

AGENDA

FINANCE COMMITTEE

4/02/2020

J. Elliott Summey, Chairman
Henry E. Darby
Jenny Costa Honeycutt
Anna B. Johnson
Brantley Moody
Teddie Pryor
A. Victor Rawl
Herb Sass
Dickie Schweers

**AGENDA
FINANCE COMMITTEE
April 2, 2020
12:00 PM**

1. FREEDOM OF INFORMATION ACT - Report
2. ROLL CALL
3. COVID 19/CORONAVIRUS UPDATE - Briefing
Tuten/Patno
4. STATE OF EMERGENCY DECLARATION EXTENSION - Request to Approve
Tuten/Dawson
5. JAMES ISLAND PSD BONDS PUBLIC HEARING RESOLUTION - Request to Adopt
Tuten/Rhodes
6. PALMETTO COMMERCE/PATRIOT BLVD INTERSECTION IMPROVEMENTS - Award of Contract
Tuten/Tolbert

1.

**FREEDOM OF
INFORMATION
ACT**

In compliance with the Freedom of Information Act, notice of meetings and agendas were posted and distributed to news media and persons requesting notification. To provide public access, this meeting is being live streamed on the Charleston County Government website and a public access dial-in number is in use.

2.

ROLL CALL

3.

**COVID 19/
CORONAVIRUS
UPDATE**

CHARLESTON COUNTY COUNCIL

MEMORANDUM

TO: Members of Finance Committee

FROM: Kristen Salisbury, Clerk of Council

DATE: March 31, 2020

SUBJECT: COVID 19/Coronavirus Update

At the Finance Committee meeting of April 2, 2020, Emergency Management Director Jason Patno will give an update regarding COVID 19/Coronavirus.

4.

STATE OF EMERGENCY ORDINANCE EXTENSION

**AN ORDINANCE
EXTENDING THE STATE OF EMERGENCY FOR CHARLESTON COUNTY
DUE TO THE THREATS POSED BY THE 2019 NOVEL CORONAVIRUS (“COVID-19”)**

WHEREAS, pursuant to the authority granted to Charleston County Council (“County Council”) under S.C. Code Ann. § 4-9-130 and the provisions of the Code of Ordinances of Charleston County, South Carolina, Chapter 7, Emergency Preparedness, and the Charleston County Emergency Preparedness Plan, County Council adopted Ordinance #E-20-01 declaring a State of Emergency on March 17, 2020, (“Emergency Ordinance”); and

WHEREAS, the Emergency Ordinance was due to expire after fifteen (15) days due to the potential health effects and health risks posed by COVID-19 and because COVID-19 poses an actual or imminent public health emergency for the citizens of Charleston County; and

WHEREAS, the potential health effects and health risks posed by COVID-19 still exist and COVID-19 continues to pose an actual or imminent health emergency for the citizens of Charleston County, therefore, Charleston County Council desires to extend the Emergency Ordinance for an additional twenty (20) days; and

NOW, THEREFORE, Charleston County Council hereby adopts the above-referenced recitals by reference as findings of County Council and extends the Emergency Ordinance for an additional twenty (20) days, unless sooner terminated by act of Charleston County Council. Provided however, the limitation on the conduct and participation of councilmembers at Council meetings remotely (i.e., for the purpose of updates and briefings of Council) shall be removed from the Emergency Ordinance and any extensions.

If, for any reason, a court of competent jurisdiction invalidates any part of this Ordinance, the remaining portions of this Ordinance shall remain in full force.

THIS DECLARATION OF A STATE OF EMERGENCY enacted this 2nd day of April 2020.

CHARLESTON COUNTY

By: _____
J. Elliott Summey, Chairman
Charleston County Council

5.

JAMES ISLAND

PSD BONDS

PUBLIC

HEARING

RESOLUTION

CHARLESTON COUNTY COUNCIL

MEMORANDUM

TO: Members of Finance Committee

FROM: Kristen Salisbury, Clerk of Council

DATE: March 31, 2020

SUBJECT: James Island PSD Bonds Public Hearing Resolution

At the Finance Committee meeting of April 2, 2020, James Island PSD Bond Attorney CD Rhodes will provide a resolution calling for a public hearing on the matter of the issuance of General Obligation Bonds by the James Island Public Service District. The public hearing will be held on Thursday, April 30, 2020, at 12:00 PM.

