



## Richland County Council

### DEVELOPMENT AND SERVICES COMMITTEE

June 25, 2019 – 5:00 PM

Council Chambers

2020 Hampton Street, Columbia, SC 29204

COMMITTEE MEMBERS PRESENT: Allison Terracio, Jim Manning, Calvin Jackson and Chakisse Newton

OTHER COUNCIL MEMBERS PRESENT: Bill Malinowski, Joyce Dickerson and Paul Livingston

OTHERS PRESENT: Michelle Onley, Larry Smith, Stacey Hamm, Clayton Voignier, John Thompson, Ismail Ozbek, Sandra Yudice, Ashiya Myers, Ashley Powell, Angela Weathersby, Stephen Staley, Jennifer Wladischkin, Dale Welch and Beverly Harris

1. **CALL TO ORDER** – Mr. Manning called the meeting to order at approximately 5:01 PM.

With unanimous consent of the committee, Ms. Terracio chaired the meeting.

2. **APPROVAL OF MINUTES**

- a. May 23, 2019 – Mr. Jackson moved, seconded by Ms. Newton, to approve the minutes as distributed

In Favor: Terracio, Jackson, Newton and Manning

The vote in favor was unanimous.

3. **ADOPTION OF AGENDA** – Ms. Newton moved, seconded by Mr. Manning, to adopt the agenda as published.

In Favor: Terracio, Jackson, Newton and Manning

The vote in favor was unanimous.

4. **ITEMS FOR ACTION**

- a. Determine if there is any state/federal law that prohibits a county from creating an ordinance that will address the use of plastic bags by commercial entities. If not, create an ordinance that would prohibit the use of plastic bags for use in putting product purchases, with certain exceptions if deemed necessary. Example: many products already come prepackaged in plastic and could not come under these restrictions [MALINOWSKI and N. JACKSON] – Mr. Manning moved, seconded by Mr. Jackson, to forward to Council with a recommendation to approve the draft ordinance.

Mr. Jackson stated he thinks it is a great idea. He was recently in Charleston, and they have instituted it at all their stores. He stated that our language appears to be written relatively negatively, in terms of issuing a prohibition, as opposed to requiring non-plastic bags be used. He thinks, when we move it along, we may want to consider the language being more positive. The intent is to do it in a way that everyone buys into and recognizes how it will improve the environment. He suggested looking at the Charleston ordinance, and using it as a template for consideration.

Mr. Smith stated, as he recalls, they were directed to use this one as a guide, and Council would make changes as it went along. If it is the will of the committee to use another template, from another jurisdiction, they can certainly do so.

Ms. Newton stated she believes there is a lot of merit to the plastic bag ban, but she wants to make sure we have a comprehensive communications plan as part of it. She knows staff has done some research into how other communities have done it. For example, holding input sessions as the ordinance goes through the process. She is interested in hearing, from her colleagues, on how we might do that, within the 3 Readings and Public Hearing process, to make sure we are hearing from a citizen and business constituents.

Mr. Manning stated, because PIO does not report to Council, Council cannot direct them to conduct a public information campaign, but he does support promoting and engaging the citizens during the ordinance process. He also agrees with Mr. Jackson that we make the ordinance more positive, but not putting the proposed ordinance "on the shelf" and start over.

Mr. Smith requested, if there were any specific parts of the ordinance the committee felt needs to be reworded, that would help him to identify what changes need to be made.

Mr. Jackson stated he would offer his comments, at a later time.

Ms. Newton stated she reached out to the PIO Office and inquired, in the event that we did this type of activity, if it was something they felt would fall under their purview, and the answer she received was that it would. PIO was kind enough to put together some initial thoughts, which is happy to share. She wanted to make sure there was agreement among us that it was something had merit, and there may other things that we want to do as body (i.e. hosting meetings in our districts). She wants to make sure we have the opportunity to get that feedback.

Dr. Thompson stated, if you will direct Administration, they will be able work with PIO.

