



RICHLAND COUNTY COUNCIL

DEVELOPMENT AND SERVICES COMMITTEE

Jim Manning	Gwendolyn Kennedy	Valerie Hutchinson (Chair)	Bill Malinowski	Seth Rose
District 8	District 7	District 9	District 1	District 5

**FEBRUARY 28, 2012
5:00 PM**

2020 Hampton Street

CALL TO ORDER

ELECTION OF CHAIR

1. Election of Chair (page 4)

APPROVAL OF MINUTES

2. Regular Session: January 24, 2012 (pages 6-7)

ADOPTION OF AGENDA

ITEMS FOR ACTION

3. Automated GIS-based Tracking Software for Land Development (pages 9-11)
4. Community Development Week Proclamation (pages 13-15)
5. Evaluation of the needs and cost of improvement to County roads and infrastructure (pages 17-18)
6. Fair Housing Month Proclamation (pages 20-22)
7. Former Farmers' Market Property-County Farmers' Market or SE Sports Complex (pages 24-29)
8. Ordinance to authorize a sanitary sewer easement to the City of Columbia for County owned property along a portion of Rosewood Drive (pages 31-40)
9. Richland County South Paving Contract (pages 42-44)
10. Selection of LandDesign Inc. as consultant for the preparation of two neighborhood Master Plans (pages 46-61)

ITEMS PENDING ANALYSIS: NO ACTION REQUIRED

11. a. Curfew for Community Safety (Manning-February 2010)
 - b. Farmers Market Update (Council-May 2010)
 - c. Review all Engineering and Architectural Drawing requirements to make sure there is no unnecessary charge or expense to citizens (Jackson-January 2010)
 - d. Review Homeowner Association covenants by developers and the time frame for transfer and the strength of the contracts (Jackson-September 2010)
 - e. To direct Public Works to review county ordinances and propose amendments that would allow the recovery cost to repair damage done to county public roads. The intent of this motion is to hold those responsible who damage the roadways due to the use of heavy vehicles, improperly parked property or other uses for which the type of roadway was not intended (Malinowski-April 2010)
 - f. That Richland County enact a Tree Canopy ordinance and inventory to preserve and enhance the number of trees in Richland County (Malinowski-July 2010)
 - g. Off-ramp Lighting (Rose-February 2011)

h. In the interest of regional consistency and public safety, I move that Richland County Council adopt an ordinance (consistent with the City of Columbia) banning texting while operating a motor vehicle (Rose-April 2011)

i. Direct staff to coordinate with SCDHEC and SCDOT a review of traffic light signal timing improvements in unincorporated Richland County and request a system of red/yellow flashing traffic signals be initiated to help reduce emissions. Unincorporated Richland County will also mandate ingress and egress turn lanes for all businesses and residential construction that would cause a slowdown of traffic on the road servicing that facility (Malinowski-April 2010)

j. Staff, in conjunction with the Conservation Commission, will consider an ordinance change to prevent the crossing of any portion of a conservation easement with utilities unless by special exception and with specific requirements in place (Malinowski-September 2011)

k. Review the process of the Development Review Team (Jackson-October 2011)

ADJOURNMENT



Richland County Council Request of Action

Subject

Election of Chair (page 4)

Reviews

Richland County Council Request of Action

Subject

Regular Session: January 24, 2012 (pages 6-7)

Reviews

MINUTES OF



**RICHLAND COUNTY COUNCIL
DEVELOPMENT AND SERVICES COMMITTEE
TUESDAY, JANUARY 24, 2012
5:00 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: Valerie Hutchinson
- Member: Joyce Dickerson
- Member: Norman Jackson
- Member: Bill Malinowski
- Member: Kelvin E. Washington, Sr.

ALSO PRESENT: Paul Livingston, L. Gregory Pearce, Jr., Gwendolyn Davis Kennedy, Milton Pope, Tony McDonald, Sparty Hammett, Roxanne Ancheta, Randy Cherry, Larry Smith, John Hixon, David Hoops, Amelia Linder, Geo Price, Dale Welch, Brian Cook, Melinda Edwards, Stephany Snowden, Monique Walters, Michelle Onley

CALL TO ORDER

The meeting started at approximately 5:04 p.m.

APPROVAL OF MINUTES

December 20, 2011 (Regular Session) – Mr. Washington moved, seconded by Mr. Jackson, to approve the minutes as amended. The vote in favor was unanimous.

ADOPTION OF AGENDA

Mr. Malinowski moved, seconded by Mr. Jackson, to adopt the agenda as distributed. The vote in favor was unanimous.

ITEMS FOR ACTION

Amending Section 26-22 regarding the definition of “Accessory Use Structure (Building)”
– Ms. Dickerson moved, seconded by Mr. Malinowski, to forward this item to Council with a recommendation for denial. The vote was in favor.

FEMA Flood Mitigation Assistance Grant-Richland County All Hazard Plan – Ms. Dickerson moved, seconded by Mr. Malinowski, to forward this item to Council with a recommendation that Council approve the FEMA grant in the amount of \$47,501 and a cash match of \$7,920 for the Public Works Department. The vote in favor was unanimous.

Purchase of One Tandem Axle Dump Truck – Mr. Malinowski moved, seconded by Ms. Dickerson, to forward this item to Council with a recommendation that Council approve the purchase of the tandem axle dump truck for the Roads and Drainage Division of the Department of Public Works. The vote in favor was unanimous.

Removing the Separation Requirement for Bars and Other Drinking Places – Mr. Jackson moved, seconded Ms. Dickerson, to forward this item to Council with a recommendation that Council approve the ordinance as drafted, and send it to the Planning Commission. The vote was in favor.

Rezoning a portion of TMS # 09309-03-07/08/09/10 from General Commercial to Residential, Multi-Family, Medium Density – Ms. Dickerson moved, seconded by Ms. Hutchinson, to forward this item to Council with a recommendation that Council initiate the rezoning requests for TMS # 09309-09-07/08/09/10 from GC to RM-MD zoning and send the requests to the Planning Commission. The vote was in favor.

Sunnyside Drainage Ditch Capital Improvement Project Right-of-Way Purchase and Transfer – Mr. Jackson moved, seconded by Ms. Dickerson, to forward this item to Council with a recommendation that Council approve the request by the Department of Public Works for successful implementation of capital improvement project, improving water quality in the region and larger benefit of Community. A discussion took place.

The vote in favor was unanimous.

Town of Eastover Animal Care Intergovernmental Agreement – Mr. Washington moved, seconded by Mr. Jackson, to forward this item to Council with a recommendation that Council approve the Intergovernmental Agreement with the Town of Eastover. The vote in favor was unanimous.

ADJOURNMENT

The meeting adjourned at approximately 5:51 p.m.

Submitted by,

Valerie Hutchinson, Chair

The minutes were transcribed by Michelle M. Onley

Richland County Council Request of Action

Subject

Automated GIS-based Tracking Software for Land Development (pages 9-11)

Reviews

Richland County Council Request of Action

Subject: Automated GIS-based Tracking Software for Land Development

A. Purpose

County Council is requested to permit staff to select a vendor and negotiate a contract to implement a software system for managing land development and permitting operations among several County departments. This would be Phase I of the project, with the potential for Phase II (replacement of Ombudsman's Office system) and Phase III (replacement of Business Service system); if a determination is made that increased functionality would be provided by the selected vendor's software system. A Request for Proposals (RC-012-P-1112) was published October 20, 2011.

B. Background / Discussion

Staff has conducted a Development Review Process Analysis of operations related to land development and permitting functions. The review has included a survey of current business practices and suggested changes to improve operations. This activity has also included input from the development community. As many of the current documented business processes are not supported by contemporary technology and others rely on disjointed applications of limited functionality, staff is seeking to employ a system to comprehensively manage the life cycle of land development and permitting in Richland County. The system is expected to provide accessibility and accountability for procedures starting with initial development proposals and culminating in project inspection and completion. Items required of the system include mapping functions to review zoning and neighborhood issues, inspection management, and mobile access for staff and citizens. Because many of the automated systems integrate work-order management from an enterprise perspective, possible second and third phase implementations could include the Ombudsman and Business License Departments.

The use of geographical information system (GIS) for land development was included in the GIS Implementation Plan and associated capital plan. The GIS Goal for this area is to utilize GIS to assist in land analysis for comprehensive planning and development review; land use analysis for zoning and future planning; and field operations related to building inspection and permitting activity.

C. Financial Impact

The funds to support this expenditure are designated in the GIS Capital Bond account. The resulting system was described in the GIS Implementation Plan for which bond funds were designated. The cost of software, services, implementation, training, and initial maintenance are covered by the original bond funds.

Total cost for this request will be finalized through contract negotiations and brought to County Council for approval.

D. Alternatives

1. Approve the request to select a vendor and negotiate a contract for a GIS-based tracking system for land development operations.
2. Do not approve the request and continue operations with existing processes and disparate software, as available.

E. Recommendation

It is recommended that Council approve the request to select a vendor and negotiate a contract for a GIS-based tracking system for land development operations. Total costs and the selected vendor will be brought to Council for approval.

Recommended by: Department: Date:

F. Reviews

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

Finance

Reviewed by: Daniel Driggers Date: 2/15/12
 Recommend Council approval Recommend Council denial
 Council Discretion (please explain if checked)
 Comments regarding recommendation:

This is a funding decision for council however there are funds remaining from the GIS bond as stated.

Procurement

Reviewed by: Rodolfo Callwood Date: 2/16/12
 Recommend Council approval Recommend Council denial
 Council Discretion (please explain if checked)
 Comments regarding recommendation:

Legal

Reviewed by: Elizabeth McLean Date: 2/17/12
 Recommend Council approval Recommend Council denial
 Council Discretion (please explain if checked)
 Comments regarding recommendation:

Policy decision left to Council’s discretion.

Administration

Reviewed by: Sparty Hammett Date: 2/21//12
 Recommend Council approval Recommend Council denial

Council Discretion (please explain if checked)

Comments regarding recommendation: Recommend Council approval of the request to select a vendor and negotiate a contract for a GIS-based tracking system for land development operations. Total costs and the selected vendor will be brought to Council for approval. A state-of-the art information system is a vital need in improving the efficiency and effectiveness of land development-related operations.

Richland County Council Request of Action

Subject

Community Development Week Proclamation (pages 13-15)

Reviews

Richland County Council Request of Action

Subject: Community Development Week Proclamation

A. Purpose

Community Development is requesting the inclusion of the Community Development Week Proclamation on Richland County Council's agenda.

B. Background / Discussion

The 2012 National Community Development (CD) Week will be celebrated from April 9-14. It provides the opportunity for grantees to meet with their congressional members, display projects and programs, and involve the local community, including local businesses, citizens, and community groups in the weeklong celebration. This year marks the 26th anniversary of the National Community Development Week campaign. This annual campaign is designed to bring focus both locally and nationally on the numerous outstanding accomplishments over the past 38 years of the Community Development Block Grant (CDBG) program and over the past 21 years of the HOME Investment Partnerships (HOME) Program.

C. Financial Impact

There is no financial impact (for general or federal funds) to do this proclamation.

D. Alternatives

1. Approve the proclamation for Community Development Week, which will serve as another effort by Richland County to show the importance of CDBG and HOME in the community.
2. Do not approve the proclamation, which depicts the importance of CDBG and HOME to Richland County.

E. Recommendation

It is recommended to approve the proclamation for Community Development Week, which will serve as another effort by Richland County to show the importance of CDBG and HOME in the community.