A RESOLUTION

CALLING FOR AND ESTABLISHING A NEW DATE FOR A PUBLIC HEARING TO BE HELD ON THE ISSUANCE OF NOT EXCEEDING \$8,500,000 OF GENERAL OBLIGATION BONDS OF THE JAMES ISLAND PUBLIC SERVICE DISTRICT, SOUTH CAROLINA; PROVIDING FOR THE PUBLICATION OF THE NOTICE OF SUCH PUBLIC HEARING; AND OTHER MATTERS RELATING THERETO.

BE IT RESOLVED, by the County Council of Charleston County (the "**County Council**"), which is the governing body of Charleston County, South Carolina (the "**County**"):

WHEREAS, the County Council is empowered by Sections 6-11-810 through 6-11-1050, inclusive, of the Code of Laws of South Carolina 1976, as amended, (hereinafter called the "**Enabling Act**"), to authorize the governing body of any special purpose district created prior to March 7, 1973, and located in whole or in part within the County to issue general obligation bonds of such special purpose district in order to provide funds to be used in the furtherance of any power or function committed to such special purpose district and in effect on March 7, 1973; and

WHEREAS, the James Island Special Purpose District, South Carolina (hereinafter called the "**District**"), is a special purpose district located within the County and created prior to March 7, 1973, having been created by Act No. 498 of the Acts and Joint Resolutions of the General Assembly of the State of South Carolina for the year 1961, as amended, and is authorized, inter alia, to acquire and operate such facilities, equipment, and apparatus as shall be required for the provision of sewer, solid waste, and fire service within the District and to do all things necessary or convenient to carry out such authority; and

WHEREAS, the James Island Special Purpose District Commission (the "**Commission**"), the governing body of the District, has petitioned the County Council to hold a public hearing and thereafter authorize the issuance of not exceeding \$8,500,000 of general obligation bonds of the District (the "**Bonds**") in order to defray (a) the costs of (i) the planning, designing, engineering, acquisition, construction, and equipping of a fire station facility, and (ii) the acquisition of real property and capital assets used or useful in furtherance of the operation of the District ((i) and (ii) together, the "**Project**"), and (b) the costs of issuance of the Bonds. The Commission estimates that the costs of the Project, together with the costs of issuance of the Bonds, will not exceed \$8,500,000; and

WHEREAS, by resolution dated February 25, 2020, the County Council previously ordered that a public hearing be held upon the issuance of the Bonds on March 26, 2020, which public hearing was canceled due to the cancelation of the meeting of the County Council to be held on such date; and

WHEREAS, the County Council is now minded to proceed in accordance with the provisions of the Enabling Act to call for and establish a new date for a public hearing to be held on the issuance of the Bonds.

NOW THEREFORE, BE IT RESOLVED, by the County Council in a meeting duly assembled:

SECTION 1. The County Council finds that it may be in the interest of the District to raise moneys for the purpose of providing for the Project, and in that connection hereby orders a public hearing to be held upon the question of the issuance of the Bonds (the "**Public Hearing**").

SECTION 2. The Public Hearing shall be held on the question of the issuance of the Bonds on the 30th day of April, 2020 at 12:00 p.m., and the notice of the Public Hearing, the form of which is attached hereto as Exhibit A (the “**Notice**”) shall be published once a week for three (3) successive weeks in *The Post and Courier*, which is a newspaper of general circulation in the County. The first such publication shall not be less than sixteen (16) days prior to the Public Hearing date. The County Council hereby directs that the Public Hearing shall be conducted pursuant to the County Council’s “Procedures for Conducting Electronic Meetings” and the public hearing instructions and procedures set forth in the Notice.

Changes to the form of the Notice, may be approved by the Clerk of County Council prior to its initial publication in order to incorporate any additional special procedures or instructions for electronic meetings of County Council or public hearings that may be necessary or convenient.

