

RICHLAND COUNTY COUNCIL SOUTH CAROLINA



TRANSPORTATION AD HOC COMMITTEE

February 25, 2016
12:00 PM
Admin Conference Room

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

CALL TO ORDER

Mr. Livingston called the meeting to order at approximately 12:04 PM

ADOPTION OF THE AGENDA

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

TPAC: RECOMMENDATIONS TO COUNCIL

Mr. Rose moved to approve the TPAC's recommendation and request staff work with the TPAC to determine their administrative needs and how best way to meet those needs. The motion died for lack of a second.

Recommendation #1: Change the name of the current "Transportation Penny Advisory Committee" (TPAC) to the "Transportation Penny Oversight Committee" (TPOC).

Mr. Malinowski inquired about the purpose of changing the name.

Mr. Livingston stated the committee felt it would clarify their role.

Mr. Malinowski requested a copy of the committee's current duties.

Recommendation #2: Establish that the broad purpose of the TPOC is to: (a) provide independent, citizen-based oversight of Transportation Penny implementation; (b) ensure fiscal and programmatic integrity, ethical and equitable implementation, and accountability of the Transportation Penny; (c) review, comment on, and make recommendations to Richland County Council on Transportation Penny matters before they are considered by Council; (d) ensure transparency of Transportation Penny implementation, and inform the public of implementation progress and problems.

Mr. Manning inquired if the language of recommendation 2(a) is new or existing and what the TPAC will become "independent" of with the proposed change.

Council Members Present

Paul Livingston, Chair
District Four

Bill Malinowski
District One

Seth Rose
District Five

Jim Manning
District Eight

Others Present:

Kelvin Washington
Rob Perry
Chris Gossett
Shawn Salley
Tony Edwards
Tony McDonald
Roxanne Ancheta
Beverly Harris
Michelle Onley

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Mr. Mizell stated "independent" in this case means the committee would be able to take initiative that is not specifically delineated by Council.

Mr. Manning stated in regards to the following language in recommendation 2(b): "integrity, ethical and equitable implementation", it was his understanding there was a percentage for roads, a percentage for buses, etc. Therefore, he's not sure how the funding could be divided equitably.

Mr. Mizell stated the word "equitable" is not intended be equal, but to be understood those with the greatest needs will receive the greatest response.

Mr. Livingston suggested removing the word "equitable".

Mr. Manning inquired if there is a set of ethics this recommendation relates to.

Mr. Mizell stated this is more ethics in a broad sense.

Mr. Manning inquired if the Transportation Ad Hoc Committee or Council is tasked with consulting with Legal to determine if recommendation 2(b) creates potential liability for the TPAC members.

Mr. Livingston stated in a sense all of it will be Council since it will be forwarded to Council.

Mr. Manning moved, seconded by Mr. Malinowski, to adjourn.

Mr. Manning stated if everything is going to Council why would he need to take it up in Committee.

Mr. Malinowski stated the committee is trying to "hash" this out and the attorney may decide what is recommendations is not permitted.

Mr. Livingston moved to strike recommendation 2(b) and approve the remaining portions of recommendation #2. The motion died for lack of a second.

Mr. Manning moved, seconded by Mr. Malinowski, to approve recommendation #2 with rewording of 2(b), if necessary, for a sense of stronger purpose. The vote in favor was unanimous.

Recommendation #3: Describe, and provide an organization chart that illustrates the independent role of the TPOC in relation to the Transportation Penny Program. Require TPOC to review and comment on recommendations from the Department of Transportation/Program Development Team to County Council, before the recommendations are presented to Council.

Mr. Manning moved to divide the recommendation into 3(a) and 3(b).

Mr. Mizell stated recommendation #3 is trying to establish where TPAC falls in the review and consultation on transportation penny matters.

Mr. Livingston stated if the PDT wants to bring a bid package to Council and it has to go through TPAC first it could create a negative impact on the process.

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Mr. Manning moved, seconded by Mr. Malinowski, to approve the following language for 3(a): "Describe, and provide an organization chart that illustrates the role of the TPOC in relation to the Transportation Penny Program." The vote in favor was unanimous.

Administrator or his designee will create an organizational chart.

Mr. Malinowski inquired when recommendations come from the Department of Transportation and/or the Program Development Team, are those recommendations forwarded to TPAC.

Mr. Perry stated presently TPAC is informed of Council's action once Council has taken the recommendation up at a Council meeting.

Mr. Malinowski inquired if the TPAC members can be provided the information when Council is provided the information.

Mr. Malinowski moved, seconded by Mr. Manning, to approve the following language for 3(b): "...review and comment on recommendations from the Richland County Transportation Department and Program Development Team and will receive information at the same time it is sent to County Council (i.e. adding the TPAC members to the agenda distribution list.) The vote in favor was unanimous.

Recommendation #4: Establish that the process for appointing and removing TPOC members, and the structure and organization of the TPOC, will be the same as for the TPAC.

Mr. Manning moved, seconded by Mr. Malinowski, to table this item until after recommendation #5 is discussed. The vote in favor was unanimous.