Recommended by: Valeria D. Jackson Department: Community Development Date: February 13, 2012

F. Reviews

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

Finance

Reviewed by: Daniel Driggers

Date: 2/14/12

✓ Recommend Council approval

Recommend Council denial

Council Discretion (please explain if checked)

Comments regarding recommendation:

GrantsReviewed by: Sara Salley

Date: 2/15/12

 Recommend Council approval Recommend Council denial Council Discretion (please explain if checked)

Comments regarding recommendation:

LegalReviewed by: Elizabeth McLean

Date: 2/17/12

 Recommend Council approval Recommend Council denial Council Discretion (please explain if checked)

Comments regarding recommendation:

AdministrationReviewed by: Sparty Hammett

Date: 2/21/12

 Recommend Council approval Recommend Council denial Council Discretion (please explain if checked)

Comments regarding recommendation: Recommend Council approval of the proclamation for Community Development week.

COUNTY OF RICHLAND)

**RICHLAND COUNTY PROCLAIMS APRIL 9-14, 2012
COMMUNITY DEVELOPMENT (CD) WEEK**

Whereas, the Community Development Block Grant (CDBG) Program has operated since 1975 to provide local governments with the resources required to meet the needs of persons of low- and moderate-income, and CDBG funds are used by thousands of neighborhood- based, non-profit organizations throughout the nation to address pressing neighborhood and human service needs; and

Whereas, the Community Development Block Grant program has had a significant impact on our local economies for ten (10) years through rehabilitated, new and converted housing, job creation and retention, infrastructure improvements and improved local tax bases; and

Whereas, Richland County, USA and other local governments have clearly demonstrated the capacity to administer and customize the CDBG program to identify, prioritize and resolve pressing local problems, such as affordable housing, neighborhood and human service needs, job creation and retention and physical redevelopment; and

Now, Therefore I, Kelvin E. Washington, Sr. by virtue of the authority vested in me as Chairperson Richland County Council, do hereby proclaim the week of **April 9-14, 2012**, as Richland County **Community Development Week** in Columbia, South Carolina, and urge all citizens to join us in recognizing the Community Development Block Grant program and the important role it plays in our community.

SIGNED AND SEALED this ____ day of _____, 2012, having been duly adopted by the Richland County Council on the ____ day of _____, 2012.

Kelvin E. Washington, Sr., Chair
Richland County Council

ATTEST this ____ day of _____, 2012

Michelle Onley
Interim Clerk of Council

Richland County Council Request of Action

Subject

Evaluation of the needs and cost of improvement to County roads and infrastructure (pages 17-18)

Reviews

Richland County Council Request of Action

Subject: EVALUATION OF THE NEEDS AND COST OF IMPROVEMENT TO COUNTY ROADS AND INFRASTRUCTURE

A. Purpose

Per motion made by Councilman Norman Jackson on January 10th, 2012, Public Works was directed to evaluate the needs and cost of improvement to County roads and infrastructure

B. Background / Discussion

Based upon the present road inventory for which Public Works has maintenance responsibility the following are estimates of costs of paving or resurfacing:

1. Low Traffic Volume Dirt Road Paving
 - a. Project in progress (roads with right of way)
9 miles @ \$380,000 per mile = \$3,420,000
 - b. Roads with partial or no right of way (prescriptive easements)
56 miles @ \$380,000 per mile = \$21,280,000
2. Conventional Dirt Road Paving
 - a. Roads with right of way
16 miles @ \$650,000 = \$10,400,000
 - b. Roads with partial or no right of way (prescriptive easements)
155 miles @ \$650,000 = \$100,750,000
3. Existing paved road resurfacing (conventional mill and fill)
522 miles @ \$300,000 per mile = \$156,600,000 *

* This number represents the present miles of paved roads multiplied times a present day cost of conventional mill and fill resurfacing. Not all roads in the inventory are in need of resurfacing at this time. This cost also assumes that Richland County continues to address resurfacing as roads reach a failed condition. In reality paved road resurfacing should be looked at as an ongoing annual maintenance cost that will reoccur into the future. Public Works is proposing that Richland County adopt a Pavement Preservation approach that prevents roads from reaching failed condition by application of less costly treatments at the appropriate time in the pavement life cycle. Public Works is in the process of preparing a pavement condition inventory which will allow us to better identify preservation opportunities and roads that must be addressed by conventional methods. Upon completion of that study we will be better able to report long term costs of paved road maintenance.

This number does not include the expansion of the paved road system that will occur due to new land development, dirt road paving and acceptance of existing paved roads not presently in the maintenance inventory.

C. Financial Impact

This is a report of estimated costs, no commitment to funding is being requested.

D. Alternatives

1. Accept the report
2. Do not accept the report.

E. Recommendation

Recommend alternate 1, accept the report. Please be advised that more accurate estimates will be available upon completion of the condition inventory.

F. Reviews

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

Finance

Reviewed by: Daniel Driggers Date: 2/16/12
 Recommend Council approval Recommend Council denial
 Council Discretion (please explain if checked)
Comments regarding recommendation:

Request is providing requested information.

Procurement

Reviewed by: Rodolfo Callwood Date: 2/16/12
 Recommend Council approval Recommend Council denial
 Council Discretion (please explain if checked)
Comments regarding recommendation:

Legal

Reviewed by: Elizabeth McLean Date: 2/17/12
 Recommend Council approval Recommend Council denial
 Council Discretion (please explain if checked)
Comments regarding recommendation:

Administration

Reviewed by: Sparty Hammett Date: 2/22/12
 Recommend Council approval Recommend Council denial
 Council Discretion (please explain if checked)
Comments regarding recommendation: Recommend Council accept the report as information.

Richland County Council Request of Action

Subject

Fair Housing Month Proclamation (pages 20-22)

Reviews

Richland County Council Request of Action

Subject: Fair Housing Month Proclamation

A. Purpose

Community Development is requesting the inclusion of the Fair Housing Month Proclamation on Richland County Council's agenda. April is National Fair housing Month and the 44th year of the enactment of the Civil rights Act of 1968.

Next month, we would also request a brief formal presentation of the Proclamation during Council's April 3, 2012 Meeting.

B. Background / Discussion

Richland County will celebrate its 10th year as an HUD Entitlement Community as it receives an annual allocation of Community Development Block Grant (CDBG) and HOME Investment Partnership Program funds. As a condition of receiving formula based funding the County certifies that it will affirmatively further fair housing. In order to do this, we conduct an analysis to identify impediments to fair housing choice within the County. We also take appropriate action to overcome the effects of any impediments identified as well as maintain records reflecting the analysis. A new Analysis of Impediments was recently approved and adopted by County Council in 2011.

C. Financial Impact

There will be no financial impact associated with this request.

D. Alternatives

- Approve the request to adopt and present a Fair Housing Proclamation. This will affirm the County's commitment to fair housing choice.
- Do not approve the request to adopt a Fair Housing Proclamation.

E. Recommendation

- It is recommended that Council approve the request to adopt and present a Fair Housing Proclamation to continue the County's commitment to fair housing choice.

Recommended by:
Valeria Jackson, Director

Department:
Community Development

Date:
February 13, 2012

F. Reviews

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

Finance

Reviewed by: Daniel Driggers

Date: 2/14/12

Recommend Council approval

Recommend Council denial

Council Discretion (please explain if checked)

Comments regarding recommendation:

Grants

Reviewed by: Sara Salley

Date: 2/15/12

Recommend Council approval

Recommend Council denial

Council Discretion (please explain if checked)

Comments regarding recommendation:

Legal

Reviewed by: Elizabeth McLean

Date: 2/17/12

Recommend Council approval

Recommend Council denial

Council Discretion (please explain if checked)

Comments regarding recommendation:

Administration

Reviewed by: Sparty Hammett

Date: 2/21/12

Recommend Council approval

Recommend Council denial

Council Discretion (please explain if checked)

Comments regarding recommendation: Recommend Council approval of the Fair Housing Proclamation.

STATE OF SOUTH CAROLINA) FAIR HOUSING MONTH PROCLAMATION
COUNTY OF RICHLAND)

**A PROCLAMATION AFFIRMING RICHLAND COUNTY'S
COMMITMENT TO FAIR HOUSING & FURTHERING FAIR HOUSING CHOICE**

WHEREAS, April marks Fair Housing Month and the 44th anniversary of President Johnson signing the Fair Housing Act into law. Borne out of the tragic assassination of Dr. Martin Luther King and the culmination of local and national civil rights struggles, the Fair Housing Act established the Office of Fair Housing & Equal Opportunity (FHEO) at the U.S. Department of Housing and Urban Development. At FHEO, we and our partners and allies within HUD and across the nation carry out and advance the cause of equality in housing throughout the year.

WHEREAS, 2012 marks Richland County 10th year anniversary as an Entitlement Community receiving Community Development Block Grant (CDBG) and HOME Partnership funds to facilitate affordable housing programs and services for County residents;

WHEREAS, As an Entitlement community and partner of the US Department of Housing and Urban Development Richland County Council rejects the practice of discrimination with regard to race, color, national origin, religion, sex, familial status, or disability;

WHEREAS, the Richland County Council recognizes April as national Fair Housing Month and during the month as well as throughout the year encourage and support positive actions from County Government and other housing professionals, advocates and citizens in the provision and receipt of housing, programs and services to include sale, rental, financing transactions and support services;

WHEREAS, the Richland County Council recognizes the County Administrator as the Fair Housing Administrator for Richland County and the Community Development Department as the official coordinator of all Fair Housing initiatives on behalf of Richland County; and

NOW, THEREFORE, BE IT RESOLVED, that Richland County Council officially adopts April in recognition of Fair Housing Month.

SIGNED AND SEALED this 3 day of April, 2012, having been duly adopted by the Richland County Council on the ____ day of _____, 2012.

Kelvin E. Washington, Sr. Chair
Richland County Council

ATTEST this _____ day of _____, 2012

Michelle Onley
Interim Clerk of Council

Richland County Council Request of Action

Subject

Former Farmers' Market Property-County Farmers' Market or SE Sports Complex (pages 24-29)

Reviews

Richland County Council Request of Action

Subject: Former Farmers' Market Property – County Farmers' Market or SE Sports Complex

A. Purpose

Council is requested to review the item regarding the former farmers' market property forwarded by Councilman Jackson for discussion at the 2012 Retreat, and provide staff with direction.

B. Background / Discussion

The following item was forwarded by Councilman Jackson for discussion at the 2012 Retreat.

“Farmers Market property: scaled down County Market or Southeast Sports Complex (Basketball) based on 2005 Ordinance on TX investment”

The item was not discussed as Mr. Jackson was not present during the budget / financial discussion at Retreat.

Therefore, the Council members present decided to forward the item to the A&F Committee for discussion and direction.

The original Hospitality Tax Ordinance is attached below for your convenience.

It is at this time that staff requests direction regarding this item.

C. Financial Impact

Not able to determine until further direction is provided.

D. Alternatives

1. Receive the item as information, and take no action.
2. Direct staff as appropriate.

E. Recommendation

“Farmers Market property: scaled down County Market or Southeast Sports Complex (Basketball) based on 2005 Ordinance on TX investment” [Jackson]

F. Reviews

Finance

Reviewed by: Daniel Driggers

Date: 2/13/12

Recommend Council approval

Recommend Council denial

x Council discretion

Comments regarding recommendation:

Item# 7

This is a policy decision for Council on the direction for the property. The debt service payments for the property are currently paid from hospitality tax funds therefore we would recommend that council get a legal opinion on any recommendation to ensure appropriate use of funds prior to approval. Additionally, we would recommend that Council determine a funding strategy for any anticipated operating cost post-construction.

Legal

Reviewed by: Elizabeth McLean

Date: 2/17/12

Recommend Council approval

Recommend Council discretion

Recommend Council denial

Comments regarding recommendation:

As this item is just for information, Legal has no recommendation at this time.