SECTION 3. The Public Hearing shall be conducted publicly at the time and in the manner above stated and both proponents and opponents of the proposed issuance of the Bonds shall be given a full opportunity to be heard in-person or by counsel.

SECTION 4. Following the Public Hearing, the County Council shall determine whether and to what extent the Bonds should be issued.

SECTION 5. The Chairman of the County Council and the proper County officials are hereby authorized and empowered to take all necessary action to provide for the holding of the Public Hearing in accordance with the provisions of the Enabling Act.

SECTION 6. The County Council’s resolution of February 25, 2020, establishing the original date for a public hearing to be held on the issuance of the Bonds, is hereby repealed and replaced, in its entirety by this Resolution.

DONE AT NORTH CHARLESTON, SOUTH CAROLINA, this 2nd day of April 2020.

CHARLESTON COUNTY COUNCIL

(SEAL)

J. Elliott Summey, Chairman

Attest:

Kristen Salisbury, Clerk
County Council of Charleston County

NOTICE OF PUBLIC HEARING

The County Council of Charleston County (the "County Council"), which is the governing body of Charleston County, South Carolina (the "County"), is considering whether the James Island Public Service District, South Carolina (the "District") shall be authorized to issue not exceeding \$8,500,000 of general obligation bonds of the District (the "Bonds"). On February 25, 2020, the County Council adopted a resolution authorizing the holding of a public hearing on such matter. As required by Section 6-11-840 of the Code of Laws of South Carolina 1976, as amended, you are advised of the following:

1. A public hearing will be held via an electronic meeting held in accordance with the County Council's "Procedures for Conducting Electronic Meetings" on Thursday, April 30, 2020, at 12:00 p.m., on the question of the issuance of the Bonds. Those wishing to provide written public comments for the public hearing should email comments to public-comments@charlestoncounty.org by 12:00 p.m. on Thursday, April 30, 2020. Those wishing to make oral comments at the public hearing should email public-comments@charlestoncounty.org prior to 11:45 a.m. on Thursday, April 30, 2020, and provide their name and a telephone number where they can be reached. The Clerk of Council will contact those who have signed up to provide oral comments via telephone in the order the request was received. The public hearing will be livestreamed on the Charleston County Government website at <https://www.charlestoncounty.org/departments/county-council/cctv.php>.

2. The District has informed the County of its desire to issue the Bonds in order to defray the costs of (a)(i) the planning, designing, engineering, acquisition, construction, and equipping of a fire station facility, and (ii) acquiring real property and capital assets used or useful in furtherance of the operation of the District ((i) and (ii) together, the "Project"), and (b) issuing the Bonds.

3. Based on materials provided to the County, the District estimates that the costs of the Project, together with the costs of issuance of the Bonds, will not exceed \$8,500,000.

4. For the payment of the principal of and interest on the Bonds as they respectively mature and for the creation of such sinking fund as may be necessary therefor, the full faith, credit and taxing power of the District shall be irrevocably pledged, and there shall be levied on all taxable property in the District ad valorem taxes in an amount sufficient to pay principal and interest on the Bonds as the same fall due.

5. The aforesaid hearing shall be conducted publicly and both proponents and opponents of the proposed action shall be given full opportunity to be heard in person or by counsel. Following the hearing, the County Council shall, by ordinance, make a finding as to whether and to what extent the Bonds should be issued and may thereupon authorize the governing body of the District to issue the Bonds to the extent it shall be found necessary.

COUNTY COUNCIL OF CHARLESTON COUNTY

6.

