work with TPAC to establish a protocol for identifying, tracking, and addressing Emerging Needs;
  2. The process should occur in regular intervals, at least semi-annually, commencing with the first calendar year occurring after the year in which the New Penny is imposed;
  3. The protocol should solicit input from County Administration, each member of County Council, and other stakeholders, including the entities represented in the Needs Assessment;
  4. TPAC shall review any newly proposed Emerging Needs and make a recommendation to the Transportation Ad Hoc Committee (TAHC) regarding which proposed Emerging Needs should be addressed by the New Penny;
  5. TAHC should review and approve the compiled list of Emerging Needs and then send it to County Council for approval; and
  6. Once the Emerging Needs are established, the Transportation Department shall assign each of them a Project Score and then appropriately prioritize them in their program of work for the New Penny.
- **Stantec revised the original needs list to include the City of Columbia’s submission and needs identified by the public, Department of Transportation, University of South Carolina, and affected municipalities. With input from TPAC, this list has been further refined and grouped by Category.**
- **Summary of Current Needs**
  - Community Investment Needs - \$2.7 Billion (65%)
  - County Advancement Needs - \$1.4 Billion (35%)
  - Total Cost - \$4.1 Billion
  - The total is slightly higher than what is in Stantec’s Needs List:
    1. Additional dollars were put in the programmatic categories highlighted by TPAC
    2. The additional costs, on top of the base costs, are layered over every project.

Mr. Jones stated TPAC encouraged the committee to take a closer look at how the Penny is being allocated, given that 65% of the cost seems to fall into the Community Investment category. They recommend the split between the Community Investment and County Advancement Projects be based on the number in the Categorized Needs List. Currently, 50% of the dollars are allocated to County Advancement, 30% to Community Investment, and 20% to COMET Enhancement.

	<b>Inflation Adjusted Total Cost*</b>	<b>Current Penny Allocation</b>	<b>Difference</b>	<b>Funding Percentage</b>
All Other Projects <ul style="list-style-type: none"> <li>• County Advancement</li> <li>• Community Investment</li> </ul>	\$8 billion	\$3.6 billion	\$4.4 billion	45%
COMET	\$1.1 billion	\$900 million	\$200 million	82%

\*Does not include Emerging Needs

- **June 25, 2024 Work Session**
  - Complete Review of the Principles Review Penny Allocations
  - Answer Additional Questions in Advance of July 16, 2024, Third Reading of the Penny Ordinance and Resolution approving the Principles
- **July 9, 2024 – Public Hearing on Penny Ordinance**
- **Provide information for the ballot to Election Commission by August 15, 2024**

Mr. Weaver requested Mr. Jones to define “Special” on the Summary of Current Needs.

Mr. Jones responded “Special” is a category of projects that do not have a good definition but are largely new road construction projects.

Mr. Weaver suggested adding verbiage to more clearly define “Special.”

Ms. Mackey inquired if the adjusted inflation figures include the unfunded projects from the 2012 Penny.

Mr. Jones responded in the affirmative.

Ms. Mackey inquired if the “Categorized Needs List” came from TPAC.

Mr. Jones responded it is a combination of the Stantec Needs List, with additional input from TPAC.

Ms. Mackey noted that the approved percentages are opposite to those reflected in the “Categorized Needs List.” We have allocated 30% to the Community Investment projects, but according to the needs list, 65% would need to be allocated, or we would only get to half of the projects.

Mr. Brown indicated that if the ad hoc committee took action before the work session, it would allow the full Council to make a more informed decision at the July 2<sup>nd</sup> Council meeting.

Ms. Newton stated she supports revisiting the allocation for the Community Investment category.

Ms. Mackey moved to forward to Council with a recommendation to accept TPAC’s recommendation regarding the “Categorized Needs List” and percentages, with 65% allocated to Community Investment and 35% allocated to County Advancement.

Mr. Jones clarified these percentages relate to the non-COMET portion of the Penny.

The motion died for lack of a second.

Ms. Mackey moved to forward to Council with a recommendation to approve the “Categorized Needs List” percentages from the TPAC, with 65% allocated to Community Investment and 35% allocated to County Advancement. The percentages pertain to the non-COMET portion of the Penny. Mr. Weaver seconded the motion.

Mr. Jones noted the way the motion has been made makes the most sense since Council has not decided on the COME’s percentage. Saying the split will be 65%/35% of the non-COMET-related funds will allow the amount of funding to automatically adjust, no matter the percentage allocated to the COMET.

In Favor: McBride, Livingston, Weaver, and Mackey

Not Present: Walker

The vote in favor was unanimous.

Ms. Mackey inquired if “Unfunded” is defined in the Principles document so it is clear to the public.

Mr. Jones replied that they used two concepts (“viable” and “unfunded”) to try to capture that. A project is not viable if a certain percentage of residents on the road do not allow it to be done.

Ms. Mackey asked which category a natural disaster or other unknown events would be in.

Mr. Jones indicated there is a suggested process for emerging needs. If a weather-related or catastrophic event occurs, it receives extra points under the “Safety” scoring, so it would be elevated to the top to be addressed immediately.

b. Transportation Penny Projects Update—Mr. Michael Maloney, Interim Transportation Director, stated that the current list of Penny Projects can be found on the County’s website.

#### **PROJECTS IN DESIGN**

- *Bluff Rd. Improvements Phase 2*: Awaiting: SCDOT Right-of-Way review/approval
- *Blythewood Road Area Improvements*: SCDOT requested that the plans be resent; working to annex a section of roadway on McNulty into the Creech project.
- *Broad River Corridor NIP*: Comments submitted to SCDOT.
- *Clemson Road at Sparkleberry*: Boring plans have been submitted; awaiting review.
- *Crane Creek NIP*: Updating Phase 2 & 3 plans for submittal to SCDOT.
- *Decker/Woodfield NIP*: Comment responses submitted to SCDOT.
- *Kelly Mill Road*: Preliminary drawings sent to SCDOT
- *Lower Richland Blvd. Widening*: Responses were submitted on Final Right-of-Way plans.
- *Polo Road Widening*: Preliminary Right-of-Way plans submitted; provided response on pavement design.
- *Shop Rd. Widening*: Submitted Final Right-of-Way plans.
- *SERN 2 NIP*: 100% design completed.
- *Trenholm Acres-New Castle NIP*: The project plans for construction are under review by SCDOT.
- *Crane Creek Greenway*: The OET received comments from the City of Columbia to adjust the plans.
- *Gills Creek Greenway*: The City will be contacting a key property owner; plans have been reviewed and are being completed for final plans and land acquisition.

#### **PROJECTS IN RIGHT-OF-WAY ACQUISITION**

- *Pineview Rd. Widening*: All property owners were contacted; right-of-way appraisals and negotiations are underway
- *Broad River Rd. Widening*: All property owners were contacted; over 50 properties were accepted and over 20 paid; City of Columbia Water has approved the easement documents needed for water main relocation.

- *Smith/Rocky Branch Greenway*: All property owners were notified, and appraisals for the easement have been completed.

#### PROJECTS IN BIDDING

- *Atlas Rd. Widening*: Council did not approve the award of the contract at the April meeting; the project is currently being advertised as Atlas Road Widening – Utility Relocation.
- *Percival Sidewalk*: The bidding documents are with Procurement; the likely award date is early October 2024

#### PROJECTS IN CONSTRUCTION

- *Dirt Road Package O (Howard Coogler Rd. [District 1], Jackson St. [District 10], Nathan Ridge Ln. [District 10], and Sara Mathews Rd. [District 7])*: All projects are being graded with utility adjustments and drainage systems.
- *Alpine Sidewalk and Resurfacing*: Sidewalk construction is complete; restoration is underway; resurfacing – July 2024.
- *Blythewood Rd. Widening*: The south side shared-use path is installed, and drainage systems are being completed on the north side; the projected completion date is July 2025.
- *Sunset Dr. Sidewalk*: Clearing is underway; next will be shoring and water main construction; completion is Spring 2025.

#### PROJECTS RECENTLY COMPLETED

- *Screaming Eagle Rd./Percival Rd. Intersection*
- *Garners Ferry Rd./Harmon Rd. Intersection*
- *Bull St./Elmwood Rd. Intersection*

Ms. Mackey noted we submitted Boring Plans in August 2023. She inquired if SDOT is reviewing the plans.

Mr. Maloney responded in the affirmative.

Ms. Mackey inquired what could be done to assist with moving the review along.

Mr. Maloney indicated that SCDOT is short-staffed. For example, our project manager's direct contact has been promoted, so we are currently working with their Program Manager. He stated he would request an update on this project.

Mr. Livingston inquired about the number of projects that have not reached the design phase.

Mr. Maloney replied that one in the Pineview Industrial Park is in concept design. It had been further along, but it would not work with the current conditions. There is one other related to the CUB Airport. If there is a runway extension project, the roads around the end of the runway would need to be relocated.