Administration

Reviewed by: J. Milton Pope

Date: 2-17-12

Recommend Council approval

Recommend Council denial

- Comments regarding recommendation: I recommend denial of locating a recreational facility on this site due to the fact that the site (along with adjacent property) has significant economic development potential as an industrial site. This site could become an “income producer (increased tax base) and job hub for the County.
- Other benefits (obtained from the County’s Director of Economic Development) include:
 - **Site is currently zoned industrial and is surrounded by industrial uses.**
 - **Site is rail served which is attractive for industrial users and rail served sites are difficult to find.**
 - **Excellent interstate access.**
 - **South Carolina Research Authority (adjoining property owner) is working with county to develop as an industrial park.**

I’d further recommend that if the Committee and Council desire to pursue the idea of a recreational facility that staff be directed to find another suitable location.

ORIGINAL HTax Ordinance (2003)

STATE OF SOUTH CAROLINA BOOK 007 PAGE 83
COUNTY COUNCIL FOR RICHLAND COUNTY
ORDINANCE NO. 025-03HR

2003 MAY 21 4:45 PM
SAC

AN ORDINANCE AMENDING THE RICHLAND COUNTY CODE OF ORDINANCES, CHAPTER 23, TAXATION, SO AS TO ADD A NEW ARTICLE FOR THE PURPOSE OF ESTABLISHING AND COLLECTING A LOCAL HOSPITALITY TAX IN RICHLAND COUNTY, SOUTH CAROLINA.

WHEREAS, Richland County, South Carolina (the "County") wishes to build and enhance the facilities that serve the tourists who visit the County; and

WHEREAS, Article 7 of Chapter 1 of Title 6 of the Code of Laws of South Carolina 1976, as amended (the "Code"), authorizes local governing bodies by ordinance to impose a Local Hospitality Tax (as defined herein) not to exceed two percent (2%) on the gross proceeds of sales of prepared meals and beverages; and

WHEREAS, the County finds that a Local Hospitality Tax upon the sales of prepared meals and beverages sold in establishments in the County will result in revenues that will be used for the dedicated purpose of improving services and facilities for tourists, which constitutes a public purpose of the County; and

WHEREAS, the County finds that the following facilities, among others, promote and attract tourists to the greater Columbia area of Richland County and are proper recipients of the revenue generated by the Local Hospitality Tax: Columbia Museum of Art, Historic Columbia, Edventure, Township Auditorium, the State Farmers' Market, and a new recreation complex.

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

SECTION I. The Richland County Code of Ordinances, Chapter 23, Taxation, is hereby amended by adding a new Article to read as follows:

ARTICLE VI. LOCAL HOSPITALITY TAX

Sec. 23-65. Definitions.

Richland County means the County and all of the unincorporated areas within the geographical boundaries of the County and all of the incorporated municipalities of the County.

Local Hospitality Tax means a tax on the sales of prepared meals and beverages sold in establishments or sales of prepared meals and beverages sold in establishments licensed for on-premises consumption of alcoholic beverages, beer, or wine, within the incorporated municipalities and the unincorporated areas of the County.

Prepared Meals and Beverages means the products sold ready for consumption either on or off premises in businesses classified as eating and drinking places under the Standard Industrial Code Classification Manual and including lunch counters and restaurant stands; restaurants, lunch counters, and drinking places operated as a subordinate facility by other establishments; and bars and restaurants owned by and operated for members of civic, social, and fraternal associations.

Sec. 23-66. Local Hospitality Tax.

A Local Hospitality Tax is hereby imposed on the sales of prepared meals and beverages sold in establishments within the incorporated municipalities and the unincorporated areas of the County. The Local Hospitality Tax shall be in an amount equal to two percent (2%) of the gross proceeds of sales of prepared meals and beverages sold in

DUPLICATE PAGE

establishments located within the unincorporated areas of the County and within the boundaries of the incorporated municipalities which have consented, by resolution adopted by their governing body, to the imposition of the Local Hospitality Tax in the amount of two percent (2%). The Local Hospitality Tax shall be in an amount equal to one percent (1%) of the gross proceeds of sales of prepared food and beverages sold in establishments located within the boundaries of the incorporated municipalities within the County which do not give their consent to the imposition of the Local Hospitality Tax. Provided, however, the County shall not impose a local hospitality tax on those municipalities that have adopted a two percent (2%) Local Hospitality Tax prior to July 1, 2003.

Sec. 23-67. Payment of Local Hospitality Tax.

(a) Payment of the Local Hospitality Tax established herein shall be the liability of the consumer of the services. The tax shall be paid at the time of delivery of the services to which the tax applies, and shall be collected by the provider of the services. The County shall promulgate a form of return that shall be utilized by the provider of services to calculate the amount of Local Hospitality Tax collected and due. This form shall contain a sworn declaration as to the correctness thereof by the provider of the services.

(b) The tax provided for in this Article must be remitted to the County on a monthly basis when the estimated amount of average tax is more than fifty dollars (\$50.00) a month, on a quarterly basis when the estimated amount of average tax is twenty-five dollars (\$25.00) to fifty dollars (\$50.00) a month, and on an annual basis when the estimated amount of average tax is less than twenty-five dollars (\$25.00) a month.

(c) The provider of services shall remit the Local Hospitality Tax, when due, to the County on the 20th of the month, or on the next business day if the 20th is not a business day.

Sec. 23-68. Local Hospitality Tax Special Revenue Fund.

An interest-bearing, segregated and restricted account to be known as the "Richland County Local Hospitality Tax Revenue Fund" is hereby established. All revenues received from the Local Hospitality Tax shall be deposited into this Fund. The principal and any accrued interest in this Fund shall be expended only as permitted by this ordinance.

Sec. 23-69. Distribution of Funds.

(a) (1) The County shall distribute the Local Hospitality Tax collected and placed in the "Richland County Local Hospitality Tax Revenue Fund" to each of the following agencies and purposes ("Agency") in the following amounts during fiscal year 2003-2004:

Columbia Museum of Art	\$650,000
Historic Columbia	250,000
EdVenture Museum	100,000
County Promotions	200,000

(2) The amounts specified above shall be paid quarterly beginning October 1, 2003.

(3) As a condition of receiving its allocation, each Agency must annually present to the County an affirmative marketing plan for the inclusion of all citizens of Richland County and must also annually offer some "free" or discounted services to Richland County citizens. If an Agency fails to comply with these requirements, its portion of the Local Hospitality Tax shall be retained in the Richland County Local Hospitality Tax Revenue Fund and distributed as provided in subsection (d) below.

(4) In the event Local Hospitality Tax revenues are not adequate to fund the Agencies listed above in the prescribed amounts, each Agency will receive a proportionate share of the actual revenues received, with each Agency's

share to be determined by the percentage of the total revenue it would have received had the revenues allowed for full funding as provided in subsection (a)(1) above.

(b) In each of fiscal years 2004-2005 and 2005-2006, the ^{BOOK 007 PAGE 50} Local Hospitality Tax shall be distributed to each Agency named above in the same amounts and on the same terms and conditions, together with a three percent (3%) increase in each of fiscal year 2004-2005 and 2005-2006.

(c) Beginning in fiscal year 2006-2007, the amount of Local Hospitality Tax to be distributed annually to each Agency named above shall be established as equal to the percentage of the total funds collected annually based on a trend analysis of the first three years considering any aberration due to implementation.

(d) All Local Hospitality Tax revenue not distributed pursuant to subsections (a) - (c) above shall be retained in the Richland County Local Hospitality Tax Revenue Fund and distributed as directed by County Council for projects related to tourism development, including, but not limited to, the planning, development, construction, promotion, marketing, operations, and financing (including debt service) of the State Farmer's Market (in lower Richland County), Township Auditorium, a new recreation complex (in northern Richland County), recreation capital improvements, Riverbanks Zoo, and other expenditures as provided in Article 7, Chapter 1, Title 6, Code of Laws of South Carolina 1976 as amended.

Sec. 23-70. Re-distribution of the County's General Fund.

A portion of the general fund revenue that was historically appropriated for the agencies and purposes identified in Section 23-69, subsections (a) and (d), shall in fiscal year 2004 be appropriated in an amount equivalent to one-quarter mill to each of the following entities, subject to approval of the general fund budget: 1) the Richland County Conservation Commission, and 2) the Neighborhood Redevelopment Commission. Thereafter, beginning in fiscal year 2005, an amount equivalent to one-half mill shall be appropriated to each of these two agencies, subject to approval of the general fund budget. Each such entity shall be established and accounted for as a Special Revenue Fund. There shall be no additions to the Statutory and Contractual Agencies funded through the County's General Fund Budget, except as required by state or federal law.

Sec. 23-71. Oversight and Accountability.

Any organization or agency receiving Hospitality Tax funds must submit a report of expenditures and the impact on tourism for the preceding calendar year and a plan for the upcoming year to the Richland County Administrator on or before March 1 of each year. Such report shall be on a form provided by the County.

Sec. 23-72. Inspections, Audits and Administration.

For the purpose of enforcing the provisions of this ordinance, the County Administrator or other authorized agent of the County is empowered to enter upon the premises of any person subject to this ordinance and to make inspections, examine, and audit books and records. It shall be unlawful for any person to fail or refuse to make available the necessary books and records during normal business hours upon twenty-four (24) hours' written notice. In the event that an audit reveals that the remitter has filed false information, the costs of the audit shall be added to the correct amount of tax determined to be due. All operational and administrative costs associated with the billing and collection of the Local Hospitality Tax will be charged to the "Richland County Local Hospitality Tax Special Revenue Fund". The County Administrator or other authorized agent of the County may make systematic inspections of all service providers that are governed by this ordinance within the County to ensure compliance with this ordinance. Records of inspections shall not be deemed public records.

(a) It shall be a violation of this Article to:

BOOK 007 PAGE 91

- (1) fail to collect the Local Hospitality Tax as provided in this Article,
- (2) fail to remit to the County the Local Hospitality Tax collected, pursuant to this Article,
- (3) knowingly provide false information on the form of return submitted to the County, or
- (4) fail to provide books and records to the County Administrator or other authorized agent of the County for the purpose of an audit upon twenty-four (24) hours' notice.

(b) The penalty for violation of this Article shall be five percent (5%) per month, charged on the original amount of the Local Hospitality Tax due.

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

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

SECTION IV. Effective Date. This ordinance shall be enforced from and after July 1, 2003.

RICHLAND COUNTY COUNCIL

By: Bernice G. Scott
Bernice G. Scott, Chair

Attest this 20th day of
MAY, 2003.

Michelle R. Cannon-Finch
Michelle R. Cannon-Finch
Clerk of Council

RICHLAND COUNTY ATTORNEY'S OFFICE

Amelia R. Linder
Approved As To LEGAL Form Only.
No Opinion Rendered As To Content

First Reading:	March 18, 2003
Public Hearing:	April 21, 2003
Second Reading:	April 21, 2003
Third reading:	May 6, 2003

Richland County Council Request of Action

Subject

Ordinance to authorize a sanitary sewer easement to the City of Columbia for County owned property along a portion of Rosewood Drive (pages 31-40)

Reviews

Richland County Council Request for Action

Subject: Ordinance to authorize a sanitary sewer easement to the City of Columbia for County owned property along a portion of Rosewood Drive

A. Purpose

County Council is requested to approve a sanitary sewer easement to the City of Columbia on County owned property along a portion of Rosewood Drive.

B. Background / Discussion

In order to maintain and upgrade its sanitary sewer system, the City of Columbia is requesting that the County provide an easement on County owned property TMS#08716-01-04 (SW/S Rosewood Drive) to complete sewer improvements in the area. A copy of the request letter, easement, a map of the property and an ordinance are attached.

C. Financial Impact

The County will be paid the sum of \$1 for this easement.