Ms. Terracio stated, as she read this, she could not help but think, as Richland County, we could hold ourselves to the same standard. She knows we use some plastics, and maybe we could make more of effort to "green up" our purchasing power.

Ms. Newton moved, seconded by Mr. Jackson, to amend the motion to direct staff to craft a communications plan related to the implementation of the ordinance.

In Favor: Terracio, Jackson and Newton

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Opposed: Manning

The vote was in favor.

- b. I move that Richland County Council secure the services of a public relations firm to, among other things, assist Council as a whole and its individual members in informing the media and general public of the body's collective work and activities and community engagements of individual members. A public relations contractor will complement the work of the Clerk's Office, as well as the Public Information Office, which promotes activities of the entire County organization; while a public relations firm will focus solely on Council and its members. The assistance of a contractor will ensure Council abides by state law in its interactions with staff, as the nature of public relations assistance can involve individual requests or directives to staff, which falls outside the authority of individual members [DICKERSON] – Ms. Newton moved, seconded by Mr. Manning, to forward to Council with a recommendation to approve securing the services of a public relations firm.

Ms. Newton stated the RFP, in the packet, is an old RFP that was written as a draft, and is only here for informational purposes. It is not here to put forward, specifically, as a RFP for now.

Ms. Dickerson stated she appreciated Ms. Newton working on this and bringing it to this point.

Mr. Jackson stated he supports the idea, concept and intent, but he wants to reiterate that we have a vacancy in the Clerk's Office that the job description could be reshaped in order to conform to what Ms. Dickerson has suggested.

Ms. Newton stated one of the things she looked into, and found out, is that we have a current relationship with a PR vendor that we could try out. From her perspective, as a person who has managed marketing teams, she would feel most comfortable, if it was a position managed by marketers, as opposed to being managed by the Clerk's Office. She thinks we would get a better product. The thing about the current agreement we have with the vendor is it lets us define the scope of work we want, try it out and decide would we want to continue doing it with someone outside of the County, or bring it in-house with a better idea of how to structure the position.

Dr. Thompson inquired if we have identified the source of funding.

Ms. Newton stated this is the first time the committee is discussing it. The Clerk of Council mentioned that we had a relationship, so she went to Procurement to find out if it was a relationship that Council could avail itself of. She was told that it was. There has been no source of funding identified. This RFP is just for information, and not a recommendation that we proceed with this, as is.

Mr. Manning inquired who the vendor is, and the relationship we have with them.

Ms. Wladischkin stated the vendor is Flock and Rally. They were awarded the RFP from the Economic Development project last year.

Ms. Newton requested Ms. Wladischkin to address how the scope of work would allow it to be used for this purpose.

Ms. Wladischkin stated, while the scope of work was specific to Economic Development, the contract that was put in place was a "prime agreement", so it did not describe the specific functions. It says, "Richland County may engage the services of this contractor. We may..." The

scope of work would have been defined by the Economic Development RFP; however, the contract allows us to do other work with the vendor, if we so choose.

Ms. Dickerson stated she and Ms. Newton discussed using this on a trial basis, so we know how to continue the program, if it works.

In Favor: Terracio, Newton and Manning

Opposed: Jackson

The vote was in favor.

- c. This is a request that the Utilities Department adheres to the policy established by Council as indicated below on May 15, 2007 and in an effort to achieve this Council policy, the following language is to be added: \*\*The feasible reach in Section 24-48 for the Broad River Basin shall be limited to current boundaries/extremities of the sewer system and should limit the developments as infills/pockets within the service area currently enclosed by existing sewer lines terminals/end points.

\*\*SECTION 24-48 – Refers to construction of facilities within the reach of a planned portion of a public sewer interceptor and provides in part.... “The developer shall, when the development involves construction of new sewer facilities within the feasible reach of a planned portion of public sewer interceptor participate in the cost of extending the public interceptor to serve his development and shall connect to such system. This developer shall participate in the cost of such extension in an amount not less than the cost of the line size necessary to serve his development [MALINOWSKI]

Mr. Manning inquired if the motion would be that the Utilities Department do what they were told to do in May 2007.