Mr. Weaver asked what “ATP” stands for.

Mr. Maloney responded, “ATP” is authorization to proceed.

5. **ADJOURNMENT** – Ms. Mackey moved to adjourn the meeting, seconded by Mr. Weaver.

In Favor: McBride, Livingston, Weaver, and Mackey

Not Present: Walker

The vote in favor was unanimous.

The meeting adjourned at approximately 4:54 PM.



**RICHLAND COUNTY, SOUTH CAROLINA  
2024 PENNY PROJECTS, PRINCIPLES AND CATEGORIES**

**INTRODUCTION**

This document shall serve as a guide to the implementation of and application of revenues collected from a new one percent (1%) sales and use tax (“New Penny”) to be imposed in Richland County (“County”) subject to referendum approval on November 5, 2024. This document reflects the recommendations of the Transportation Penny Advisory Committee (“TPAC”) and the Transportation *Ad Hoc* Committee (“TAHC”) of County Council. The purpose of the New Penny is to provide funding for (i) the current capital transportation needs of the County which were identified through (A) a county-wide Transportation Needs Assessment (“Needs Assessment”) conducted by Stantec, Inc. and (B) other requests submitted to the County, including from the municipalities located with the County, the University of South Carolina, the SC Department of Transportation, and citizens (collectively, (A) and (B) are “Current Needs” and described on the attached **Exhibit A**), and (ii) the expected future transportation needs resulting from new or continued growth and development in the County, or arising because of the aging or obsolescence of the County’s infrastructure over the term of the New Penny due to normal wear or a weather-related event (“Emerging Needs”).

The County acknowledges there are needs described in the Needs Assessment that were identified and slated to be funded from the sales and use tax imposed in 2012 that are viable but have not been funded (“2012 Needs”). The County is also mindful of the importance of the continued vitality of the COMET mass transit system and addressing the needs of the COMET identified and communicated by its board of directors and attached as **Exhibit B** (“COMET Needs,” and together with 2012 Needs, Current Needs and Emerging Needs, “Transportation Needs”).

The Transportation Needs have been assigned to one of the three categories established by the County Council: (1) Community Investment; (2) County Advancement; and (3) COMET Enhancement. These three categories will appear on the ballot on November 5, 2024. A summary of the Transportation Needs that fall within each category is shown on the attached **Exhibit C**.

**PRINCIPLES**

**A. GENERAL CONDITIONS**

The funding of Transportation Needs from revenues collected from the New Penny is at all times subject to the following:

1. The Transportation Need must be addressed in accordance with applicable policies and ordinances of the County;
2. The Transportation Need should support or further the current strategic objectives of the County as periodically adopted by County Council;
3. Compliance with statutory and regulatory requirements including, specifically, SC Revenue Ruling #22-2; and

4. The proceeds of the New Penny shall be expended equitably across the County and each County Council district shall receive a minimum of \$20 million in funding from the New Penny for projects in the Community Investment or County Advancement categories.

## **B. ADDRESSING TRANSPORTATION NEEDS**

The New Penny will be administered by the Transportation Department of the County. Accordingly, County Council established the following principles for the Transportation Department to follow when preparing the recommendation of which Transportation Needs would be funded in a fiscal year (each, a “Project”) from the available revenues collected from the New Penny or the available proceeds of any bonds issued and repaid from the proceeds of the New Penny.

### *2012 Needs*

A guiding principle of the New Penny shall be that the 2012 Needs will be addressed first. The 2012 Needs shall be prioritized in accordance with any applicable ordinance of the County. In the absence of an applicable ordinance, the 2012 Needs will be addressed in order (from highest to lowest) based on the respective Project Score (defined below) assigned to each by the Transportation Department.

### *Remaining Transportation Needs*

There are programmatic expenditures described in the Need Assessment for Resurfacing, Sidewalks and Dirt Road Paving (“Programmatic Expenditures”). They shall be prioritized in accordance with any applicable ordinance of the County. In the absence of an applicable ordinance, the Programmatic Expenditures will be addressed in order (from highest to lowest) based on the respective Project Score (defined below) assigned to each by the Transportation Department.

The Transportation Department will apply the following principles to each Transportation Need to determine its Project Score. Transportation Needs with higher Project Scores should be prioritized for funding over other Transportation Needs within the same category. Transportation Needs should be reassessed periodically and scoring updated, if applicable.

1. Additional Funding Sources (up to ten (10) points). The existence of matching state or federal funds and any associated deadline (*if state or federal funds are available, or could become available, and enable the County to leverage the proceeds of the New Penny to complete a Transportation Need, then the Transportation Need should be prioritized*).

a. One (1) point for every ten percent (10%) contribution toward Project Cost by the outside funding source.

2. Overall Impact and Cost Ratio (up to twenty (20) points). The number of County residents affected by Transportation Need subject to the following factors:

a. One (1) point for every one thousand (1,000) Average Annual Daily Traffic (AADT);

- b. In case of a road that serves and the primary means of access to a community, one (1) point for every five hundred (500) AADT.
- c. In case of a road that serves as the sole means of ingress and egress for a community, one (1) point for every one hundred (100) AADT.

3. Safety (up to twenty-five (25) points). The effect a Transportation Need would have on improving public safety subject to the following factors:

- a. Two (2) points for every signalized crosswalk;
- b. Two (2) points for one-way traffic crosswalk from refuge to refuge point;
- c. Ten (10) points for every mile of new sidewalk;
- d. Five (5) points for ability to meet four-hour or pedestrian warrant analysis with improved traffic control;
- e. Five (5) points for reducing the vehicle to vehicle conflicts by fifty percent (50%);
- f. Five (5) points for reducing the vehicle to pedestrian conflicts by fifty percent (50%);
- g. Five (5) points if the road serves as the primary means of access to a community;
- h. Five (5) points if the road serves as the sole means of ingress and egress for a community;
- i. Fifteen (15) points to address a critical issue caused by a weather-event.

4. Improvement of Overall Condition (up to ten (10) points). The effect a Transportation Need would have on removal of blight or improvement of blighted conditions subject to the following factors:

- a. Five (5) points for restoring the roadway system surfaces;
- b. Three (3) points for removing standing water;
- c. Three (3) points for adding or improving the drainage system;
- d. Five (5) Points for ability to clear aged and rundown roadside blight within the right-of-way (ROW).

5. Economic Development (up to twenty (20) points). The impact a Transportation Need would have on economic development activity in the County subject to the following factors:

- a. Ten (10) points for opening transportation corridor to a planned County development area;
- b. Ten (10) points for supporting a committed economic development project;
- c. Five (5) points for providing capacity to alternative roadways or intersections that will serve ingress or egress routes for planned economic development areas.

6. Public Support (up to fifteen (15) points). The input of the public or other stakeholders in the County (e.g. municipalities).

- a. Five (5) points to a project identified in the Needs Assessment;

- b. Five (5) points to a project indicated in the upper fifty percent (50%) of priority by the stakeholder;
- c. Ten (10) points to a project indicated in the upper twenty-five percent (25%) of priority by the stakeholder.

Below is an example of how two different Transportation Needs might be scored and compared. In this instance, it is anticipated the Transportation Department would first pursue Need 2 because of its higher Project Score.

	<i>Additional Funding</i>	<i>Impact/Cost</i>	<i>Safety</i>	<i>Overall Condition</i>	<i>Economic Development</i>	<i>Public Support</i>	<i>Project Score<sup>1</sup></i>
<i>Need 1</i>	5	5	5	5	5	5	30
<i>Need 2</i>	8	15	23	9	20	12	86

**C. PROJECT CATEGORIES**

The County Council has established three broad categories into which Projects shall be grouped: Community Investment Projects, County Advancement Projects and COMET Enhancement Projects.

1. Community Investment Projects: These Projects address the integrity, safety, reliability and sustainability of the transportation infrastructure in local communities and impact the day-to-day activities of citizens and local businesses. These Projects may include viable and unfunded 2012 penny projects as well as road improvements, widening, resurfacing, paving of dirt roads, intersection improvements, bikeways, greenbelts, sidewalks, and other pedestrian-friendly enhancements;
2. County Advancement Projects: These Projects target the expansion of transportation infrastructure to achieve, support and sustain economic growth on a county-wide basis. These Projects may include new construction, improvements and widening for major roadways, intersections and commuting corridors; and
3. COMET Enhancement Projects: These Projects target the operation and expansion of the COMET. These Projects may include operational sustainability, establishment of new routes, new construction and improvements to enhance rider safety and comfort, and acquisition of new buses and other modes of transportation.