D. Alternatives

1. Approve the ordinance authorizing the granting of a sanitary sewer easement to the City of Columbia.
2. Deny the ordinance authorizing the granting of a sanitary sewer easement to the City of Columbia.

E. Recommendation

It is recommended that County Council approve the ordinance authorizing the granting of a utility easement to the City of Columbia on County owned property along a portion of Rosewood Drive.

Recommended by: Staff

Department: Administration

Date: January 2012

F. Approvals

Public Works

Reviewed by: David Hoops

Date:

Recommend Council approval

Recommend Council denial

Council Discretion (please explain if checked)

Comments regarding recommendation:

Finance

Reviewed by: Daniel Driggers

Date: 2/15/12

Recommend Council approval

Recommend Council denial

Council Discretion (please explain if checked)

Comments regarding recommendation:

Legal

Reviewed by: Elizabeth McLean

Date: 2/17/12

Recommend Council approval

Recommend Council denial

Council Discretion (please explain if checked)

Comments regarding recommendation:

Policy decision left to Council's discretion. The easement was reviewed by Legal and is typical of the easements given frequently to the City of Columbia.

Administration

Reviewed by: Tony McDonald

Date: 2/17/12

Recommend Council approval

Recommend Council denial

Council Discretion (please explain if checked)

Comments regarding recommendation: Recommend approval.

COLUMBIA

Everybody Counts, Everybody Contributes, Everybody Benefits



December 12, 2011

Re: Congaree River Sanitary Sewer
Force Main, CIP #SS7115, CF#220-
374

Richland County
c/o Tony McDonald
PO Box 192
Columbia, SC 29202

Dear Mr. McDonald,

In order to maintain and upgrade its sanitary sewer system, the City is planning improvements along the Congaree River in the Columbia metropolitan area. Existing sanitary sewer infrastructure in this area is at capacity and susceptible to failure. The City has plans to construct a new 42" sanitary sewer force main that must be completed as soon as possible in order to meet current and future demands.

Our records indicate that you are the owner of property identified as Richland County TMS#08716-01-04 (SW/S Rosewood Drive, Columbia, SC 29201). In order to complete the sewer improvements in this area, we are requesting an easement along a portion of this property.

The Engineering Division has studied the route and location of the sanitary sewer line in order to obtain maximum benefits to the system with the least inconvenience to you.

Enclosed is the easement and exhibit depicting part of your property and the location and dimensions of the easement you are being requested to grant. The easement is required to be executed in the presence of an attorney and the City can provide an attorney to witness/notarize the easement by appointment at no cost to you if you're local. If not, other arrangements can be made. Please review and contact me at (803) 545-3235 or email me at ptwilliams@columbiasc.net to discuss as soon as possible.

Thank you for your prompt attention in this matter.

Yours very truly,

Paxton Williams
Right-of-Way Agent

PW
Enclosures

City of Columbia / Utilities and Engineering
1136 Washington Street • PO Box 147 • Columbia, SC 29217 • (803) 545-3400

Item# 8

Attachment number 1
Page 3 of 10

STATE OF SOUTH CAROLINA)

COUNTY OF RICHLAND)

EASEMENT

For and in consideration of the sum of One (\$1.00) Dollar, each to the other paid, the receipt of which is hereby acknowledged, Richland County (also hereinafter referred to as "Grantor"), does hereby grant unto the said City of Columbia (also hereinafter referred to as "Grantee"), its successors and assigns, an easement and right-of-way fifteen (15') feet in width, also a 15' temporary easement for construction purposes only, together with the right of ingress and egress at all times for the purpose of constructing, operating, reconstructing and maintaining a sanitary sewer main and with the right to remove shrubbery, trees and other growth from the construction area, provided that the property will be restored as nearly as practicable to its original condition upon completion of the construction and any trees which must be removed shall be moved from the premises, and any damaged shrubbery will be replaced with the same variety from nursery stock, said easement to run through property which the Grantor owns or in which the Grantor has an interest, situate, lying and being:

In the State of South Carolina, County of Richland, and near the City of Columbia, located at 630 Rosewood Drive, Columbia, South Carolina 29201, being further identified as a portion of Richland County tax map number 08716-01-04, as shown on tax maps prepared by the office of the Richland County Tax Assessor, 2011 Edition.

A permanent, exclusive easement for a sanitary sewer main, fifteen (15') feet in width, the centerline of said easement beginning at a point along the northeastern boundary of an existing 30' City of Columbia Sewer Easement, approximately one hundred ten (110) feet northeast of the northwestern property corner of the subject property; thence extending therefrom S69°30'53"E along the subject property, for a distance of one hundred five and five tenths (105.5) feet; thence turning and extending therefrom S24°30'53"E crossing the subject property, for a distance of one hundred eighty-one and ninety-three hundredths (181.93) feet to intersect the common boundary of the southeastern property line of the subject property and the northwestern property line of TMS#08716-01-02, n/f Richland County, at a point one hundred sixty-nine (169) feet northeast of the southwestern property corner of the subject property; thence terminating.

Be all measurements a little more or less.

Also, a 15' temporary construction easement as shown on the attached Exhibit "A".

This easement being more clearly shown and delineated on an easement drawing for Congaree River Sanitary Sewer Force Main Easement, CIP Project #SS7115, sheet 7 of 13, dated August 31, 2010, last revised October 5, 2011, prepared by Construction Support Services, Joel K. Nichols, S.C.P.L.S. #20474, for the City of Columbia, South Carolina and being on file in the Office of the

APPROVED BY
CITY OF COLUMBIA
LEGAL DEPT.

[Handwritten signature]
11-23/11

Item# 8

Attachment number 1
Page 4 of 10

Department of Utilities and Engineering, City of Columbia, South Carolina under
file reference #220-374.

A copy of said easement drawing being attached hereto and made a part
hereof as Exhibit "A".

(THE REMAINDER OF THIS PAGE INTENTIONALLY LEFT BLANK)

TO HAVE AND TO HOLD the aforesaid rights to the Grantee, its successors and assigns, as aforesaid, forever.

And the Grantor does hereby bind the Grantor and Grantor's successors and assigns to warrant and forever defend all and singular the said premises unto Grantee, its successors and assigns against the Grantor and Grantor's successors and assigns and against every person whomsoever lawfully claiming, or to claim, the same or any part thereof.

WITNESS the hand and seal of the Grantor by the undersigned this _____ day of _____, 20__.

WITNESSES:

RICHLAND COUNTY

(1st witness)

By: _____
(Signature)

(2nd witness)

Name: _____
(Print Name)

Title: _____
(Print Title)

STATE OF SOUTH CAROLINA)
COUNTY OF RICHLAND)

ACKNOWLEDGEMENT

The foregoing instrument was acknowledged before me this _____ day of _____, 20__ by _____ of _____ on behalf of the within-named Grantor.
Name & Title of Officer City & State

(Notary's Signature)

NOTARY PUBLIC FOR: _____
(State)

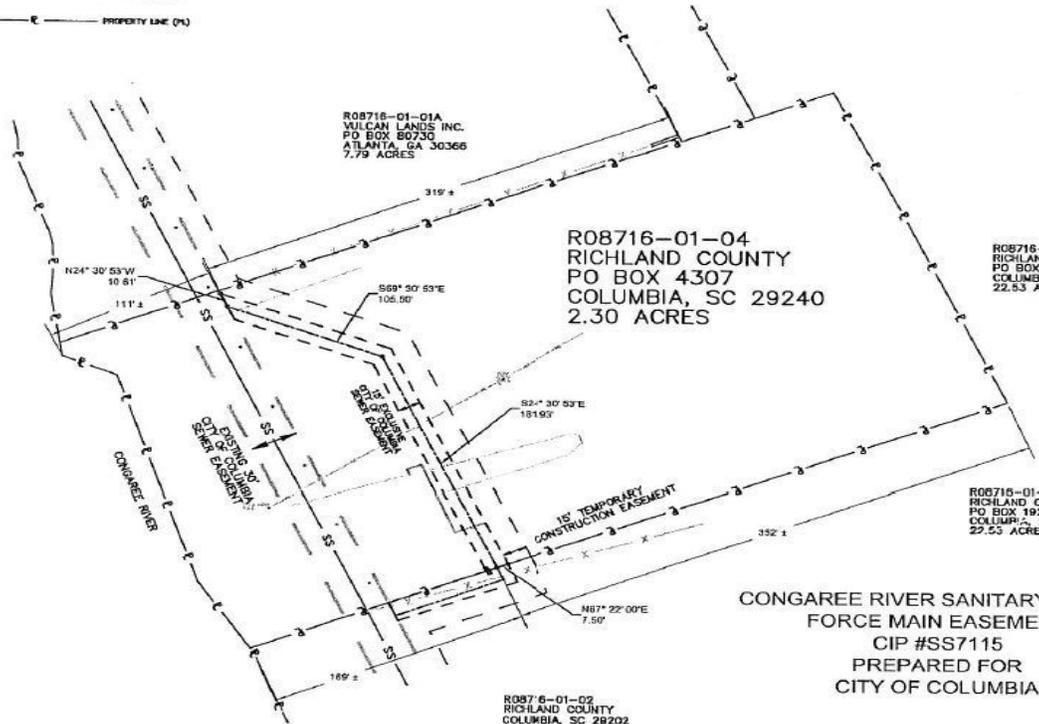
MY COMMISSION EXPIRES: _____
(Date)

EASEMENT 6 of 12.doc

EXHIBIT A

LEGEND:

- SS — SANITARY SEWER GRAVITY (SS)
- EXISTING PERMANENT EASEMENT
- - - PERMANENT EASEMENT CENTER LINE
- - - PERMANENT EASEMENT (NEW)
- - - TEMPORARY EASEMENT
- - - FENCE LINE
- - - OVERHEAD POWER
- - - PROPERTY LINE (PL)

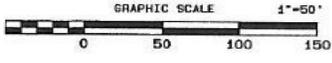


**CONGAREE RIVER SANITARY SEWER
FORCE MAIN EASEMENT
CIP #SS7115
PREPARED FOR
CITY OF COLUMBIA**

PERMANENT EASEMENT = 0.10 Acres
TEMPORARY EASEMENT = 0.11 Acres

EASEMENT DRAWING ACROSS PROPERTY OF
RICHLAND COUNTY
TMS # R08716-01-04
ALONG THE CONGAREE RIVER LOCATED IN COLUMBIA,
RICHLAND COUNTY, SOUTH CAROLINA

DRAWING NOT PLOTTED TO
SCALE MEASUREMENTS SHOULD
BE CHECKED AND VERIFIED



NO BOUNDARY SURVEY HAS BEEN CONDUCTED AROUND THIS PARCEL AT THIS DATE. ALL INFORMATION WAS TAKEN FROM PUBLIC RECORDS, TAX MAPS AND/OR RICHLAND COUNTY GIS. 2011 EDITION. THIS DRAWING IS ON SOUTH CAROLINA STATE PLANE COORDINATE SYSTEM. THE PERMANENT EASEMENT IS TO BE CENTERED ON THE ALIGNMENT LOCATION OF THE SANITARY SEWER MAIN SEWER LINE. THE AREA INCLUDED BY THE SANITARY SEWER MAIN SEWER EASEMENT SHALL NOT BE FENCED OR CUT DOWN IN ANY MANNER WHICH WOULD CAUSE THE RAISING OR LOWERING OF THE GROUND LEVEL BEYOND THE ELEVATION WHICH EXIST AT THE TIME OF CONVEYANCE OF THE EASEMENT WITHOUT THE PRIOR APPROVAL OF THE CITY ENGINEER. NO BUILDINGS OR OTHER STRUCTURES OF ANY KIND, EITHER TEMPORARY OR PERMANENT, SHALL AT ANY TIME BE PLACED OR CONSTRUCTED WITHIN THE AREA OF THE SANITARY SEWER MAIN SEWER EASEMENT AS SHOWN ON THIS DRAWING.



