## **RICHLAND COUNTY**

## ADMINISTRATION AND FINANCE COMMITTEE

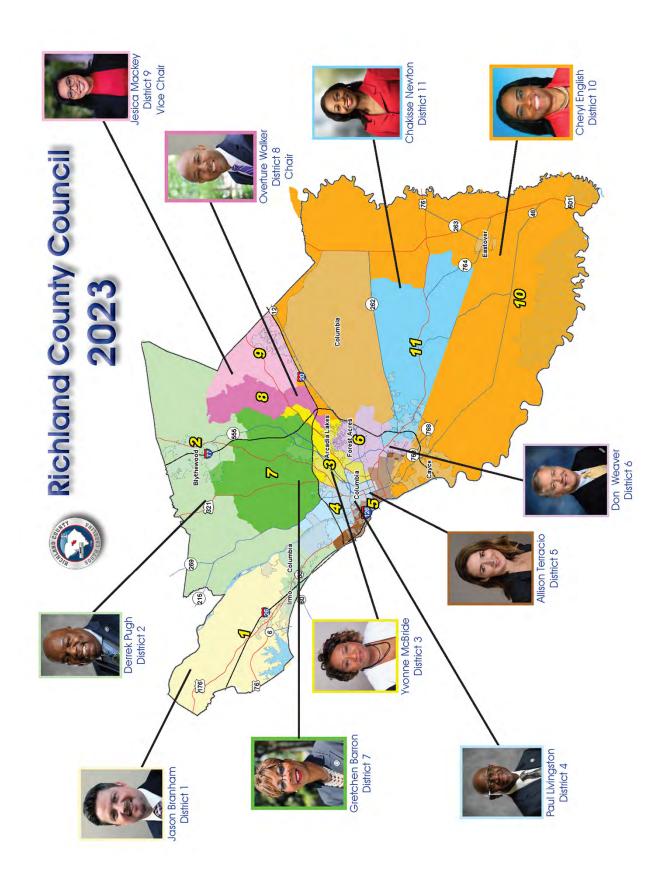
## AGENDA



## **THURSDAY NOVEMBER 16, 2023**

## 6:00 PM

## **COUNCIL CHAMBERS**



## **Richland County** Administration and Finance Committee

## AGENDA

November 16, 2023 - 6:00 PM 2020 Hampton Street, Columbia, SC 29204

| The Honorable             |
|---------------------------|---------------------------|---------------------------|---------------------------|---------------------------|
| Jason Branham             | Yvonne McBride            | Paul Livingston           | Don Weaver                | Jesica Mackey, Chair      |
| County Council District 1 | County Council District 3 | County Council District 4 | County Council District 6 | County Council District 9 |

## 1. <u>CALL TO ORDER</u>

## 2. <u>APPROVAL OF MINUTES</u>

a. October 24, 2023 [PAGES 5-6]

## 3. <u>APPROVAL OF AGENDA</u>

## 4. <u>ITEMS FOR ACTION</u>

- a. Department of Public Works Jim Hamilton LB Owens Airport (CUB) Airport – Richland County Code of Ordinances, Chapter 3, Airport [PAGES 7-35]
- b. Community Planning & Development Conservation Division - Columbia Rowing Club Operating Agreement [PAGES 36-56]
- c. Grants & Community Outreach FY23-24 CDBG Public Service Projects and Public Facilities Infrastructure Projects [PAGES 57-65]
- d. Grants & Community Outreach CDBG Substantial Amendments to Consolidated Plan and Annual Action Plans for Affordable Rental Housing Development [PAGES 66-74]

## 5. <u>ADJOURN</u>

The Honorable Jesica Mackey



The Honorable Jesica Mackey

The Honorable Jesica Mackey

The Honorable Jesica Mackey

The Honorable Jesica Mackey



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



## **Richland County Council** ADMINISTRATION AND FINANCE COMMITTEE MINUTES October 24, 2023 - 6:00 PM **Council Chambers** 2020 Hampton Street, Columbia, SC 29204