In general, County Advancement Projects shall be defined by the following characteristics and such other consistent factors as may be identified by the Transportation Department:

1. Traffic volume over 10,000 AADT;

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<sup>1</sup> To the extent one or more Projects have equal scoring, the Transportation Department will develop a recommendation for a tie breaker and present the recommendation to the TAHC along with such other information as may be reasonably requested by the TAHC. The TAHC will then determine whether to accept the recommendation or reject the recommendation and seek additional information. . If the TAHC determines that the Projects are of high significance, it may submit the tiebreak recommendation for consideration by the full County Council.

2. Major transportation corridor to interstate access;
3. Widening projects with complete streets; and
4. Affecting a major growth area for new development.

#### **D. EMERGING NEEDS**

The County Council's plan for the New Penny anticipates the presence of Emerging Needs. To identify and track Emerging Needs, the Transportation Department shall undertake the following:

1. Working with TPAC, establish a protocol for identifying, tracking and addressing Emerging Needs;
2. The process should occur in regular intervals at least semi-annually commencing with the first calendar year occurring after the year in which the New Penny is imposed;
3. The protocol should solicit input from County Administration, each member of County Council and other stakeholders, including the entities represented in the Needs Assessment;
4. TPAC shall review any newly proposed Emerging Needs and make a recommendation to TAHC regarding which proposed Emerging Needs should be addressed by the New Penny;
5. TAHC should review and approve the compiled list of Emerging Needs and then send to County Council for approval; and
6. Once the Emerging Needs are established, the Transportation Department shall assign each of them a Project Score and then appropriately prioritize them in their program of work for the New Penny.

#### **E. MANAGEMENT OF THE NEW PENNY**

The Transportation Department shall be charged with the primary responsibility to manage the Projects to be undertaken with the proceeds of the New Penny. To accommodate the timely submission of the County's overall budget to County Council for consideration, the County Administrator will prepare a proposed annual budget for the New Penny for the next succeeding fiscal year together with a statement describing the important features of the proposed budget. The proposed budget and statement will be based on the recommendation from the Transportation Director of the Projects for the corresponding fiscal year that were determined in accordance with Section A.

The annual budget may be modified by the County Council in accordance with its established procedures to address unforeseen or exigent circumstances.

**F. NEW PENNY; ROLE OF TPAC**

The TPAC shall hold regular meetings and receive updates on the progress of the New Penny. From time to time, the TPAC may be asked to provide input on particular Transportation Needs and/or Project Scoring. All TPAC input shall be provided to the TAHC for deliberation and, if necessary, a final recommendation to County Council. The TPAC shall also take an active role with respect to Emerging Needs as described herein. The TPAC, in cooperation with the County Council and TAHC, shall conduct an Annual State of the Penny to keep citizens informed regarding progress in address the Transportation Needs.

**EXHIBIT A**  
**CURRENT NEEDS**

## **EXHIBIT B**

### **COMET NEEDS**

1. EXPAND AND ENHANCE GEOGRAPHICAL COVERAGE THROUGHOUT RICHLAND COUNTY
  - Provide more effective and efficient service to the Lower Richland community to establish a micro-transit system, like a customized rideshare service provided by The COMET.
  - Provide expanded service throughout Richland County into areas such as Blythewood to better serve businesses like Scout Motors.
2. INCREASE FREQUENCY ON HIGHEST RIDERSHIP ROUTES
  - Increase the frequency on six routes ending in 01 (101, 301, 401, 501, 701 and 801).
  - By increasing frequency, we can boost ridership and improve access to work, medical facilities and retail.
3. TARGETED CUSTOMIZED FIXED ROUTE PROGRAMS
  - Provide customized, fixed-route programs for senior citizens, military, and workforce-related transportation to ease the financial burden of riders needing access to medical appointments, employment and essential travel.
4. DEVELOPMENT OF NEW MULTIMODAL FACILITY AND RECONFIGURATION OF ROUTES
  - Substantially enhance passenger convenience and accessibility by reconfiguring the current system to incorporate multiple direct routes, rather than just multiple changes.



## EXHIBIT C

### PROJECT CATEGORIES: MAJOR PROJECTS

#### **Community Investment Projects: Thirty Percent (50%):**

##### *Road Resurfacing and Rebuilding [\$690 million]<sup>2</sup>*

To improve the overall conditions and safety of the roadways in the County. These may include roadways owned and maintained by the State, the County or the other municipalities.

##### *Pedestrian Safety and Access [\$410 million]*

Installing sidewalks and other pedestrian accommodations to improve access and safety.

##### *Road Paving [\$165 million]*

To pave and modernize roadways in the County subject to the County's local code and rules.

##### *Multimodal Transportation Improvements [\$200 million]*

Installing bikeways, greenways and shared use paths throughout the County and improving the alternative transportation network across the County.

##### *Traffic Safety and Congestion Relief [\$220 million]*

Intersection improvements and traffic signal installation and upgrades to reduce occurrence and severity of traffic incidents and improve traffic flow to reduce commuting times.

##### *Emerging Community Investment Needs [\$100 million]*

Expected funds necessary to address needs arising from continued residential growth or development in the County.

#### **County Advancement Projects: Fifty Percent (30%):**

*Widening of roadways to improve capacity and access. Roadways which have been identified for potential widening are as follows: [\$750 million]*

Two Notch Road US 1 Pontiac (from Richland County Line to S-53  
Spears Creek)

Kennerly Rod S-129 (from Hollingshed Rd to Broad River Rd)

Shady Grove Rd (from Broad River Rd to Koon Rd)

Broad River Rd US 176 North (from I-26 to Chapin Rd)

Lost Creek Rd (from Broad River Rd to Boat Ramp Rd)

Hardscrabble Rd North (from Langford Rd to Kelly Mill Rd)

Rauch Metz Road (from Dutch Fork Rd to Broad River Rd (US 176))

Pineview Road (from Shop Rd to Bluff Rd)

Broad River Rod (I-26 (Exit 97) to Dutch Fork Rd)

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<sup>2</sup> Costs provided are estimates of current base construction costs. The costs do not include costs for the related PE, rights-of-way, utility relocation or construction engineering for each project. Additionally, the costs do not account for an inflation over the time period in which the New Penny will be collected. Accordingly, the above dollar amounts should not be deemed as a budget or limitation on funds collected from the New Penny to be allocated to any type of project funded under each category.

US 76 (from Broad River Rd (US 176) to SC 6)  
US 76 (from Shadowood Dr to Richland County Line)  
Langford Rd (from Main St to Hardscrabble Rd)  
Main St (US 21) (from I-77 (Ex 24) to Langford)  
Blythewood Rd (from I-77 (Ex 27) to Main St)  
Longtown Rd (from Farrow Rd to Longtown Rd E/W)  
N Springs Rd (from Brickyard Rd to Clemson Rd)  
Spears Creek Ch Rd (from I-20 (Ex 82) to Percival Rd)  
Garners Ferry Rd (from Trotter Rd to Lower Richland Blvd)  
Patterson Rd (from Garners Ferry Rd to Caroline Rd)  
Bookman Rd S-53 (from Two Notch Rd to Kelly Mill Rd)  
Percival Rd (from Forest Dr to Decker Blvd)  
Percival Rd (from I-77 to Clemson Rd)  
Rimer Rd (from US 21 to Hardscrabble)  
Rabon Rd (from SC 555 to US 1)  
Beltline Blvd (from Elmhurst to River Dr)  
South Stadium Road (from Bluff Rd to the End)  
National Guard Rd (from Bluff Rd to the End)  
Bluff Industrial Blvd (from Bluff Rd to Silo Ct)  
Silo Ct (from Bluff Industrial Blvd to the End)

*Railroad Projects [\$30 million]*

Improvements along rail-lines and at crossings to reduce noise and improve traffic flow at crossings.

*Construction of new roadways to open transportation corridors or provide alternated roadways. New roadways which have been identified for potential construction are as follows: [\$35 million]*

Creech Rd Ext (from Creech Rd to Firetower Ct)  
New Connector Rd (from Arborwood Rd to Indian Mound Rd)  
Shop Rd Ext (Phase 3) (from Montgomery Ln to Garners Ferry)  
New Connector Rd (from S Stadium Rd to National Guard Rd)

*Traffic Safety and Congestion Relief [\$20 million]*

Intersection improvements and traffic signal installation and upgrades at major transportation corridors or at roadways in areas of anticipated growth or having large traffic volume.

*Road Resurfacing and Rebuilding [\$75 million]*

To improve the overall conditions and safety of major transportation corridors or roadways in areas of anticipated growth or having large traffic volume. These may include roadways owned and maintained by the State, the County or the other municipalities.

*Emerging County Advancement Needs [\$250 million]*

Expected funds necessary to address emerging needs in the County.

**COMET Enhancement Projects: Twenty Percent (20%):**

New operating and capital costs associated with the development of a multi-modal transportation center, establishment and expansion of micro-transit services in Lower Richland and Blythewood, increased frequency on existing routes to allow expansion of partnerships with schools, the military and employers in hospitality, manufacturing and industry and enhanced ADA/paratransit services. In addition to the foregoing, the proceeds of the New Penny will support the overall continued operations of the COMET.