Brown and Caldwell
JAMES F. MAZZEI, P.E.

JOEL R. NICHOLS, S.E. P.L.S. #6874
BUSINESS ADDRESS:
P.O. BOX 66406
COLUMBIA, SC 29268
jrnichols@brownandcaldwell.com

BUSINESS TELEPHONE NUMBERS:
(803) 776-9908 (VOICE)
(803) 776-2080 (FAX)
(803) 465-2102 (MOBILE)

CONSTRUCTION SUPPORT SERVICES
PO BOX 90408 COLUMBIA, SOUTH CAROLINA 29290
Office # (803) 776-9909 Fax # (803) 776-2988

SURVEYOR		DRAWN		PROJECT NO		DATE:
DENYS PROTEAU				050410V		08-31-10
REVISION	DATE	DESCRIPTION			BY	
1	10/05/2011	PER CITY OF COLUMBIA FINAL REVIEW			JKN	EXHIBIT
						7 of 13
						(CFR 220-374)

ATTORNEY CERTIFICATION

I, _____, an attorney licensed to practice in the State of _____ do hereby certify that I supervised the execution of the attached Easement for Sanitary Sewer Main with Richland County as Grantor and the City of Columbia, as Grantee, this _____ day of _____, 20 _____.

State Bar Number: _____

STATE OF SOUTH CAROLINA
COUNTY COUNCIL FOR RICHLAND COUNTY
ORDINANCE NO. _____-12HR

AN ORDINANCE AUTHORIZING AN EASEMENT TO THE CITY OF COLUMBIA FOR SANITARY SEWER MAIN TO SERVE THE CONGAREE RIVER SANITARY SEWER AND LOCATED AT 630 ROSEWOOD DRIVE; RICHLAND COUNTY TMS #08716-01-04.

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

SECTION I. The County of Richland and its employees and agents are hereby authorized to grant an easement to a sanitary sewer main to The City of Columbia for a portion of 630 Rosewood Drive, also identified as Richland County TMS #08716-01-04, as specifically described in the Easement, which is attached hereto and incorporated herein.

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

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

SECTION IV. Effective Date. This ordinance shall be enforced from and after _____.

RICHLAND COUNTY COUNCIL

By: _____
Kelvin Washington, Chair

Attest this _____ day of
_____, 2012.

Michelle Onley
Assistant Clerk of Council

RICHLAND COUNTY ATTORNEY'S OFFICE

Approved As To LEGAL Form Only

No Opinion Rendered As To Content

First Reading:
Second Reading:
Public Hearing:
Third Reading:

Richland County Council Request of Action

Subject

Richland County South Paving Contract (pages 42-44)

Reviews

Richland County Council Request of Action

Subject: Richland County South Paving Contract RC-521-CN-1112

A. Purpose

County Council is requested to approve the award of the South Paving contract to R&T Grading, Inc. for the paving of thirteen (13) County owned and maintained dirt roads.

B. Background / Discussion

The Richland County Paving Program was split into two contracts, the North and South Paving contracts. Each contract consists of 10-15 County owned and maintained dirt roads that will be paved. Along with the paving of the dirt roads, improvements to the storm drainage systems will be constructed. The improvements include the use of valley gutters and storm drainage systems. The South Paving contract Engineering Services were awarded to Jordon, Jones and Goulding, which was bought out by Jacobs Engineering, in June of 2004. The Engineering Services were completed and reviewed by the Engineering Staff at Public Works. The Project was advertised and bid on January 24, 2011. The Engineer's Construction Estimate was \$1,412,117.03, which included a ten (10%) contingency.

The following Dirt Roads are part of the South Paving Contract:

- Adams Jackson Road
- Bill Street
- Burdock Court
- Phoenix Court (Formerly Edward Court)
- Jay Street
- Lakin Road
- Pincushion Lane
- Tennessee Avenue
- Seabrook Avenue
- Short Way
- South Evans Street
- Third Street
- Wilson Nixon Road

There were four (4) bidders for the South Paving Project. R&R Grading, Inc has been determined to be the lowest, responsible, responsive bidder for the project with a bid of \$814,287. Listed below are the bid amounts for all bidders:

- JC Wilkie Construction - \$1,226,966.77
- Threlko, Inc - \$1,118,766.60
- R&T Grading, Inc. - \$814,287.00
- L-J General Contracting, Inc - \$1,220,462.30

Quarry Street is part of this contract but is being redesigned based on discussions between Richland County Public Works, Jacobs Engineering and a surrounding property owner Vulcan

Materials. Richland County Public Works will attempt to add this road to the contract via a change order once the new design is complete. Richland County Public Works requests a contingency to this bid amount for any changes that arise during construction and to allocate all the funding from the CTC. The available funding for this project is \$1,000,000.

C. Financial Impact

The County Transportation Committee (CTC) allocated \$4 million in 2004 to the Dirt Road Paving Projects. Construction of this project was delayed by the CTC for the over commitment of funds by the CTC. The contract will be funded with "C" funds allocated by the CTC and programmed by the South Carolina Department of Transportation (SCDOT). The have allocated and funded \$1,000,000 for the construction of the South Paving Project

D. Alternatives

There two (2) alternatives for this project and they are as follows:

1. Approve the request to award this construction contract to R&T Grading, Inc in the amount of \$1,000,000
2. Do not approve the request to award this construction contract to R&T Grading, Inc in the amount of \$1,000,000

E. Recommendation

It is recommended that County Council award this contract to R&T Grading, Inc in the amount of \$1,000,000 for the paving of thirteen (13) County Dirt Roads.

Recommended by: Donald V. Chamblee, PE, Deputy Director Public Works
Department: Public Works Date: 2/14/2012

Reviews

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

Finance

Reviewed by: Daniel Driggers

Date: 2/15/12

Recommend Council approval

Recommend Council denial

Council Discretion (explain if checked)

Comments regarding recommendation:

Procurement

Reviewed by: Rodolfo Callwood

Date: 2/16/12

Recommend Council approval

Recommend Council denial

Council Discretion (explain if checked)

Comments regarding recommendation:

Legal

Reviewed by: Elizabeth McLean

Date: 2/17/12

Recommend Council approval

Recommend Council denial

Council Discretion (explain if checked)

Comments regarding recommendation:

Administration

Reviewed by: Sparty Hammett

Date: 2/21/12

Recommend Council approval

Recommend Council denial

Council Discretion (explain if checked)

Comments regarding recommendation: Recommend Council approval of the request to award the construction contract to R&T Grading, Inc. in the amount of \$1,000,000.

Richland County Council Request of Action

Subject

Selection of LandDesign Inc. as consultant for the preparation of two neighborhood Master Plans (pages 46-61)

Reviews

Richland County Council Request for Action

Subject: Selection of “LandDesign, Inc.” as the consultant, and an expenditure not to exceed \$289,000.00, for the preparation of two Neighborhood Master Plans, one for the Spring Hill neighborhood and one for the Lower Richland (Hopkins) area.

A. Purpose

County Council is requested to approve “LandDesign, Inc.” as the consultant for the preparation of two Neighborhood Master Plans, one for the Spring Hill neighborhood and one for the Lower Richland area at a total cost not to exceed \$289,000.00 to be funded by the Neighborhood Improvement Program.

B. Background / Discussion

On March 1, 2005, the Richland County Council approved the first 10 priority focal areas for Neighborhood Master Planning. The Neighborhood Improvement Program staff is tasked with ensuring completion of the master plans and working with Council to initiate the plans’ respective strategies. Since 2005, staff has procured consultants to complete each plan, and to date have completed seven (7) of the ten (10) proposed plans. As the Broad River Road Corridor Master Plan was the most recent to be completed and comprised a combination of two (2) of the proposed plans, only two remain: the Spring Hill and Lower Richland (Hopkins) Plans. In order to fulfill the remaining 2005 Neighborhood Master Planning obligations, the staff proposes initiation of work by the consultant “Land Design, Inc.”; such work to be completed within 12 months from the notice to proceed.

C. Financial Impact

\$289,000.00, which will be coming from the FY 2011-12 budget for the Neighborhood Improvement Program.

D. Alternatives

1. Approve “LandDesign, Inc.” as the consultant and expenditure in an amount not to exceed \$289,000.00, which will allow the development of two Neighborhood Master Plan areas within the County.
2. Do not approve “LandDesign, Inc.” as the consultant and expenditure in an amount not to exceed \$289,000.00, which will prevent the completion of the Neighborhood Master Plans.

E. Recommendation

It is recommended that Council approve “LandDesign, Inc.” as the consultant and the expenditure of Neighborhood Improvement Program funds for the preparation of the Spring Hill and Lower Richland (Hopkins) Neighborhood Master Plans in an amount not to exceed \$289,000.00.

F. Approvals

Finance

Reviewed by: Daniel Driggers

Date: 2/13/12

Recommend Council approval

Recommend Council denial

Council Discretion (please explain if checked)

Comments regarding recommendation:

Funds are available and encumbered as stated in the Neighborhood Improvement Fund.

Procurement

Reviewed by: Rodolfo Callwood

Date: 2/18/12

Recommend Council approval

Recommend Council denial

Council Discretion (please explain if checked)

Comments regarding recommendation: Award should be contingent on mutually agreed on terms and condition and assisting the County in its inclusiveness goals of Local, Minority, Woman Disadvantaged Owned Businesses participation.

Planning and Development Services

Reviewed by: Holland Leger

Date:

Recommend Council approval

Recommend Council denial

Council Discretion (please explain if checked)

Comments regarding recommendation: Award should be contingent upon completion and inclusion of the optional items as described in the Contract Fee Summary.

Legal

Reviewed by: Elizabeth McLean

Date: 2/21/12

Recommend Council approval

Recommend Council denial

Council Discretion (please explain if checked)

Comments regarding recommendation:

Policy decision left to Council's discretion. Procurement's recommendations should be added to the contract and Legal will conduct a final review if Council decides to move forward. I have a few comments from my initial review of the contract, but nothing that should stop Council from moving forward if that is their desire.

Administration

Reviewed by: Sparty Hammett

Date: 2/21/12

Recommend Council approval

Recommend Council denial

Council Discretion (please explain if checked)

Comments regarding recommendation: Recommend Council approval of "LandDesign, Inc." as the consultant to allow the development of two Neighborhood Master Plan areas within the County contingent on mutual agreement on the terms and conditions.



urban design planning civil engineering branding landscape architecture

FEBRUARY 6, 2012

AGREEMENT FOR PROFESSIONAL SERVICES

RICHLAND COUNTY STRATEGIC COMMUNITY MASTER PLAN

RICHLAND COUNTY, SC
LandDesign PN: 1011133

This agreement made this _____ day of _____, 2012, by and between the Richland County Government hereinafter referred to as "Client", and LandDesign, Inc., hereinafter referred to as "Consultant", for the provision of area planning services for Richland County, SC.

Now, therefore, the Client and Consultant agree as follows:

SCOPE OF SERVICES

The following scope of services is a series of tasks, with deliverables, intended to facilitate two concurrent planning processes. While the two resulting plans for the Hopkins and Spring Hill areas within Richland County will be separate, stand-alone plans generated through two separate processes, some efficiencies, which are reflected in the Contract Fee Summary, can be gained. Data collection, staff meetings and mapping efforts are examples of scope tasks that have a reduced fee due to the processes running concurrently.