Recommendation #5: Appoint future TPOC members who have either transportation mode, business, community or professional experience that enables them to assist the TPOC in fulfilling its purpose and executing its responsibilities. Ensure that persons seeking appointment to the TPOC have the commitment and time to serve diligently. Require persons seeking appointment to sign a no-conflict of interest statement.

Mr. Manning stated that if Council is moving this direction, public relations needs to be included.

Mr. Mizell stated he believes public relations would be included in the broad term of business.

Mr. Manning stated the applicant will need clarification of the specific requirements.

County Council has appointment authority for 6 members. Who has the responsibility of informing other municipalities of the criteria?

Mr. Malinowski recommended when an opening becomes available on the committee, the municipality is then informed of the amended criteria.

Mr. Manning stated the overall question is does Council still want what they wanted or do they want something different.

Mr. Malinowski inquired if the overall question needs to be decided by the ad hoc committee or be discussed with the full Council.

Mr. Malinowski moved, seconded by Mr. Manning, to schedule a Council work session to discuss the remaining recommendations.

Mr. Manning made a friendly amendment to secure a professional facilitator for the work session.

Mr. Rose stated he cannot support hiring an outside facilitator.

Mr. Perry stated he has seen how the use of a facilitator has assisted with moving a discussion forward.

The vote was in favor of holding a work session and to secure a facilitator.

MOTION FOR REPEAL OF SIGNIFICANT PURCHASE ORDINANCE (RICHLAND COUNTY CODE SECTION 2-591) [ROSE]

Mr. Malinowski requested the additional information requested at the last ad hoc committee meeting.

BLUFF ROAD PHASE I WIDENING PROJECT:

- a. Utility relocation recommendation** – Mr. Perry stated Council directed staff to come back with recommendations for undergrounding utilities. Staff’s recommendation on this project is to underground the utilities.

Mr. Rose moved, seconded by Mr. Manning, to approve staff’s recommendation to underground the utilities.

Mr. Malinowski inquired why SCE&G states, “The relocation of the overhead electric lines back to an overhead installation would be reimbursable and would be included in the project cost.” but staff stated the overhead relocation could not be done.

Mr. Gossett stated the utilities could be relocated overhead, but the County will still be responsible for the cost of relocation.

The vote in favor was unanimous.

- b. Supplemental IGA with SCDOT** – Mr. Manning moved, seconded by Mr. Malinowski, to table this item until the additional information is received from SCDOT. The vote in favor was unanimous.

NORTH MAIN STREET WIDENING PROJECT: AGREEMENT WITH CITY

Mr. Perry stated there are 3 agreements on North Main Street Widening. This agreement is between the City and the County. The agreement states the County is managing the project and the TIGER grant funds would come to the County through a supplemental IGA between the County and SCDOT. The main point of the

agreement is it defines the project will relocate the water and sewer of the City, but the City has to pay the County that amount.

Mr. Manning moved, seconded by Mr. Malinowski, to approve this item.

Mr. Malinowski stated he does not believe the following language: "...as approved by County Council in the Richland County Transportation Improvement Program..." is accurate since County Council did not approve the transportation improvement program.

Mr. Perry stated the intent of the language is to show that the County approved the "CTIP" funding for this project.

Mr. Malinowski requested the language be amended to reflect the funding was approved and not the actual project.

Mr. Malinowski inquired about the timeframe for the receipt of payment from the City.

Mr. Perry stated he would amend the language under the "Terms of Agreement" to include a timeframe for payment from the City.

Mr. Malinowski inquired about the language of the following language in the "Project Budget" section: "If the actual costs of the North Main Project with the exception of water and sewer improvements are less than the Project Budget, the County's financial participation shall be lowered to cover actual costs."

Mr. Perry stated the City is going to pay for the water/sewer, but if the project comes in lower they do not want to have to pay the full \$11 million they allocated.

Mr. Perry clarified the County is bidding to relocate the water/sewer line, but the County will not be liable for any utility relocated for the City.

Mr. Malinowski requested Mr. Perry verify reimbursement is to be made to the County and not by the County.

The vote in favor was unanimous.

Mr. Malinowski inquired about when construction on this project will begin.

Mr. Perry stated until the Feds approve the plans to bid the job, the agreement will not be executed.

CONCEPT REPORTS: PINEVIEW ROAD AND SHOP ROAD WIDENING PROJECTS

Mr. Perry stated the concept reports are available on these projects if anyone would like them. The project information meeting for the Pineview Road Widening is scheduled for February 29th at Bluff Road Park. The project information meeting for the Shop Road Widening is scheduled for March 10th.

COUNTY TRANSPORTATION IMPROVEMENT PROGRAM (CTIP): STATUS

Mr. Perry stated the spending plan has been received from the Finance Department, as well as, for the program. In the next month an updated County Transportation Improvement Program will be brought to committee.

OTHER BUSINESS

Mr. Rose requested an update on the analysis of the public relations portion of the PDT contract.

A discussion of the committee took place about the action taken on this item at the last committee meeting. Ms. Onley is to provide the audio from that meeting to the committee members.

ADJOURNMENT

The meeting adjourned at approximately 1:39 PM

The Minutes were transcribed by Michelle M. Onley, Deputy Clerk of Council