3. Compliance with statutory and regulatory requirements including, specifically, SC Revenue Ruling #22-2; and

4. Each The proceeds of the New Penny shall be expended equitably across the County and each County Council district shall receive a minimum of \$20 million in funding from the New Penny for projects in the Community Investment or County Advancement categories.

## **B. ADDRESSING TRANSPORTATION NEEDS**

The New Penny will be administered by the Transportation Department of the County. Accordingly, County Council established the following principles for the Transportation Department to follow when preparing the recommendation of which Transportation Needs would be funded in a fiscal year (each, a “Project”) from the available revenues collected from the New Penny or the available proceeds of any bonds issued and repaid from the proceeds of the New Penny.

### *2012 Needs*

A guiding principle of the New Penny shall be that the 2012 Needs will be addressed first. The 2012 Needs shall be prioritized in accordance with any applicable ordinance of the County. In the absence of an applicable ordinance, the 2012 Needs will be addressed in order (from highest to lowest) based on the respective Project Score (defined below) assigned to each by the Transportation Department.

### *Remaining Transportation Needs*

There are programmatic expenditures described in the Need Assessment for Resurfacing, Sidewalks and Dirt Road Paving (“Programmatic Expenditures”). They shall be prioritized in accordance with any applicable ordinance of the County. In the absence of an applicable ordinance, the Programmatic Expenditures will be addressed in order (from highest to lowest) based on the respective Project Score (defined below) assigned to each by the Transportation Department.

The Transportation Department will apply the following principles to each Transportation Need to determine its Project Score. Transportation Needs with higher Project Scores should be prioritized for funding over other Transportation Needs within the same category. Transportation Needs should be reassessed periodically and scoring updated, if applicable.

1. Additional Funding Sources (up to ten (10) points). The existence of matching state or federal funds and any associated deadline (*if state or federal funds are available, or could become available, and enable the County to leverage the proceeds of the New Penny to complete a Transportation Need, then the Transportation Need should be prioritized*).

a. One (1) point for every ten percent (10%) contribution toward Project Cost by the outside funding source.

2. Overall Impact and Cost Ratio (up to twenty (20) points). The number of County residents affected by Transportation Need subject to the following factors:

- a. One (1) point for every one thousand (1,000) Average Annual Daily Traffic (AADT);
- b. In case of a road that serves and the primary means of access to a community, one (1) point for every five hundred (500) AADT.
- c. ~~b.~~ In case of a road that serves as the sole means of ingress and egress for a community, one (1) point for every one hundred (100) AADT.

3. Safety (up to twenty-five (25) points). The effect a Transportation Need would have on improving public safety subject to the following factors:

- a. Two (2) points for every signalized crosswalk;
- b. Two (2) points for one-way traffic crosswalk from refuge to refuge point;
- c. Ten (10) points for every mile of new sidewalk;
- d. Five (5) points for ability to meet four-hour or pedestrian warrant analysis with improved traffic control;
- e. Five (5) points for reducing the vehicle to vehicle conflicts by fifty percent (50%);
- f. Five (5) points for reducing the vehicle to pedestrian conflicts by fifty percent (50%);
- g. Five (5) points if the road serves as the primary means of access to a community;
- h. ~~g.~~ Five (5) points if the road serves as the sole means of ingress and egress for a community;
- i. ~~h.~~ Fifteen (15) points to address a critical issue caused by a weather-event.

4. Improvement of Overall Condition (up to ten (10) points). The effect a Transportation Need would have on removal of blight or improvement of blighted conditions subject to the following factors:

- a. Five (5) points for restoring the roadway system surfaces;
- b. Three (3) points for removing standing water;
- c. Three (3) points for adding or improving the drainage system;
- d. Five (5) Points for ability to clear aged and rundown roadside blight within the right-of-way (ROW).

5. Economic Development (up to twenty (20) points). The impact a Transportation Need would have on economic development activity in the County subject to the following factors:

- a. Ten (10) points for opening transportation corridor to a planned County development area;
- b. Ten (10) points for supporting a committed economic development project;
- c. Five (5) points for providing capacity to alternative roadways or intersections that will serve ingress or egress routes for planned economic development areas.

safety and comfort, and acquisition of new buses and other modes of transportation.

In general, County Advancement Projects shall be defined by the following characteristics and such other consistent factors as may be identified by the Transportation Department:

1. Traffic volume over 10,000 AADT;
2. Major transportation corridor to interstate access;
3. Widening projects with complete streets; and
4. Affecting a major growth area for new development.

#### **D. EMERGING NEEDS**

The County Council's plan for the New Penny anticipates the presence of Emerging Needs. To identify and track Emerging Needs, the Transportation Department shall undertake the following:

1. Working with TPAC, establish a protocol for identifying, tracking and addressing Emerging Needs;
2. The process should occur in regular intervals at least semi-annually commencing with the first calendar year occurring after the year in which the New Penny is imposed;
3. The protocol should solicit input from County Administration, each member of County Council and other stakeholders, including the entities represented in the Needs Assessment;
4. TPAC shall review any newly proposed Emerging Needs and make a recommendation to TAHC regarding which proposed Emerging Needs should be addressed by the New Penny;
5. TAHC should review and approve the compiled list of Emerging Needs and then send to County Council for approval; and
6. Once the Emerging Needs are established, the Transportation Department shall assign each of them a Project Score and then appropriately prioritize them in their program of work for the New Penny.

#### **E. MANAGEMENT OF THE NEW PENNY**

The Transportation Department shall be charged with the primary responsibility to manage the Projects to be undertaken with the proceeds of the New Penny. To accommodate the timely submission of the County's overall budget to County Council for consideration, the County Administrator will prepare a proposed annual budget for the New Penny for the next succeeding fiscal year together with a statement describing the important features of the proposed budget. The proposed budget and statement will be based on the recommendation from

## EXHIBIT C

### PROJECT CATEGORIES: MAJOR PROJECTS

#### **Community Investment Projects: Thirty Percent (3050%):**

##### *Road Resurfacing and Rebuilding [\$690 million]<sup>2</sup>*

To improve the overall conditions and safety of the roadways in the County. These may include roadways owned and maintained by the State, the County or the other municipalities.

##### *Pedestrian Safety and Access [\$410 million]*

Installing sidewalks and other pedestrian accommodations to improve access and safety.

##### *Road Paving [\$165 million]*

To pave and modernize roadways in the County subject to the County's local code and rules.

##### *Multimodal Transportation Improvements [\$200 million]*

Installing bikeways, greenways and shared use paths throughout the County and improving the alternative transportation network across the County.

##### *Traffic Safety and Congestion Relief [\$220 million]*

Intersection improvements and traffic signal installation and upgrades to reduce occurrence and severity of traffic incidents and improve traffic flow to reduce commuting times.

##### *Emerging Community Investment Needs [\$100 million]*

Expected funds necessary to address needs arising from continued residential growth or development in the County.

#### **County Advancement Projects: Fifty Percent (5030%):**

*Widening of roadways to improve capacity and access. Roadways which have been identified for potential widening are as follows: [\$750 million]*

- Two Notch Road US 1 Pontiac (from Richland County Line to S-53 Spears Creek)
- Kennerly Rod S-129 (from Hollingshed Rd to Broad River Rd)
- Shady Grove Rd (from Broad River Rd to Koon Rd)
- Broad River Rd US 176 North (from I-26 to Chapin Rd)
- Lost Creek Rd (from Broad River Rd to Boat Ramp Rd)
- Hardscrabble Rd North (from Langford Rd to Kelly Mill Rd)
- Rauch Metz Road (from Dutch Fork Rd to Broad River Rd (US 176))

<sup>2</sup> Costs provided are estimates of current base construction costs. The costs do not include costs for the related PE, rights-of-way, utility relocation or construction engineering for each project. Additionally, the costs do not account for an inflation over the time period in which the New Penny will be collected. Accordingly, the above dollar amounts should not be deemed as a budget or limitation on funds collected from the New Penny to be allocated to any type of project funded under each category.