PHASE 1: PROJECT INITIATION

Task 1.1: Kick-off Meeting with Staff & the Master Plan Advisory Committee & Study Area Visit

A kick-off meeting will mark the beginning of the project, allowing the Consultant, County staff and the Master Plan Advisory Committee (MPAC) to discuss the project purpose, schedule and project objectives. Also at the initiation of the project, and scheduled to take place the day of this kick-off meeting with the County, the team will conduct a half-day study area visit to expand our knowledge of existing conditions in both areas. If two committees are established, both committees will be invited to this single meeting and encouraged to participate in one or both area tours.

Task 1.2: Information Gathering / Data Collection

The team will conduct a fast-track data-needs inventory to identify the types and formats of data required for the project, including geographic, demographic, and economic data. A data-needs matrix will be compiled that addresses data needed, along with the desired format. Also included in the matrix will be a list of local plans, studies, and regulations that must be reviewed in the second phase. The team will compile and assess GIS data layers available from the County departments. We will also identify additional GIS data layers available from other sources that will augment the analysis, and we will rely on the Client to obtain such data. The results of the data-needs inventory will be provided to the County for discussion of specific data to be acquired.

223 North Graham Street
Charlotte, NC 28202

V: 704.333.0325
F: 704.332.3246

www.LandDesign.com

Washington DC
Charlotte NC
Beijing PRC

PHASE 2: RESEARCH & ANALYSIS

Task 2.1: Mapping

Using the data collected during the first phase, a series of maps will be developed using GIS technology. These maps will display the existing conditions in a number of areas, such as broad context, existing land use (and available land supply), transportation network, water and sewer, environmental assets and constraints, infrastructure service areas and community facilities. The mapping step will also include area-wide reconnaissance, ensuring that the team has a realistic picture of current conditions in the study areas and that major discrepancies between mapped data and actual conditions are noted.

Using CommunityViz (version 3.3), an ArcGIS extension for urban planning, land use planning, and resource management, to assess the suitability of land in the study areas for various land use types. As part of the mapping, the team will produce suitability maps that reveal the appropriate locations for residential and non-residential development in areas that are presently undeveloped or underutilized (land supply) based on environmental conditions and available infrastructure. This will further inform the decisions of all involved in the planning process as future land use choices are evaluated.

Task 2.2: Plan Review

We will review the plans and policies currently guiding development in the County. This review of local plans, studies, and regulations will include, but not be limited to, the following:

- Richland County Comprehensive Plan
- COATS 2035 Long Range Transportation Plan
- Central Midlands COG Bicycle and Pedestrian Plan
- COATS 2006-2012 Transportation Improvement Program
- Central Midlands COG Richland County Building Permit Activity Report
- Three Rivers Greenway Information (The River Alliance)
- Water and Sewer System Utilities Map
- Richland County Traffic Count Data

The purpose of this review and assessment of adopted plans and policies is to determine how the current pattern of development has been shaped by land use, transportation, environmental and other policies and related regulations. Key findings will be documented and included in each Community Profile / Needs Assessment Report (see Task 2.7).

Task 2.3: Stakeholder Interviews

Having established an understanding of current conditions in these areas of Richland County through analysis of available data, the team will interview key stakeholders in order to verify and supplement the data and further our understanding. These interviews are likely to include key staff from the County departments, elected officials, citizen leaders, regional partners, neighboring jurisdictions, representatives of various local, regional and state agencies, and interest groups. The team will participate in a two- to four-day session (up to two days per area), during which a series of one-hour meetings (up to five interviews per day) will be held with key stakeholders identified by the County. Stakeholders will assist the team in better understanding

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the specific local concerns that need to be addressed.

Task 2.4: Wikiplanning Civic Engagement Web Site

Prior to the first community meeting, the Consultant will construct and launch the online Wikiplanning civic engagement Web site(s) for the project. Meeting the requirements during each phase of the plan process requires that an ongoing relationship is built with participating residents. Wikiplanning, an interactive online tool developed by Ryan-Harris, LLC, can provide a format for a continuing online conversation with each resident who enters the Web site throughout the project's life. Through the use of a survey, posts of evolving project content, and other interactive activities, residents will be kept engaged as the plan matures. As all plan drafts are developed, they will be made available for viewing and/or downloading by project participants and may have plan-specific comment categories created for gathering feedback on each. By sending email invitations, Wikiplanning alerts participants as new activities are posted and queries residents as each new plan or document is posted, collecting and logging all participant feedback for subsequent analysis.

The survey will give the team an indication of community preferences. The team will prepare the survey questionnaire and work with the County to further define the variables that are of greatest concern to the community, as revealed during the planning process. Then, the team will conduct the survey online through this Wikiplanning tool.

Task 2.5: Community Profile / Needs Assessment

A Community Profile / Needs Assessment will be prepared for each area. The following describes the specific tasks that will be undertaken to accomplish this.

Task 2.5.1: Economic & Demographic Conditions

Our team will evaluate existing and projected economic and demographic patterns, and identify real estate market opportunities and constraints within the County and the study areas specifically. The data collection and analysis will be based upon primary field research and published information from secondary sources such as government agencies and real estate firms.

The economic and demographic analysis will combine qualitative research with quantitative demographic, economic, and real estate analyses. Qualitative research and community/business leadership interviews will indicate economic and market factors impacting Richland County, with an emphasis on the two subareas. Special attention will be given to major anchors and planned public and private investments. Quantitatively, the team will analyze economic and demographic trends, and provide forecasts through the planning period. The forecasts will provide the basis for determining future real estate demand for these subareas of Richland County.

Separate analyses will be prepared for residential, retail, office, and industrial uses. Residential real estate market data will be obtained for Richland County, as well as the greater Columbia metropolitan area. Several forecast scenarios will be prepared for population, households, and housing unit growth. Residential forecasts will be divided into single and multi-family components.

For retail uses, we will define primary and secondary trade areas, forecast expenditure potential,

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estimate sales capture rates for the two subareas, and determine the amount of square footage that could be supported for a variety of goods and services through the planning period. For office space, we will provide an overview of the existing market in Richland County and forecast the square footage that could be absorbed in the County and in the two study areas. Industrial uses will be analyzed from a more regional perspective, with the County's opportunities based on its competitive position and attributes within the Columbia metropolitan area.

As input to the Land Use element, specific locations will be recommended to accommodate residential, retail, office, and industrial demand, noting appropriate areas for higher-density development. Special consideration will be placed on mixed-use and employment opportunities to promote a balanced tax base and efficient provision of public services.

Task 2.5.2: Land Use

The team will examine existing land use patterns to determine how well these patterns accommodate land uses to sufficiently meet future demand as defined in tasks 2.5.1 above, efficiently utilize existing and planned infrastructure, and otherwise respond to the goals of the community. In doing so, we will summarize recent trends and explore options for alternative development patterns to consider—and encourage—in the future. Mixed-use development, for example, is being developed in the outlying areas of Richland County. To the extent that it achieves a variety of community goals, it may be a type of development that the County might accommodate more readily or even promote.

The team will also note the changes that have occurred within and around the County as a result of the adopted plan recommendations and later determine how those recommendations generally fit with the vision for the County, as established through this process. Based on this assessment and other analyses, the team will work with the citizens to generate ideas for future land use, later determining which adopted plan recommendations should be carried forward.

Task 2.5.3: Mobility/Circulation

The goal of this task is to identify transportation improvements in the study area that improve accessibility and create mobility linkages between activity centers and transportation facilities. To accomplish these goals, the Team will review and build upon the County's existing traffic study and will develop recommendations that will support implementing the Community Master Plans.

The objective of this task will be to evaluate the existing highway network in the study area to identify and quantify existing highway deficiencies. The Team will review the COATS 2035 Travel Demand Model (TDM) to identify existing and future highway needs in and around the study areas.

Livable communities are places built to encourage walking and bicycling with sidewalks, on-street bicycle facilities, multiuse pathways, and trails. The land uses in livable places are designed in a manner that allows homes, shopping, workplaces, recreation centers, and schools to be close together and accessible by walking and bicycling. Streets and pathway networks are designed in a context sensitive manner that holistically blend into and enhance the environment for pedestrians and bicyclists alike. In this way, the availability of safe bicycle and pedestrian facilities can contribute significantly to the quality of life for area residents. Bicycle and pedestrian needs in the study area will be identified through:

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- Review of the COATS Bikeway and Pedestrian Plan and other plans;
- Identification of existing facilities;
- Input and interviews through the Public Participation process; and
- Analysis of the Level-of-Service (LOS) provided by existing facilities at key locations, such as in the vicinity of schools.

The team will ensure that the relationship between transportation and land use is adequately considered throughout the planning process, particularly as the team considers alternate development scenarios for the community. Based on details reflected in the emerging Community Master Plans, the team will identify, and later refine and prioritize, specific multimodal transportation system improvements. Examples include capacity and operational projects as well as projects to implement Complete Streets recommendations through enhanced pedestrian, bicycle, and transit improvements (i.e., enhancements along select corridors or in activity centers).

The team will also evaluate public parking within major activity centers to ensure adequate parking is available and it is convenient and provides efficient access and circulation.

These improvements will create a multimodal transportation system that will connect activity centers, which will improve accessibility and mobility throughout the study area. Thus, the transportation recommendations will work toward developing Community Master Plans that will support multiple modes at each major activity center in the study area.

Task 2.5.4: Community Facilities

The team will incorporate details from current plans and review them for consistency with the vision and objectives established through the process. Through a review of current facilities plans and awareness of potential growth, the team will discuss the adequacy of existing and planned facilities and staff with representatives of each service provider. During the process, the team will examine Richland County's plans for parks, greenways, and recreational spaces as well as police, fire, and EMS services. Options that may improve service provision will be highlighted during the process so that future updates to—and the implementation of—facilities plans might take such options into consideration.

While school system improvements (i.e. the addition or expansion of schools) are determined by Richland County School District One, which serves Hopkins, and Richland County/Lexington School District Five, which serves Spring Hill, it is important to consider the impacts of new or expanded schools. Such facilities affect traffic volumes and circulation, influence housing location choices, and can act as a neighborhood focal point and community facility. Therefore, the locations of such facilities should be taken into account in any planning effort and preferred locations documented so that, at the very least, the plan might be used as a communication tool in discussions with the School District Boards.

Task 2.5.5: Natural Resources & Open Space

By mapping natural resources using data collected from the County and other sources, the team can develop a composite picture of these existing natural assets, and generally describe areas where two or more overlap. Using the composite map and the following considerations, the team will work with the citizens to establish priorities for natural resource protection that are consistent

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with the goals and objectives. Complementary and competing uses of natural resources and open space will be studied, such as the potential for undeveloped floodplains and wetlands to function as floodwater hazard mitigation while also providing for passive recreation. The team will explore ways the County and developers can support efforts to preserve Richland County's natural resources by permanently protecting and/or sensitively integrating them into development.

Task 2.5.6: Historic & Cultural Resources

It will be essential to review the inventory of cultural resources in the community, particularly historic structures, sites, and neighborhoods that contribute to the character of the County. Richland County has shown a commitment to retaining historic resources. This element of this Master Plan will include a background history of the County and an overview of the steps that have already been taken to document historic resources and designate them as significant components of the community and its heritage. Referring to inventories created by others and made available to our team by the County, our team will identify the resources that are valued by the community to ensure the plan not only acknowledges these resources but encourages growth in a manner that aims to protect them over the long term. The Master Plan will provide guidance to civic leaders in furthering their efforts to conserve and enhance Richland County's unique identity and character by protecting significant historic structures and sites.

Task 2.5.7: Urban Design & Architecture

Several subareas within the County have their own distinct character. It will be beneficial to further describe "character areas" and identify the contributing qualities that define the two study areas, distinguishing them from other areas in the County. Through this process, our team will work with citizens and other stakeholders to determine which features should be preserved and encouraged in the future as new development and redevelopment occurs. The team will examine the scale and appearance of development, particularly features and quality of architecture (scale, articulation, building orientation and placement) and streetscape. These observations may be the basis for standards to be incorporated into the redevelopment overlay district.