**PALMETTO
COMMERCE
PKWY/PATRIOT
BLVD
INTERSECTION
IMPROVEMENTS**

COMMITTEE AGENDA ITEM

TO: BILL TUTEN, CHIEF OF STAFF/ACTING COUNTY ADMINISTRATOR
 THROUGH: CORINE ALTENHEIN, DEPUTY ADMINISTRATOR -by e-mail kes
 FROM: BARRETT J. TOLBERT *BSI* DEPT. PROCUREMENT
PALMETTO COMMERCE PARKWAY AT PATRIOT BOULEVARD
 SUBJECT: INTERSECTION
 REQUEST: AWARD OF CONTRACT
 COMMITTEE OF COUNCIL: FINANCE DATE: 4/2/2020

COORDINATION: This request has been coordinated with: (attach all recommendations/reviews)

| | Yes | N/A | Signature of Individual Contacted |
|--|-------------------------------------|--------------------------|------------------------------------|
| Legal Department | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <u>Austin Bruner by email kes</u> |
| Procurement/Contracts | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <u><i>Barrett J. Tolbert</i></u> |
| Zoning Regulations / Comp. Plan Compliance | <input type="checkbox"/> | <input type="checkbox"/> | _____ |
| Community Services | <input type="checkbox"/> | <input type="checkbox"/> | _____ |
| Grants Auditor | <input type="checkbox"/> | <input type="checkbox"/> | _____ |
| Other: Public Works | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <u>Steve Thigpen by e-mail kes</u> |
| Other: | <input type="checkbox"/> | <input type="checkbox"/> | _____ |

FUNDING: Was funding previously approved? yes no n/a

| If yes, provide the following: | Org. | Object | Balance in Account | Amount needed for item |
|--------------------------------|-----------|--------|--------------------|------------------------|
| | TE0310006 | 64842 | | \$1,333,164.90 |

NEED: Identify any critical time constraint.

BUDGET OFFICER SIGNATURE: Mack Gile by e-mail kes

Fiscal impact: Funding available in the Transportation Sales Tax and Economic Development budgets.

CHIEF OF STAFF/

ACTING COUNTY ADMINISTRATOR'S SIGNATURE: *William Tut*

ORIGINATING OFFICE PLEASE NOTE:

SITUATION

Charleston County Public Works Department proposes to complete roadway improvements at the intersection of Palmetto Commerce Parkway and Patriot Boulevard / Crosspoint Drive consisting of a turn lane and signal improvements. The work shall include, but is not limited to, milling existing asphalt pavement, traffic control, signal installation, asphalt paving, concrete sidewalk, and drainage improvements. The project will be constructed utilizing the items listed on the bid tab form in the solicitation.

Per Council Directive 18-221 dated July 25, 2018, Council has approved utilizing funds up to \$1.49 Million from Economic Development and \$285,000 from TST Allocations funds.

Bids were received in accordance with the terms and conditions of Invitation for Bid No. 5447-20C. The mandatory Small Business Enterprise (SBE) requirement for this solicitation is 12.2% and the Minority Women Disadvantaged Business Enterprise (MWDBE) goal is 25%.

| Bidder | Total Bid Price | SBE Percentage | MWDBE Percentage |
|--|------------------------|-----------------------|-------------------------|
| Truluck Construction, Inc. Charleston, South Carolina 29407 Principal: Charles E. Truluck Jr. | \$1,333,164.90 | 25.4% | 4.8% |
| L&L Contractors, Inc. Andrews, South Carolina 29510 Principal: Ervin Lambert, Sr. | \$1,410,388.45 | 19.2% | 6.5% |
| Gulf Stream Construction Company, Inc. Charleston, South Carolina 29492 Principal: J. Mark Hylton | \$1,562,165.85 | 21.9% | 23.7% |
| Blythe Development Company Charlotte, North Carolina 28273 Principal: Frank W. Blythe | \$1,978,944.87 | 17.9% | 16.6% |
| Banks Construction Company North Charleston, South Carolina 29418 Principal: Jafar Moghadam | \$2,371,744.85 | 12.8% | 17.7% |

ACTION REQUESTED OF COUNCIL

Authorize award of contract.

DEPARTMENT HEAD RECOMMENDATION

Authorize award of contract for the Palmetto Commerce Parkway at Patriot Boulevard Intersection Improvements project to Truluck Construction, Inc, the lowest responsive and responsible bidder, in the amount of \$1,333,164.90.

Funding available in the Transportation Sales Tax and Economic Development budgets