STATE OF SOUTH CAROLINA  
COUNTY COUNCIL FOR RICHLAND COUNTY  
ORDINANCE NO. \_\_\_\_\_

**AUTHORIZING THE IMPOSITION OF A ONE PERCENT (1%) TRANSPORTATION SALES AND USE TAX WITHIN RICHLAND COUNTY PURSUANT TO SECTION 4-37-30 OF THE CODE OF LAWS OF SOUTH CAROLINA 1976, AS AMENDED; DETERMINING (I) THE CATEGORIES OF PROJECTS TO BE FUNDED WITH THE TAX, (II) THE MAXIMUM TIME FOR IMPOSITION OF THE TAX, AND (III) THE ESTIMATED CAPITAL COST OF THE PROJECTS; DIRECTING THE BOARD OF VOTER REGISTRATION AND ELECTIONS OF RICHLAND COUNTY TO CONDUCT A COUNTY-WIDE REFERENDUM ON THE IMPOSITION OF THE TAX AND THE ISSUANCE OF GENERAL OBLIGATION BONDS; PRESCRIBING THE CONTENTS OF THE BALLOT QUESTIONS; AND OTHER RELATED MATTERS.**

WHEREAS, the Richland County Council ("*County Council*") is the governing body of Richland County, South Carolina ("*County*");

WHEREAS, pursuant to Section 4-37-30 of the Code of Laws of South Carolina 1976, as amended ("*Act*"), subject to referendum approval by a majority of qualified electors, a county governing body may impose by ordinance a sales and use tax within its jurisdiction in an amount not to exceed one percent (1%) ("*Transportation Penny*") to fund multiple projects and for a specific period of time to collect a limited amount of money;

WHEREAS, the proceeds of a Transportation Penny may be expended on highways, roads, streets, bridges, mass transit systems, greenbelts, and other transportation-related projects facilities including but not limited to, drainage facilities relating to the highways, roads, streets, bridges, and other transportation-related projects ("*Eligible Projects*");

WHEREAS, Eligible Projects may be operated by a county or jointly-operated projects of a county and other governmental entities;

WHEREAS, the proceeds of a Transportation Penny may pay for (i) the capital costs associated with Eligible Projects, (ii) the operating costs of a mass transit system and such other costs that may be tethered to a specific transportation-related project or the administration of a specific transportation project as further described in South Carolina Revenue Ruling #22-2 ("*Revenue Ruling*") issued by the South Carolina Department of Revenue ("*DOR*") on April 18, 2022 (collectively, (i) and (ii) are "*Eligible Costs*"), and (iii) the debt service and costs of issuance relating to any bonds issued to pay for Eligible Projects;

WHEREAS, in 2012, the County, after referendum approval by qualified electors, imposed a Transportation Penny ("*Prior Penny*") to fund multiple Eligible Projects;



WHEREAS, in late 2023, the County directed the completion of a county-wide Transportation Needs Assessment (“*Needs Assessment*”) by a third-party engineering firm (“*Engineer*”);

WHEREAS, in the course of conducting the Needs Assessment, the Engineer and County staff have held multiple public input sessions in each County Council district and solicited needs from other key stakeholders including the municipalities located with the County;

WHEREAS, the Needs Assessment together with the public input and the needs identified by the stakeholders reflects the current transportation needs of the entire County, all of which qualify as Eligible Projects (“*Current Needs*”);

WHEREAS, the County also anticipates there will be emerging transportation needs that could result from new or continued growth and development, continued aging or obsolescence of the County’s transportation infrastructure or a weather-related event, all of which would qualify as Eligible Projects (“*Emerging Needs*”);

WHEREAS, the County has solicited needs from the Central Midlands Regional Transit Authority regarding its mass transit system (“*COMET*”);

WHEREAS, the COMET has experienced significant growth funded by the Prior Penny and forecasts future growth in ridership and routes that are necessary to keep pace with the County’s overall growth and development. To address future growth, the COMET’s board of directors developed and presented to County Council a multi-year plan for service enhancement that identifies a number of projects, all of which qualify as Eligible Projects (“*COMET Needs*,” and together with Current Needs and Future Needs, “*Transportation Needs*”);

WHEREAS, by its Resolution adopted on March 19, 2024, the County Council requested the Richland County Transportation Advisory Committee (“*TPAC*”) review the Transportation Needs and recommend principles by which the County would undertake the Transportation Needs. The TPAC has provided input on (i) the Needs Assessment, (ii) the principles and policies to be utilized by the County to fund and complete a Transportation Need through an Eligible Project (“*Project*”), and (iii) the categorization of the Transportation Needs into one of the Project Categories (as defined herein);

WHEREAS, the TPAC has conducted multiple public meetings over the past several months, provided interim reports to the Transportation Ad Hoc Committee of County Council (“*TAHC*”), and delivered its final advisory report (“*TPAC Report*”) to the TAHC on June 18, 2024;

WHEREAS, the TAHC has conducted multiple public meetings over the past several months, and, with the advice and input provided in the TPAC Report, the TAHC delivered its written recommendation to County Council entitled “Richland County Penny Projects, Principles and Categories,” which was adopted and approved by a Resolution of the County Council on [July 16, 2024];

WHEREAS, the inflation-adjusted Eligible Costs necessary to address the Transportation Needs over the next 25 years is approximately \$8 billion dollars (“*Transportation Costs*”);

WHEREAS, the County Council has determined the most advantageous approach to timely address the Transportation Needs for the citizens of the County is to pay for a significant portion of the Transportation Costs through the imposition of a Transportation Penny (“*New Penny*”) that would commence following the termination of the collection of the Prior Penny and continue for a period of 25 calendar years from the date of imposition, subject to a referendum to be held on November 5, 2024 (“*Referendum*”);

WHEREAS, the ballot question to be considered in the Referendum should separate the Transportation Needs into discernible categories (“*Project Categories*”) to provide clarity to the electors. In addition, there should be included within the Referendum a ballot question requesting the approval of the issuance of general obligation bonds of the County (“*Bonds*”) to be repaid solely from the proceeds of the New Penny; and

WHEREAS, imposition of a New Penny to address the Transportation Needs will serve a public purpose to facilitate economic development, promote public health and safety, provide needed infrastructure, promote desirable living conditions, and enhance the quality of life in the County.

NOW THEREFORE, BE IT ORDAINED, by the County Council as follows:

**Section 1. *Imposition of New Penny.*** The New Penny is hereby imposed in the County, subject to a favorable vote of a majority of the qualified electors voting in the Referendum. As more fully described herein, the proceeds of the New Penny shall be utilized to pay Transportation Costs.

**Section 2. *Fulfillment of Statutory Requirements.***

(a) **Projects.** In accordance with Section 4-37-30(A)(1)(a) of the Act, the New Penny shall be used do defray the Eligible Costs of the following categories of Transportation Needs:

(i) Community Investment Projects: These projects address the integrity, safety, reliability and sustainability of the transportation infrastructure in local communities and impact the day-to-day activities of citizens and local businesses. These projects may include viable and unfunded 2012 penny projects as well as road improvements, widening, resurfacing, paving of dirt roads, intersection improvements, bikeways, greenbelts, sidewalks, and other pedestrian-friendly enhancements;

(ii) County Advancement Projects: These projects target the expansion of transportation infrastructure to achieve, support and sustain economic growth on a county-wide basis. These projects may include new construction, improvements and widening for major roadways, intersections and commuting corridors; and

(iii) COMET Enhancement Projects: These projects target the operation and expansion of the COMET. These projects may include operational sustainability, establishment of new routes, new construction and improvements to enhance rider safety and comfort, and acquisition of new buses and other modes of transportation.

The major Projects expected to be addressed within each of the Project Categories are summarized on the attached **Exhibit A**.

(b) **Maximum Time.** In accordance with Section 4-37-30(A)(1)(b) of the Act, the New Penny shall be imposed commencing on the first day of the calendar month immediately following the termination of the collection of the Prior Penny and continue for twenty-five years. Based on current projections, the termination of the collection of the Prior Penny is expected to occur in November 2026. Accordingly, the New Penny is expected to be imposed on December 1, 2026 and continue for twenty-five years through December 1, 2051. As provided in Section 4-37-30(A)(5) of the Act, the New Penny may terminate earlier if the DOR determines the New Penny has raised revenues sufficient to provide the Transportation Costs, or the cost to amortize all Bonds, whichever is greater.

(c) **Estimated Cost; Amount of Bonds.** In accordance with Section 4-37-30(A)(1)(c) of the Act:

(i) The estimated Transportation Costs to be paid from the proceeds of the New Penny are approximately \$4.5 billion, which shall be allocated as follows

1. 30%, or approximately \$1.350 billion, to County Advancement Projects;
2. 50%, or approximately \$2.250 billion, to Community Investment Projects;  
and
3. 20%, or approximately \$900 million, to COMET Enhancement Projects.

(ii) The principal amount of Bonds to be issued and repaid from the proceeds of the New Penny is not to exceed \$950 million.

### **Section 3. Referendum Matters.**

(a) **Call for Referendum.** The imposition of the New Penny is subject in all respects to the favorable vote of a majority of qualified electors casting votes in the Referendum to be conducted by the Board of Voter Registration and Elections of Richland County (“**Election Commission**”). The Election Commission shall conduct the Referendum in accordance with the Act and election laws of the State of South Carolina, *mutatis mutandis*. The County shall pay the reasonable expenses of the Referendum.