A set of images and other supporting visual materials will be developed to clearly communicate the essence of each area and the qualities that should be present as those communities continue to mature.

Task 2.6: First Community Meeting—Education Session and Visioning

In each area, the team will conduct an initial community meeting for a total of two meetings.

The first community meeting of the plan development process will achieve several objectives. First, it will provide a venue for educating citizens about opportunities of planning for the two areas. It will also allow the team to present the existing conditions documented during the first two phases of the project as well as the issues and opportunities revealed through the analysis of this data. The most important outcome of the meeting, though, will be the input attendees will give on the goals and objectives they would like to see achieved over the coming years. These goals and objectives will guide the creation of the Master Plan.

Task 2.7: Community Profile / Needs Assessment Reports

A report for each area will be generated to document the findings of Phase 2. At the conclusion

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of the second phase, the team will submit the reports to the County outlining the most important issues Richland County must address in coming years, and the greatest opportunities the County should seek and build upon. Contained within each document will be the vision statement, goals and objectives developed during this second phase of the process.

PHASE 3: PLAN DEVELOPMENT

Task 3.1: Initial Concept Development

A planning workshop will be facilitated in each area for a total of two workshops. Each will be conducted with staff, the Master Plan Advisory Committees, and key individuals to develop preliminary concepts for each of the two areas and explore the many choices regarding future development. Up to two consecutive business days will be devoted to each workshop. Initial concepts will be generated and presented for evaluation at the second public meeting in that area (see Task 3.2). These concepts will indicate appropriate locations for and general relationships between land use, transportation and other infrastructure, open space, and other plan components. Presented as maps showing general, diagrammatic relationships, these concepts will be evaluated in terms of these established goals and objectives.

(OPTIONAL) 3.1-O: Land Use Modeling

CommunityViz allows for scenario planning in which alternative land use plans can be reviewed side-by-side and dynamically updated so that changes to a plan automatically cause recalculations of impacts. This tool has been used effectively to aid communication and decision-making in land use planning processes and is especially useful for areas roughly equal in size to this study area. Consultant team members are experienced in the use of this powerful planning application. The database available should be sufficient to undertake a scenario planning exercise as part of the second phase, during which the plan alternatives are created and evaluated. As an optional addition to task 3.1, the team can utilize CommunityViz to generate development scenarios and test the potential impacts of specific policies that are under consideration.

Task 3.2: Second Community Meeting—Concept Evaluation

In each area, the team will conduct a second community meeting for a total of two meetings.

At the second community meeting held midway through the workshop described above, concept plan(s) will be evaluated in a workshop setting to identify the preferred elements within each. This workshop will include exhibits and other informative elements combined with interactive exercises that will allow attendees to delve into the possibilities presented by each alternative concept. Inviting Richland County citizens and business owners to develop a real understanding of how elements of their County will interact in the future will elicit more useful feedback and continue to cultivate personal investment in the plan. The feedback received at this workshop will reveal the components of one or several concepts that are preferred by community members, which will be combined and refined in following tasks.

Task 3.3: Development of Illustrative Master Plan Map

The team will prepare illustrative master plan maps, one for each area, that incorporate elements of the preferred concepts, as determined through input received at the second public meeting. These plan maps will work out relationships in greater detail than has been reached previously in the process, addressing the issues and opportunities presented when land use, transportation,

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environmental assets and constraints, and other elements are treated in the manner preferred by the community. These maps will be designed as informative, attractive graphic communication tools that can be easily understood by a variety of audiences.

Task 3.4: Preparation of Conceptual Area Illustrations

In many cases, one of the most helpful ways of communicating the spirit of a Master Plan is by demonstrating the results of putting it into action. To this end, the Consultant will prepare up to four development illustrations for key locations (up to two in each study area). These will conceptually illustrate development design at specific locations, representing the physical manifestation of the policies implied in the plans. The illustrations will be in the form of plan vignettes, cross-sections, and/or perspective sketches.

PHASE 4: RECOMMENDATIONS & IMPLEMENTATION STRATEGIES

Task 4.1: Development of Recommendations and Implementation Strategies

Once an illustrative plan map has been created, the Consultant will develop policy recommendations as well as strategies for implementing the plan that are consistent with the recommendations. LandDesign's approach to developing some of those strategies, which will be reviewed with the Master Plan Advisory Committees and outlined in the Master Plans, could propose implementation methods and tools associated with a broad set of topics ranging from economic development to transportation and will likely include the three suggested by Richland County in the RFP:

- **Redevelopment Overlay District Text**

One key to the successful implementation of a plan is an appropriate catalog of tools designed to fit the community's expectations. Those tools include development ordinances that are based on the community's adopted policies for the future. The preparation of an effective zoning district flows from an evaluation of the ordinances and guidelines presently available to determine whether they are capable of implementing the plan's directives and goals. With an understanding of the Client's objectives, which will guide decisions about the new district, the Consultant will review the County's current zoning ordinance. It is possible and appropriate to focus on shortfalls in the existing ordinances, such as limitations on land uses that must be included in certain districts to achieve the vision. We will then document the gaps in the provisions of the current districts so that this new district will be complementary and incorporate the details that are envisioned in the plan.

Overlay districts from other municipalities that have a similar purpose, as well as provisions that meet the objectives defined by the Client, will be reviewed. These will serve solely as examples when crafting a district customized for Richland. The Consultant will then prepare an initial draft of the district that reflects the major ideas discussed.

The Consultant will meet with key stakeholders identified by the Client who can provide necessary feedback regarding initial research and recommendations regarding the draft districts text. The Client shall be responsible for inviting the key stakeholders (or stakeholder groups) to the meeting. Specific revisions and suggested provisions will be reviewed and discussed to determine the feasibility of modified provisions.

The Consultant will conduct two workshops with the Client, the advisory committee and key

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stakeholders to work through initial research and recommendations. During and between these workshops, the Consultant will aim to accomplish the following:

- draft a purpose statement that will be incorporated into the text of the district(s);
- test preliminary design standards with respect to existing conditions on selected parcels;
- evaluate the application of new standards in terms of the potential for creating non-conforming conditions or uses, requests for variances, or increasing development costs; and
- gain consensus on the draft district text.

The preliminary draft will be reviewed in a meeting with the Client to ensure the direction is consistent with the stated objectives. A single set of notes documenting the revisions to be made as well as suggested provisions will be compiled during this review meeting. With Client approval of the notes, the draft will be modified and completed. This second or "complete" draft will be disseminated to stakeholders for review and comment. The end product will be incorporated into the plan as an appendix.

- **Cost Estimates for Improvements**

Through the planning process, specific improvements will be identified that will be required for the successful implementation of the plan. The cost of each improvement will depend on the nature and timing of the improvement. The specific improvements for which the team may provide cost estimates are unknown and will not be clearly understood until the plan is nearing completion. Therefore, this scope includes a process for identifying appropriate improvements, prioritizing them, and attaching an "order of magnitude" cost assumption to each. This will assist county leaders in determining the initial steps that will bring about results in the short term and maintain momentum through long-term implementation steps. The end product will be incorporated into the plan as an appendix.

- **Funding Sources**

Having identified a list of potential development, redevelopment and capital improvement priorities that are most suitable for the two subareas of Richland County, LandDesign will identify and describe funding mechanisms that could be utilized to implement the plans. From grants to public-private partnerships, a range of choices will be presented in a menu format. Each will be described to explain the source and applicability and to indicate whether it should be leveraged to obtain additional funding. The options, in combination with other funding sources already available to Richland County that could directly or indirectly affect the implementation of these plans could enhance the efforts of both public and private sectors. The end product will be incorporated into the plan as an appendix.

(OPTIONAL) Task 4.2-O: Fiscal Impact Analysis

Under direction from Richland County, our team will forecast tax base and fiscal impacts of the land use recommendations for each of the two subareas.

The fiscal year 2011-2012 Richland County budget will be analyzed to create preliminary revenue and expenditure indexes by land use type. We will then interview the County Manager, Finance Director, and department leaders to verify revenue and expenditure assumptions.

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Expenditures will be divided into operating and capital components. We will also obtain cost estimates and timing for new capital investments that would be required for each scenario through the planning period, and calculate the corresponding debt service under a typical municipal bond scenario.

We will produce a comprehensive fiscal impact model and calculate annual net municipal revenues through the planning period for the three development scenarios. The model will determine whether municipal revenues are adequate to serve each development scenario.

PHASE 5: PLAN DOCUMENTATION & ADOPTION

Task 5.1: Third Community Meeting—Presentation of the Plan

In each area, the team will conduct an initial community meeting for a total of two meetings.

At a third community meeting, the Consultant will present the Illustrative Master Plan Map along with the accompanying recommendations and implementation strategies. This presentation will invite feedback from the community, especially about new or modified strategies for putting the plan into action. While the Consultant will enthusiastically encourage feedback at this meeting, the greatest benefit is likely to be the public buy-in that may be engendered at this type of meeting, where a compelling vision for the future is being presented in a way that is both positive and clearly attainable.

Task 5.2: Plan Document Preparation

The Consultant will prepare the Master Plan document(s), which will be clear, concise, and suitable for a variety of audiences. The team prides itself on preparing plan documents that combine graphics and text in an informative, attractive way.

A draft of these documents will be delivered to the County and Master Plan Advisory Committee for review and comment, and then made available for public review and comment. Based on comments received, the team will make final modifications and deliver the final Master Plans to the County.

(OPTIONAL) Task 5.2-O: Executive Summary

At this time, the team will also design the Executive Summary, which will be a separate companion piece. One key to the successful implementation of any plan is the effective communication of it after the planning process. Public education efforts designed to rally support for the plan are key to this communication process. The brochure-style Executive Summary is a valuable communication device, as it summarizes the plan in a short reference document. In the last phase of the project, the team will design an executive summary that is illustrative, communicating the community's vision for the future and the key recommendations. The end product will serve as a marketing tool for the implementers of the plan, helping them "sell" others on the vision and methods for achieving it.

Task 5.3: Plan Presentation

Once draft plan documents are available, the Consultant will participate in presenting the Master Plans to the Planning Commission and the County Council, which will be one joint meeting that will take place as part of the adoption process. Since the amount of information to be covered by the plan is likely to be substantial, this meeting held in advance of a public hearing process is

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recommended to allow the elected and appointed officials to absorb the information contained in the plan prior to adoption. The Consultant will assist the County in preparing for and making a presentation at the public hearings (up to two) as well.

DELIVERABLES (ONE SET FOR EACH OF THE TWO PLANS)

- Summary of Online Civic Engagement Campaign – One (1) hard copy and one (1) CD containing both editable and PDF versions of the document.
- Staff Review Draft of Master Plan (full document) – One (1) hard copy and one (1) CD containing both editable and PDF versions of the document and all digital files of the maps and graphics inserted into the plan.
- Public Review Draft of Master Plan (full document) – One (1) hard copy and one (1) CD containing both editable and PDF versions of the document and all digital files of the maps and graphics inserted into the plan.
- Final Master Plan (full document) – One (1) hard copy and one (1) CD containing both editable and PDF versions of the document and all digital files of the maps and graphics inserted into the plan.
- Maps – One (1) hard copy and one (1) digital version of each map produced for the process and included in the final plan document. The digital version of these maps, including all GIS shapefiles used to generate them, will be included on the CD that contains the Master Plan.
- *Optional* Executive Summary – One (1) hard copy and one (1) digital version in both editable and PDF formats, which will be included on the CD that contains the Master Plan. The Summary will be a brochure style that unfolds into a poster of the plan map and supporting illustrations.