Mr. Manning moved, seconded by Mr. Jackson, to forward to Council with a recommendation to direct the Utilities Department to adhere to the policy established by Council in May 2007, and that all departments do everything that Council has told them to do in the last decade.

He stated he voted against the “Plastic Bag Ordinance” item because he thinks the PIO Office should do that work. And, now that we have made a motion for them to do it for that, it says to him, that we have green lighted them to not do any public relations on anything unless Council includes that in a motion. It is odd that he is making a motion, for just one thing, suggesting that staff do what Council told them to do. If we start picking out individual things, and he worked here, he would say, “Well they did not make a motion to tell me to do what I’m not doing, so until they make a motion like they did on this one, then I’m good to just cruise.”

Mr. Jackson inquired if Mr. Malinowski’s motion was in response to something that was not getting done being done.

Mr. Malinowski stated he was told by Mr. Khan the language in the motion passed in May 2007 did not conform, or the definitions were different as Council saw them, and what the professionals saw them. Nobody told Council, at the time, so the motion was passed. Nothing was said, until in conversation with Mr. Khan regarding a sewer extension, it came up. According to Mr. Khan, the definition passed was not what those in the professional field would call it; therefore, Council would need to go back and make sure Council’s intent is being covered, and to add the additional language to tighten up the ordinance.

Mr. Manning withdrew his motion.

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Mr. Manning moved, seconded by Mr. Jackson, to forward to Council with a recommendation to adopt the proposed language, so as to line up with the professional language, and the intent of Council in 2007.

Ms. Newton stated, for clarification, the proposed language came from Mr. Khan, and aligns with professional understanding.

Mr. Malinowski responded in the affirmative.

In Favor: Terracio, Jackson, Newton and Manning

The vote in favor was unanimous.

- d. Department of Public Works: Olympia Alleyway Quit Claim Deed – Mr. Manning moved, seconded by Ms. Newton, to forward to Council with a recommendation to approve the request to quit claim the alleyway located between 402 and 406 Florida Street in the Olympia neighborhood.

Mr. Malinowski inquired if we need EMS, the Sheriff and the Fire Chief to sign off on this before we take action.

Mr. Smith stated it is not a road closure. We are transferring, by quit claim deed, any interest we have in this alleyway.

In Favor: Terracio, Jackson, Newton and Manning

The vote in favor was unanimous.

- e. Department of Public Works: Pavement Preservation Program – Ms. Newton moved, seconded by Mr. Jackson, to forward to Council with a recommendation to direct the Department of Public Works (DPW) staff to develop and implement a Pavement Preservation Program for the County Road Maintenance System with an annual cost not-to-exceed \$500,000 in year one (FY-20) and \$500,000 in year two (FY-21). These funds will be provided from the Road Maintenance Fund Balance in addition to funds already appropriated as part of the Biennium Budget Process.

Mr. Jackson stated, after hearing in the Transportation Ad Hoc Committee meeting the tremendous costs, and the number of dirt roads that will never get paved, based upon the limited funding appropriated, his question is whether or not we are creating the same problem for the Public Works Department, or have we factored in the funding beyond the 2<sup>nd</sup> year. He imagines as years go on, the roads will get worse, not better. And, more will need resurfacing, not fewer.

Mr. Ozbek stated what is before the committee is to help the situation. As previously stated, there is not enough money in the Penny Program to pave all the roads. This is a pavement rejuvenation/preservation/extending the life program. Mr. Malinowski and Mr. N. Jackson jointly requested staff to do research. The County Engineer did research and training, and found out that was an outstanding recommendation. After discussions with the Budget Director, they would move the funding to FY21; however, they are requesting the go ahead to do the research. This is not just a sealant or one method. It is a huge program, which the County Engineer estimated is going to need about \$500,000/year for the first 2 years. For each dollar you spend, you are going to get about \$5 - \$6 back on extended life of the pavement. If Council approves Public Works continuing with the program, they will come back with more focused numbers, and exactly what will be needed. Then, they will ask for a budget transfer or the roads and drainage fund balance.