(b) **Ballot Questions.** The ballot questions to be considered in the Referendum shall appear substantially in the forms set forth in **Exhibit B**. If a majority of the electors voting in the Referendum vote in favor of imposing the New Penny, then the New Penny shall be imposed as provided in the Act and this Ordinance. If a majority of the electors voting in the Referendum shall vote in favor of the issuance of the Bonds, then the issuance shall be authorized in accordance with Article X, Section 14, Paragraph (6) of the South Carolina Constitution.

**Section 4. *Certification of Results.*** If the New Penny is approved by a majority of the qualified electors voting in the Referendum, the Election Commission is directed to certify the results not later than November 30, 2024, to the County Council and DOR in accordance with the Act.

**Section 5. *Remittance; Administration of New Penny.*** The Richland County Transportation Department shall be charged with the primary responsibility to manage the Projects to be undertaken with the proceeds of the New Penny. The proceeds of the New Penny shall be remitted, managed and expended in accordance with the terms of the Act, guidance from South Carolina courts and any applicable opinion, ruling or regulation promulgated by DOR, including the Revenue Ruling.

**Section 6. *Budget and Audit Matters.***

(a) **Funding Requests.** Any outside agencies, political subdivisions, or organizations designated to receive funding from the New Penny must annually submit requests for funding in accordance with procedures and schedules established by the County Administrator. The County Administrator, based on the recommendation of the Transportation Department of the Projects to be undertaken in such fiscal year, shall prepare the proposed annual budget for the New Penny for the applicable fiscal year and submit it to the County Council at such time as the County Council determines. At the time of submitting the proposed budget, the County Administrator shall submit to the County Council a statement describing the important features of the proposed budget.

(b) **Appropriations.** County Council shall adopt annually and prior to the beginning of fiscal year a budget for the proposed and expected expenditures of New Penny revenues for such fiscal year. County Council may make supplemental appropriations of revenues of the New Penny following the same procedures prescribed for the enactment of other budget ordinances. The provisions of this section shall not be construed to prohibit the transfer of funds appropriated in the annual budget for the New Penny for purposes other than as specified in the annual budget when (i) County Council approves such transfers or (ii) such transfers are made in accordance with procedures set forth by County Council. In the preparation of the annual budget, County Council may require any reports, estimates, and statistics from any county agency or department as may be necessary to perform its duties as the responsible fiscal body of the County.

(c) **Annual Audits.** Except as specifically authorized by County Council, any outside agency or organization receiving an appropriation of the New Penny must provide to County Council an independent annual audit of such agency's or organization's financial records and transactions and such other and more frequent financial information as required by County Council, all in form satisfactory to County Council.

**Section 7. *Savings Clause.*** The provisions of this Ordinance are separable. If any part of this Ordinance is, for any reason, unenforceable then the validity of the remainder of this Ordinance is unaffected.

**Section 8. *General Repealer.*** Any prior ordinance, the terms of which are in conflict with this Ordinance, is, only to the extent of that conflict, repealed.

**Section 9. *Effectiveness.*** This Ordinance is effective after its third reading and public hearing.



RICHLAND COUNTY, SOUTH CAROLINA

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Chair, Richland County Council

(SEAL)  
ATTEST:

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Clerk of Council, Richland County Council

RICHLAND COUNTY ATTORNEY'S OFFICE

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

First Reading: April 9, 2024  
Second Reading: May 14, 2024  
Public Hearing: July 9, 2024  
Third Reading:

## EXHIBIT A

### PROJECT CATEGORIES: MAJOR PROJECTS

#### **Community Investment Projects: Thirty Percent (50%):**

##### *Road Resurfacing and Rebuilding [\$690 million]<sup>1</sup>*

To improve the overall conditions and safety of the roadways in the County. These may include roadways owned and maintained by the State, the County or the other municipalities.

##### *Pedestrian Safety and Access [\$410 million]*

Installing sidewalks and other pedestrian accommodations to improve access and safety.

##### *Road Paving [\$165 million]*

To pave and modernize roadways in the County subject to the County's local code and rules.

##### *Multimodal Transportation Improvements [\$200 million]*

Installing bikeways, greenways and shared use paths throughout the County and improving the alternative transportation network across the County.

##### *Traffic Safety and Congestion Relief [\$220 million]*

Intersection improvements and traffic signal installation and upgrades to reduce occurrence and severity of traffic incidents and improve traffic flow to reduce commuting times.

##### *Emerging Community Investment Needs [\$100 million]*

Expected funds necessary to address needs arising from continued residential growth or development in the County.

#### **County Advancement Projects: Fifty Percent (30%):**

*Widening of roadways to improve capacity and access. Roadways which have been identified for potential widening are as follows: [\$750 million]*

Two Notch Road US 1 Pontiac (from Richland County Line to S-53  
Spears Creek)

Kennerly Rod S-129 (from Hollingshed Rd to Broad River Rd)

Shady Grove Rd (from Broad River Rd to Koon Rd)

Broad River Rd US 176 North (from I-26 to Chapin Rd)

Lost Creek Rd (from Broad River Rd to Boat Ramp Rd)

Hardscrabble Rd North (from Langford Rd to Kelly Mill Rd)

Rauch Metz Road (from Dutch Fork Rd to Broad River Rd (US 176))

Pineview Road (from Shop Rd to Bluff Rd)

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<sup>1</sup> Costs provided are estimates of current base construction costs. The costs do not include costs for the related PE, rights-of-way, utility relocation or construction engineering for each project. Additionally, the costs do not account for an inflation over the time period in which the New Penny will be collected. Accordingly, the above dollar amounts should not be deemed as a budget or limitation on funds collected from the New Penny to be allocated to any type of project funded under each category.

Broad River Rod (I-26 (Exit 97) to Dutch Fork Rd)  
US 76 (from Broad River Rd (US 176) to SC 6)  
US 76 (from Shadowood Dr to Richland County Line)  
Langford Rd (from Main St to Hardscrabble Rd)  
Main St (US 21) (from I-77 (Ex 24) to Langford)  
Blythewood Rd (from I-77 (Ex 27) to Main St)  
Longtown Rd (from Farrow Rd to Longtown Rd E/W)  
N Springs Rd (from Brickyard Rd to Clemson Rd)  
Spears Creek Ch Rd (from I-20 (Ex 82) to Percival Rd)  
Garners Ferry Rd (from Trotter Rd to Lower Richland Blvd)  
Patterson Rd (from Garners Ferry Rd to Caroline Rd)  
Bookman Rd S-53 (from Two Notch Rd to Kelly Mill Rd)  
Percival Rd (from Forest Dr to Decker Blvd)  
Percival Rd (from I-77 to Clemson Rd)  
Rimer Rd (from US 21 to Hardscrabble)  
Rabon Rd (from SC 555 to US 1)  
Beltline Blvd (from Elmhurst to River Dr)  
South Stadium Road (from Bluff Rd to the End)  
National Guard Rd (from Bluff Rd to the End)  
Bluff Industrial Blvd (from Bluff Rd to Silo Ct)  
Silo Ct (from Bluff Industrial Blvd to the End)

*Railroad Projects [\$30 million]*

Improvements along rail-lines and at crossings to reduce noise and improve traffic flow at crossings.

*Construction of new roadways to open transportation corridors or provide alternated roadways. New roadways which have been identified for potential construction are as follows: [\$35 million]*

Creech Rd Ext (from Creech Rd to Firetower Ct)  
New Connector Rd (from Arborwood Rd to Indian Mound Rd)  
Shop Rd Ext (Phase 3) (from Montgomery Ln to Garners Ferry)  
New Connector Rd (from S Stadium Rd to National Guard Rd)

*Traffic Safety and Congestion Relief [\$20 million]*

Intersection improvements and traffic signal installation and upgrades at major transportation corridors or at roadways in areas of anticipated growth or having large traffic volume.

*Road Resurfacing and Rebuilding [\$75 million]*

To improve the overall conditions and safety of major transportation corridors or roadways in areas of anticipated growth or having large traffic volume. These may include roadways owned and maintained by the State, the County or the other municipalities.

*Emerging County Advancement Needs [\$250 million]*



Expected funds necessary to address emerging needs in the County.

**COMET Enhancement Projects: Twenty Percent (20%):**

New operating and capital costs associated with the development of a multi-modal transportation center, establishment and expansion of micro-transit services in Lower Richland and Blythewood, increased frequency on existing routes to allow expansion of partnerships with schools, the military and employers in hospitality, manufacturing and industry and enhanced ADA/paratransit services. In addition to the foregoing, the proceeds of the New Penny will support the overall continued operations of the COMET.