CLIENT RESPONSIBILITIES

- A. County Staff will be expected to be involved in the process. The responsibilities of the Staff include but are not limited to the following:
- Project coordination – Participate in project coordination efforts (see below).
 - Input – In addition to gathering data and documents, Staff will act as a member of the project team by providing input throughout the process regarding existing conditions, issues, opportunities, concept plans, recommendations and implementation strategies.
 - Meeting space – Secure meeting space for all presentations, meetings with staff, MPACs, and other meetings that are required as part of this planning process. Staff will also set up these facilities in preparation for each meeting in accordance with guidelines established by the Consultant. The Client will be responsible for paying any fees associated with reserving and using meeting space.
 - Meeting facilitation – Participate in Community Meetings by helping the Consultant with facilitation, preparation and distribution of agendas, management of attendees (i.e., sign-in table), etc.

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- The Client will be responsible for scheduling and noticing (as required) all meetings following input from the Consultant.
 - Dissemination of information – Meeting notices, plan details, and other information disseminated to the public, stakeholders, interested groups and individuals, etc. shall be the responsibility of Staff. The Consultant will provide information at the appropriate times in PDF format so that it may be utilized by Staff in a variety of ways, such as uploading onto the County's web site. (Note: The project team will be responsible for adding content to the Wikiplanning Web site.)
- B. The Client shall provide full information at its disposal/available that is relevant to the project in the format requested. (Note: All documentation provided by the Client for purposes of this study shall be returned to the Client at the completion of this study.)

PROJECT COORDINATION

To ensure a successful and efficient process, regular communication between Consultant team members and the Client must be maintained. Through e-mail, regular phone calls initiated by the Consultant, and scheduled meetings, the Consultant will coordinate with the Client and will provide project updates, answer questions, discuss key issues, disseminate critical information, etc.

The Consultant will provide necessary staff/resources for all meetings necessary to complete the project as defined in the Scope outlined above. The Consultant will make every effort to minimize project costs by taking advantage of joint travel opportunities and consolidating meetings, interviews, and field reconnaissance. Some of the meetings listed in the Scope above will be scheduled for the same day.

Quality control/ quality assurance (QA/QC) is also achieved through regular coordination, as this provides an opportunity for internal review of work products throughout the process. QA/QC is included in the scope of work.

A copy of the agreed upon schedule for Consultant to perform its services will be provided to the Client at project initiation, following receipt of Client's input. Any schedule delays resulting from any circumstance, whether such circumstance is associated with the project defined in this Agreement or not, shall not in any way affect the Client's payment of fees to the Consultant in accordance with the terms specified in this Agreement as well as in Exhibit A, Standard Terms and Conditions of Contract, attached to this Agreement.

CONTRACT FEE SUMMARY

<u>DESCRIPTION</u>	<u>PHASE</u>	<u>FEE</u>
Richland County Strategic Community Master Plan	100	\$230,000.00
Optional Scope		
3.1-O: Land Use Modeling	200	\$28,800.00
4.2-O: Fiscal Impact Analysis	300	\$23,200.00
5.2-O: Executive Summary	400	\$7,000.00

Direct project expenses (travel, printing, etc.) for the services contained in this agreement are included in the lump sum amounts shown above.

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PROJECT SCHEDULE

The scope of services described herein and the contract fee provided above are based on the assumption that the plans for the Hopkins and Spring Hill areas within Richland County (a total of two plans) will be separate, stand-alone plans generated through two separate but concurrent processes initiated at the same time. The length of time required to complete each plan may differ; however, they will be completed as follows:

- Hopkins Community Master Plan – 12 months following the notice to proceed
- Spring Hill Community Master Plan – 9 months following the notice to proceed

The schedule for each includes time required to complete optional tasks; therefore, the timeframe indicated is the maximum required to complete each plan.

All work will be performed according to our Standard Terms and Conditions of Contract, incorporated into this contract by reference herein and attached as Exhibit A, except as modified above. If this proposal is acceptable and outlines our complete agreement, please signify your acceptance in the space provided and return both originals to our office for execution by LandDesign. This document will then constitute our complete agreement.

LANDDESIGN, INC.

BY: _____ DATE: _____
Margaret Nealon, RLA, AICP, for LandDesign, Inc.
Vice President

RICHLAND COUNTY

BY: _____ DATE: _____
Rodolfo Callwood

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**EXHIBIT A
LANDESIGN, INC.
STANDARD TERMS AND CONDITIONS OF CONTRACT**

Contract Billing: Billing for contracts shall be on a monthly basis. Invoices are due upon receipt. Payment not received within thirty (30) days of invoice date will be subject to a service charge in the amount of one and one-half percent (1.5%) per month. If account is not paid per the terms of this agreement, LandDesign is entitled to recover any and all reasonable attorney fees associated related to the collection from client. In addition, LandDesign reserves the right to suspend all work in any case where invoices remain unpaid more than sixty (60) days from issue.

Reimbursable Expenses: Expenses incurred by LandDesign solely in the interest of the project are included in the project fee. Reimbursable expenses shall include but not be limited to all shipping and mailing costs, courier services, travel, long distance telephone and facsimile transmittals, supplies, printing and photographic reproductions. All permitting fees as well as project related expenses incurred by consultants and billed to LandDesign are expressly excluded from inclusion in the project fee. Permitting fees and consultant costs shall be billed to the Client at cost plus 1.1 multiplier. All reimbursable expenses shall be billed monthly and shall be payable upon the same terms and conditions applicable to labor and fee invoices due LandDesign, as set forth above.

Overtime Charges: LandDesign shall be paid overtime in any case in which the Client requests work to be complete prior to previously agreed upon completion date.

Commencement of Work: Client acknowledges that the fees of LandDesign set forth in this Contract contemplate prompt commencement by LandDesign of the work to which such fees relate. Accordingly, LandDesign shall have the unilateral right to terminate all or any portion of this Contract to the extent Client does not authorize LandDesign to promptly commence and complete performance of the work to be performed by LandDesign hereunder. LandDesign reserves the right to renegotiate contract fees if work is not completed within two years of the original date of this contract.

Additional Services: Any work required in addition to that detailed in this Contract will be billed on an hourly basis according to our then current rates or a negotiated lump sum fee. Extra work will include, but not be limited to: Changes in the Scope of Services; Changes made in response to program changes; Changes due to revision of site/base information provided by others; and Design modifications requested by the Client subsequent to prior approval.

Hourly Rates: Our hourly rates are as follows:

Partner	\$150.00 - \$300.00/Hour	Construction Administration Manager	\$ 85.00 - \$140.00/Hour
Principal	\$125.00 - \$200.00/Hour	Branding Manager	\$100.00 - \$140.00/Hour
Senior Associate	\$110.00 - \$180.00/Hour	Designer	\$ 80.00 - \$140.00/Hour
Associate	\$100.00 - \$170.00/Hour	Graphic Designer	\$ 80.00 - \$140.00/Hour
Manager	\$ 95.00 - \$160.00/Hour	Field Technician	\$ 60.00 - \$100.00/Hour
Landscape Architect	\$ 95.00 - \$160.00/Hour	CAD Services	\$ 65.00 - \$ 80.00/Hour
Professional Engineer	\$ 95.00 - \$160.00/Hour	Project Assistant	\$ 60.00 - \$ 90.00/Hour
Engineer (EI)	\$ 85.00 - \$140.00/Hour	Administrative Assistant	\$ 45.00 - \$ 70.00/Hour
Planner	\$ 80.00 - \$140.00/Hour		

All billing rates are subject to periodic adjustments at the discretion of LandDesign.

Ownership and Use of Documents: Upon payment in full of all sums due LandDesign by Client pursuant to this Agreement, the drawings, sketches, specifications, and other contract documents prepared by LandDesign for the project ("the Documents") shall become the property of Client, provided: (1) the Documents shall not be used by Client or any third party on any other project without the prior express written consent of LandDesign; (2) Client acknowledges that any machine readable or electronic copies of the Documents may vary or contain information different from physical copies and that LandDesign, will have no responsibility for such differences; (3) LandDesign will remove its seal and title blocks from the Documents provided to Client; (4) Client warrants that it will not make, allow or authorize any use to be made of the Documents which is in violation of any statute, rule, regulation or code or which is in any way illegal or contrary to law; and (5) Client agrees to indemnify and hold LandDesign harmless from and against all liability, damage or claims, including reasonable attorneys' fees, resulting from any claim against LandDesign by any third party arising out of the use of any of the Documents contrary to the provisions of this Agreement.

Governing Body: This Agreement shall be governed by the interpreted, construed, and enforced laws of the State of North Carolina.

Termination: Contract may be terminated at any time, by either LandDesign or Client, by notification in writing. In the event of termination, LandDesign shall be paid for services performed and reimbursable expenses incurred to the date of notification. Any expenses incurred by LandDesign due to termination of project by Client shall be paid by Client.

Acts of God and Third Parties: Notwithstanding any provision contained in this Contract to the contrary, LandDesign shall not be deemed in default hereunder, or otherwise liable or responsible, if any failure of its performance shall be due to any governmental regulations or controls, the need to obtain any governmental approvals, inability to obtain any material or service, strike, act of war, act of God, act of any third party, or any other cause whatsoever beyond the reasonable control of LandDesign, and the time for performance by LandDesign shall be extended by the period of delay resulting from or due to any of such causes.

General Provisions: LandDesign assumes no liability arising from this Contract Proposal or the work involved except in so far as it is liable for its acts or the acts of its employees. It is our policy to complete our services promptly and within established schedules, however, there is no expressed or implied guarantee as to when plans will be approved by the applicable governing agencies. We will progress our work in an expeditious and professional manner at all times.

Liability: LandDesign's liability for any and all injuries, claims, losses, expenses, damages or claim expenses arising out of this agreement, from any cause or causes, shall not exceed the total amount of \$50,000 or the amount of LandDesign's fee, whichever is greater. Such causes include, but are not limited to, LandDesign's negligence, errors, omissions, strict liability, breach of contract or breach of warranty.

NC Planning July 2008

Items Pending Analysis

Subject

- a. Curfew for Community Safety (Manning-February 2010)
- b. Farmers Market Update (Council-May 2010)
- c. Review all Engineering and Architectural Drawing requirements to make sure there is no unnecessary charge or expense to citizens (Jackson-January 2010)
- d. Review Homeowner Association covenants by developers and the time frame for transfer and the strength of the contracts (Jackson-September 2010)
- e. To direct Public Works to review county ordinances and propose amendments that would allow the recovery cost to repair damage done to county public roads. The intent of this motion is to hold those responsible who damage the roadways due to the use of heavy vehicles, improperly parked property or other uses for which the type of roadway was not intended (Malinowski-April 2010)
- f. That Richland County enact a Tree Canopy ordinance and inventory to preserve and enhance the number of trees in Richland County (Malinowski-July 2010)
- g. Off-ramp Lighting (Rose-February 2011)
- h. In the interest of regional consistency and public safety, I move that Richland County Council adopt an ordinance (consistent with the City of Columbia) banning texting while operating a motor vehicle (Rose-April 2011)
- i. Direct staff to coordinate with SCDHEC and SCDOT a review of traffic light signal timing improvements in unincorporated Richland County and request a system of red/yellow flashing traffic signals be initiated to help reduce emissions. Unincorporated Richland County will also mandate ingress and egress turn lanes for all businesses and residential construction that would cause a slowdown of traffic on the road servicing that facility (Malinowski-April 2010)
- j. Staff, in conjunction with the Conservation Commission, will consider an ordinance change to prevent the crossing of any portion of a conservation easement with utilities unless by special exception and with specific requirements in place (Malinowski-September 2011)
- k. Review the process of the Development Review Team (Jackson-October 2011)

Reviews