Mr. Jackson inquired about how many roads are under consideration.

Mr. Ozbek stated the Transportation Department is in the process of providing that information. In 10 – 15 years, all these newly paved roads are going to need maintenance. This is a continuous maintenance program, which is going to have an annual cost. However, it is going to extend the useful life of the Penny.

Mr. Jackson stated, he is assuming, there is going to be an objective process for this, so that someone is deciding which roads are in the most urgent need. As he heard earlier today, it sounded to him like that is a role the Council is to make, and not staff, so he wants to make sure what we do over in the Penny Program, we are consistent over here. He inquired as to what the fund balance is for road maintenance.

Mr. Ozbek stated it is approximately \$12 million. In response to Mr. Jackson, he stated there is a graph, in the agenda, that addresses every year of the pavement.

Mr. Livingston stated, for clarification, the funds are to come from the road maintenance fund balance.

Mr. Ozbek responded, that is what they have requested.

Dr. Thompson inquired, if Council would like for staff to bring them the list of roads, and the framework and methodology that went into ranking these roads.

Dr. Yudice stated, if Council desires to include this \$500,000 in FY20 budget, it will require a budget amendment. If Council only wants it for FY21, it will require a motion during the 3<sup>rd</sup> Reading of the budget on July 18<sup>th</sup>.

Mr. Manning stated he had the opportunity to attend the Congress for New Urbanism, and one of the things they talked about was “Grayfields” and this is called “Pavement Preservation Program.” Pavement is not impervious, and we are trying to figure out in places like Columbia Mall how to have less pavement. He inquired if the “Pavement Preservation Program” is wording that we came up with, or is it technical jargon.

Mr. Ozbek stated it is a technical jargon. We are not trying to preserve the amount, size and width of the pavement. It should have said to “extend the life”.

Mr. Jackson stated this is an issue of sustainability. He understands fund balances being used, setting it up and getting it going, but as the number of roads grow, the cost to sustain this effort is going to grow. The last thing he wants to see happen, is us come up with a great idea, implement it, and it does a great job on 15 of the 150 roads that need it. Then, we have to explain why we no longer have the money to do the remaining 135 roads.

Mr. Ozbek stated this will be a part of their regular maintenance program, and will be in their regular annual budget.

Ms. Newton stated, looking at the motion we are currently discussing, if we wanted to include this in FY20, would we need to amend the motion to add the budget amendment, or is that a separate budget amendment process that would happen at a different time.

Dr. Yudice stated it needs to be separate because it requires 3 Readings and a Public Hearing.

Mr. Manning thinks the committee can add the budget amendment to the motion, as a recommendation from the committee, and Council could then give it First Reading at the next Council meeting.

Ms. Newton requested to amend the motion to do a budget amendment for the FY20 budget to allocate \$500,000 from the Road Maintenance Fund Balance. Mr. Manning seconded the motion, and also requested that Ms. Terracio, as Acting Chair of the Committee tonight, submit a motion to allocate \$500,000 from the Road Maintenance Fund Balance, and have it included on the FY21 Budget Motion's List for 3<sup>rd</sup> Reading.

In Favor: Terracio, Jackson, Newton and Manning

The vote in favor was unanimous.

- f. Petition to Close a Portion of Olin Sites Rd. – Mr. Manning moved, seconded by Ms. Newton, to forward to Council with a recommendation to approve petitioner's request to close the subject road and direct Legal to answer the lawsuit accordingly.

In Favor: Terracio, Jackson, Newton and Manning

The vote in favor was unanimous.

6. **ADJOURNMENT** – The meeting adjourned at approximately 5:44 PM.