**EXHIBIT B**  
**FORM OF REFERENDUM QUESTIONS**

RICHLAND COUNTY SPECIAL SALES AND USE TAX

QUESTION 1

I approve a special sales and use tax in the amount of one percent to be imposed in Richland County for not more than twenty-five (25) years to fund certain projects with an aggregate cost of not exceeding \$4.5 billion. Collection of the special sales and use tax will not begin until the current special sales and use tax imposed in Richland County is terminated. The special sales and use tax proceeds will be used to fund the following projects:

**Project (1) - Community Investment Projects:** These projects address the integrity, safety, reliability and sustainability of the transportation infrastructure in local communities and impact the day-to-day activities of citizens and local businesses. These projects may include viable and unfunded 2012 penny projects as well as road improvements, widening, resurfacing, paving of dirt roads, intersection improvements, bikeways, greenbelts, sidewalks, and other pedestrian-friendly enhancements.

50% of the revenues generated by the sales and use tax shall be used to pay eligible costs of the Community Investment Projects, which is expected to be \$2.250 billion.

**Project (2) - County Advancement Projects:** These projects target the expansion of transportation infrastructure to achieve, support and sustain economic growth on a county-wide basis. These projects may include new construction, improvements and widening for major roadways, intersections and commuting corridors.

30% of the revenues generated by the sales and use tax shall be used to pay eligible costs of the County Advancement Projects, which is expected to be \$1.350 billion.

**Project 3: - COMET Enhancement Projects:** These projects target the operation and expansion of the mass transit system operated by the Central Midlands Regional Transit Authority known as the COMET. These projects may include operational sustainability, establishment of new routes, new construction and improvements to enhance rider safety and comfort, and acquisition of new buses and other modes of transportation.

20% of the revenues generated by the sales and use tax shall be used to pay eligible costs of the COMET Enhancement Projects, which is expected to be \$900 million.

YES \_\_\_\_\_

NO \_\_\_\_\_

Instructions to Voters: All qualified electors desiring to vote in favor of levying the special sales and use tax shall vote “YES;” and

All qualified electors opposed to levying the special sales and use tax shall vote “NO.”

QUESTION 2

I approve the issuance of not exceeding \$950 million of general obligation bonds of Richland County, payable from the special transportation sales and use tax described in Question 1 above, maturing over a period not to exceed twenty-five (25) years, to fund projects from among the categories described in Question 1 above.

YES \_\_\_\_\_  
NO \_\_\_\_\_

Instructions to Voters: All qualified electors desiring to vote in favor of the issuance of bonds for the stated purposes shall vote “YES”; and

All qualified electors opposed to the issuance of bonds for the stated purposes shall vote “NO.”

WHEREAS, in late 2023, the County directed the completion of a county-wide Transportation Needs Assessment (“*Needs Assessment*”) by a third-party engineering firm (“*Engineer*”);

WHEREAS, in the course of conducting the Needs Assessment, the Engineer and County staff have held multiple public input sessions in each County Council district and solicited needs from other key stakeholders including the municipalities located with the County;

WHEREAS, the Needs Assessment together with the public input and the needs identified by the stakeholders reflects the current transportation needs of the entire County, all of which qualify as Eligible Projects (“*Current Needs*”);

WHEREAS, the County also anticipates there will be emerging transportation needs that could result from new or continued growth and development, continued aging or obsolescence of the County’s transportation infrastructure or a weather-related event, all of which would qualify as Eligible Projects (“*Emerging Needs*”);

WHEREAS, the County has solicited needs from the Central Midlands Regional Transit Authority regarding its mass transit system (“*COMET*”);

WHEREAS, the COMET has experienced significant growth funded by the Prior Penny and forecasts future growth in ridership and routes that are necessary to keep pace with the County’s overall growth and development. To address future growth, the COMET’s board of directors developed and presented to County Council a multi-year plan for service enhancement that identifies a number of projects, all of which qualify as Eligible Projects (“*COMET Needs*,” and together with Current Needs and Future Needs, “*Transportation Needs*”);

WHEREAS, by its Resolution adopted on March 19, 2024, the County Council requested the Richland County Transportation Advisory Committee (“*TPAC*”) review the Transportation Needs and recommend principles by which the County would undertake the Transportation Needs. The TPAC has provided input on (i) the Needs Assessment, (ii) the principles and policies to be utilized by the County to fund and complete a Transportation Need through an Eligible Project (“*Project*”), and (iii) the categorization of the Transportation Needs into one of the Project Categories (as defined herein);

WHEREAS, the TPAC has conducted multiple public meetings over the past several months, provided interim reports to the Transportation Ad Hoc Committee of County Council (“*TAHC*”), and delivered its final advisory report (“*TPAC Report*”) to the TAHC on [June 18, 2024];

WHEREAS, the TAHC has conducted multiple public meetings over the past several months, and, with the advice and input provided in the TPAC Report, the TAHC delivered its written recommendation to County Council entitled “Richland County Penny Projects, Principles and Categories,” which was adopted and approved by a Resolution of the County Council on [July 16, 2024];

WHEREAS, the inflation-adjusted Eligible Costs necessary to address the Transportation Needs over the next 25 years is approximately \$8 billion dollars (“*Transportation Costs*”);

WHEREAS, the County Council has determined the most advantageous approach to timely address the Transportation Needs for the citizens of the County is to pay for a significant portion of the Transportation Costs through the imposition of a Transportation Penny (“*New Penny*”) that would commence following the termination of the collection of the Prior Penny and continue for a period of 25 calendar years from the date of imposition, subject to a referendum to be held on November 5, 2024 (“*Referendum*”);

WHEREAS, the ballot question to be considered in the Referendum should separate the Transportation Needs into discernible categories (“*Project Categories*”) to provide clarity to the electors. In addition, there should be included within the Referendum a ballot question requesting the approval of the issuance of general obligation bonds of the County (“*Bonds*”) to be repaid solely from the proceeds of the New Penny; and

WHEREAS, imposition of a New Penny to address the Transportation Needs will serve a public purpose to facilitate economic development, promote public health and safety, provide needed infrastructure, promote desirable living conditions, and enhance the quality of life in the County.

NOW THEREFORE, BE IT ORDAINED, by the County Council as follows:

**Section 1. *Imposition of New Penny.*** The New Penny is hereby imposed in the County, subject to a favorable vote of a majority of the qualified electors voting in the Referendum. As more fully described herein, the proceeds of the New Penny shall be utilized to pay Transportation Costs.

**Section 2. *Fulfillment of Statutory Requirements.***

(a) **Projects.** In accordance with Section 4-37-30(A)(1)(a) of the Act, the New Penny shall be used do defray the Eligible Costs of the following categories of Transportation Needs:

(i) Community Investment Projects: These projects address the integrity, safety, reliability and sustainability of the transportation infrastructure in local communities and impact the day-to-day activities of citizens and local businesses. These projects may include viable and unfunded 2012 penny projects as well as road improvements, widening, resurfacing, paving of dirt roads, intersection improvements, bikeways, greenbelts, sidewalks, and other pedestrian-friendly enhancements;

(ii) County Advancement Projects: These projects target the expansion of transportation infrastructure to achieve, support and sustain economic growth on a county-wide basis. These projects may include new construction, improvements and widening for major roadways, intersections and commuting corridors; and

(iii) COMET Enhancement Projects: These projects target the operation and expansion of the COMET. These projects may include operational sustainability, establishment of new routes, new construction and improvements to enhance rider safety and comfort, and acquisition of new buses and other modes of transportation.

The major Projects expected to be addressed within each of the Project Categories are summarized on the attached **Exhibit A**.

(b) **Maximum Time.** In accordance with Section 4-37-30(A)(1)(b) of the Act, the New Penny shall be imposed commencing on the first day of the calendar month immediately following the termination of the collection of the Prior Penny and continue for twenty-five years. Based on current projections, the termination of the collection of the Prior Penny is expected to occur in November 2026. Accordingly, the New Penny is expected to be imposed on December 1, 2026 and continue for twenty-five years through December 1, 2051. As provided in Section 4-37-30(A)(5) of the Act, the New Penny may terminate earlier if the DOR determines the New Penny has raised revenues sufficient to provide the Transportation Costs, or the cost to amortize all Bonds, whichever is greater.

(c) **Estimated Cost; Amount of Bonds.** In accordance with Section 4-37-30(A)(1)(c) of the Act:

(i) The estimated Transportation Costs to be paid from the proceeds of the New Penny are approximately \$4.5 billion, which shall be allocated as follows

1. ~~40~~30%, or approximately ~~\$1.8~~1.350 billion, to ~~Community Investment~~County Advancement Projects;
2. ~~40~~50%, or approximately ~~\$1.8~~2.250 billion, to ~~County Advancement~~Community Investment Projects; and
3. 20%, or approximately \$900 million, to COMET Enhancement Projects.

(ii) The principal amount of Bonds to be issued and repaid from the proceeds of the New Penny is not to exceed \$950 million.

### **Section 3. Referendum Matters.**

(a) **Call for Referendum.** The imposition of the New Penny is subject in all respects to the favorable vote of a majority of qualified electors casting votes in the Referendum to be conducted by the Board of Voter Registration and Elections of Richland County (“**Election Commission**”). The Election Commission shall conduct the Referendum in accordance with the Act and election laws of the State of South Carolina, *mutatis mutandis*. The County shall pay the reasonable expenses of the Referendum.

(b) **Ballot Questions.** The ballot questions to be considered in the Referendum shall appear substantially in the forms set forth in **Exhibit B**. If a majority of the electors voting in the Referendum vote in favor of imposing the New Penny, then the New Penny shall be imposed as provided in the Act and this Ordinance. If a majority of the electors voting in the Referendum shall vote in favor of the issuance of the Bonds, then the issuance shall be authorized in accordance with Article X, Section 14, Paragraph (6) of the South Carolina Constitution.

RICHLAND COUNTY, SOUTH CAROLINA

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Chair, Richland County Council

(SEAL)  
ATTEST:

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Clerk of Council, Richland County Council

RICHLAND COUNTY ATTORNEY'S OFFICE

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

First Reading: April 9, 2024  
Second Reading: May 14, 2024  
Public Hearing: [July 9, 2024](#)  
Third Reading:



**EXHIBIT A**

**PROJECT CATEGORIES: MAJOR PROJECTS**

**Community Investment Projects ~~(40): Thirty Percent (50%):~~**

*Road Resurfacing and Rebuilding [~~\$165~~690 million]<sup>1</sup>*

To improve the overall conditions and safety of the roadways in the County. These may include roadways owned and maintained by ~~[the State]~~, the County or the other municipalities.

*Pedestrian Safety and Access [~~\$85~~410 million]*

Installing sidewalks and other pedestrian accommodations to improve access and safety.

*Road Paving [\$165 million]*

To pave and modernize roadways in the County subject to the County's local code and rules.

*Multimodal Transportation Improvements [~~\$37.5~~200 million]*

Installing bikeways, greenways and shared use paths throughout the County and improving the alternative transportation network across the County.

*Traffic Safety and ~~Flow~~ Congestion Relief [~~\$129~~220 million]*

Intersection improvements and traffic signal installation and upgrades to reduce occurrence and severity of traffic incidents and improve traffic flow to reduce commuting times.

*Emerging Community Investment Needs [\$100 million]*

Expected funds necessary to address needs arising from continued residential growth or development in the County.

**County Advancement Projects ~~(40): Fifty Percent (30%):~~**

*Widening of ~~the following~~ roadways to improve capacity and access ~~(. Roadways which have been identified for potential widening are as follows: [~~\$624~~750 million):]~~*

- Two Notch Road US 1 Pontiac (from Richland County Line to S-53 Spears Creek)
- Kennerly Rod S-129 (from Hollingshed Rd to Broad River Rd)
- Shady Grove Rd (from Broad River Rd to Koon Rd)
- Broad River Rd US 176 North (from I-26 to Chapin Rd)
- Lost Creek Rd (from Broad River Rd to Boat Ramp Rd)
- Hardscrabble Rd North (from Langford Rd to Kelly Mill Rd)
- Rauch Metz Road (from Dutch Fork Rd to Broad River Rd (US 176))
- Pineview Road (from Shop Rd to Bluff Rd)
- Broad River Rod (I-26 (Exit 97) to Dutch Fork Rd)

<sup>1</sup> ~~All costs included are estimate~~ Costs provided are estimates of current base construction costs. The ~~above~~ costs do not include costs for the related PE, rights-of-way, utility relocation or construction engineering for each project. Additionally, the costs do not account for an inflation over the time period in which the New Penny will be collected. Accordingly, the above dollar amounts should not be deemed as a budget or limitation on funds collected from the New Penny to be allocated to ~~each~~ any type of project funded under each category.

US 76 (from Broad River Rd (US 176) to SC 6)  
US 76 (from Shadowood Dr to Richland County Line)  
Langford Rd (from Main St to Hardscrabble Rd)  
Main St (US 21) (from I-77 (Ex 24) to Langford)  
Blythewood Rd (from I-77 (Ex 27) to Main St)  
Longtown Rd (from Farrow Rd to Longtown Rd E/W)  
N Springs Rd (from Brickyard Rd to Clemson Rd)  
Spears Creek Ch Rd (from I-20 (Ex 82) to Percival Rd)  
Garners Ferry Rd (from Trotter Rd to Lower Richland Blvd)  
Patterson Rd (from Garners Ferry Rd to Caroline Rd)  
Bookman Rd S-53 (from Two Notch Rd to Kelly Mill Rd)  
[Percival Rd \(from Forest Dr to Decker Blvd\)](#)  
[Percival Rd \(from I-77 to Clemson Rd\)](#)  
[Rimer Rd \(from US 21 to Hardscrabble\)](#)  
[Rabon Rd \(from SC 555 to US 1\)](#)  
[Beltline Blvd \(from Elmhurst to River Dr\)](#)  
[South Stadium Road \(from Bluff Rd to the End\)](#)  
[National Guard Rd \(from Bluff Rd to the End\)](#)  
[Bluff Industrial Blvd \(from Bluff Rd to Silo Ct\)](#)  
[Silo Ct \(from Bluff Industrial Blvd to the End\)](#)

*Railroad Projects [\$30 million]*

Improvements along rail-lines and at crossings to reduce noise and improve traffic flow at crossings.

~~*New Road Construction [\$28 million]*~~

*Construction of new roadways to open transportation corridors or provide alternated roadways. New roadways which have been identified for potential construction are as follows: [\$35 million]*

Creech Rd Ext (from Creech Rd to Firetower Ct)  
New Connector Rd (from Arborwood Rd to Indian Mound Rd)  
Shop Rd Ext (Phase 3) (from Montgomery Ln to Garners Ferry)  
[New Connector Rd \(from S Stadium Rd to National Guard Rd\)](#)

*Traffic Safety and Congestion Relief [\$20 million]*

Intersection improvements and traffic signal installation and upgrades at major transportation corridors or at roadways in areas of anticipated growth or having large traffic volume.

*Road Resurfacing and Rebuilding [\$75 million]*

To improve the overall conditions and safety of major transportation corridors or roadways in areas of anticipated growth or having large traffic volume. These may include roadways owned and maintained by the State, the County or the other municipalities.

*Emerging County Advancement Needs [~~\$100~~250 million]*

Expected funds necessary to address emerging needs in the County.

**COMET Enhancement Projects: [Twenty Percent \(20%\)](#):**

New operating and capital costs associated with the development of a multi-modal transportation center, establishment and expansion of micro-transit services in Lower Richland and Blythewood, ~~establishment of bus rapid transit (BRT) lanes along strategic corridors to supplement the existing mass transit system,~~ increased frequency on existing routes to allow expansion of partnerships with schools, the military and employers in hospitality, manufacturing and industry and enhanced ADA/paratransit services. In addition to the foregoing, the proceeds of the New Penny will support the overall continued operations of the COMET.

RICHLAND COUNTY SPECIAL SALES AND USE TAX

QUESTION 1

I approve a special sales and use tax in the amount of one percent to be imposed in Richland County for not more than twenty-five (25) years to fund certain projects with an aggregate cost of not exceeding \$4.5 billion. Collection of the special sales and use tax will not begin until the current special sales and use tax imposed in Richland County is terminated. The special sales and use tax proceeds will be used to fund the following projects:

**Project (1) - Community Investment Projects:** These projects ~~target~~address the integrity, safety, reliability and sustainability of the transportation infrastructure in local communities ~~that~~and impact the day-to-day activities of citizens and local businesses. These projects may include viable and unfunded 2012 penny projects as well as road improvements, widening, resurfacing, paving of dirt roads, intersection improvements, bikeways, greenbelts, sidewalks, and other pedestrian-friendly enhancements.

~~40~~50% of the revenues generated by the sales and use tax shall be used to pay eligible costs of the Community Investment Projects, which is expected to be ~~\$1.8~~2.250 billion.

**Project (2) - County Advancement Projects:** These projects target the expansion of transportation infrastructure to achieve, support and sustain economic growth on a county-wide basis. These projects may include new construction, improvements and widening for major roadways, intersections and commuting corridors.

~~40~~30% of the revenues generated by the sales and use tax shall be used to pay eligible costs of the County Advancement Projects, which is expected to be ~~\$1.8~~1.350 billion.

**Project 3: - COMET Enhancement Projects:** These projects target the operation and expansion of the mass transit system operated by the Central Midlands Regional Transit Authority known as the COMET. These projects may include operational sustainability, establishment of new routes, new construction and improvements to enhance rider safety and comfort, and acquisition of new buses and other modes of transportation.

20% of the revenues generated by the sales and use tax shall be used to pay eligible costs of the COMET Enhancement Projects, which is expected to be \$900 million.

YES \_\_\_\_\_  
NO \_\_\_\_\_

Instructions to Voters: All qualified electors desiring to vote in favor of levying the special sales and use tax shall vote “YES;” and

All qualified electors opposed to levying the special sales and use tax shall vote “NO.”