COUNCIL MEMBERS PRESENT: Jesica Mackey, Chair; Jason Branham, Paul Livingston, and Don Weaver

NOT PRESENT: Yvonne McBride

OTHERS PRESENT: Leonardo Brown, Ashiya Myers, Stacey Hamm, Michelle Onley, Angela Weathersby, Lori Thomas, Anette Kirylo, Patrick Wright, Chelsea Bennett, Michael Maloney, Dale Welch, Dante Roberts, Aric Jensen, Ashley Fullerton, Peter Cevallos, and Thomas Gilbert

1 **CALL TO ORDER** – Chairwoman Jesica Mackey called the meeting to order at approximately 6:00 PM.

#### **APPROVAL OF MINUTES** 2

September 26, 2023 – Mr. Livingston moved to approve the minutes as distributed, seconded by Mr. Weaver. a.

In Favor: Branham, Livingston, Weaver, and Mackey

Not Present: McBride

The vote in favor was unanimous.

**ADOPTION OF AGENDA** – Mr. Livingston moved to approve the minutes as distributed, seconded by Mr. Weaver. 3.

In Favor: Branham, Livingston, Weaver, and Mackey

Not Present: McBride

The vote in favor was unanimous.

#### **ITEMS FOR ACTION** 4

- <u>Department of Public Works Jim Hamilton-LB Owens Airport (CUB) Airport Richland County Code of</u> <u>Ordinances, Chapter 3, Airport</u> The County Administrator Leonardo Brown stated the existing Airport ordinance is outdated and does not reflect current administration, organization, level of service, budget a. and financial management practices, or the Airport development process. The document in the agenda packet addresses all of these areas. It organizes and streamlines descriptions of essential functions. Among the significant items addressed are:
  - Definitions: Add a section of definitions of technical aviation and airport terminology.
  - Organization: Adds a section to reflect the current County organization.
  - Airport Commission:
    - Reduces the size from nine to seven Commissioners
    - Consolidates two officer positions into one. .
    - Maintains two community representatives and expands the area from which they can be appointed.
    - Emphasizes broad, strategic responsibilities.

  - Funding: Addresses Airport funding, grants, fees, rates, and budgets. Services: Defines a basic level of Airport services. Operations and Facilities: Defines the essential operations, facilities, and airspace imaginary  $\triangleright$ surfaces.
  - Tenants: Defines tenants and various tenant businesses and organizations.
  - Enforcement: Empowers the Airport General Manager with specific, limited code enforcement powers on Airport property.

Mr. Brown noted the Airport Commission conducted a work session on this ordinance on August 31, 2023. The ordinance was recommended for approval by a unanimous vote at their September 11, 2023 meeting. The Airport Manual that was discussed is not a part of this item but will come back later.

Ms. Terracio stated that as the Airport Commission liaison, she knows the Airport Commission went through the ordinance thoroughly and has good recommendations. She noted that reducing the Commission's size may seem like a step back, but having a tighter group of more active Commissioners is a good move.

Mr. Livingston inquired how the fixed-base operator is currently chosen.

Mr. Brown stated we are currently going through a process of identifying a new fixed-base operator. The contract with the current fixed-base operator is expiring.

The Airport General Manager, Peter Cevallos, responded it is a request for information process is conducted through the Airport Commission. We will also be working closely with the Procurement Director and Legal. Ultimately, it will be presented to Council for approval.

Mr. Livingston inquired about the rationale for going from nine to seven commissioners.

Mr. Cevallos replied he was not sure as he is new to the General Manager position but felt the Airport Commission liaison had defined it clearly.

Mr. Weaver stated the Airport Commission wants to lower the number of Commissioners because it will be easier to get a quorum. He noted there have been times when they have had difficulty in getting a quorum.

Ms. Mackey inquired about how many members we currently have and whether we are telling someone they cannot return.

The Clerk of Council, Anette Kirylo, stated the Airport Commission currently has nine Commissioners appointed.

Ms. Terracio responded it was her thought that when the next two Commissioners rolled off, the Airport Commission would maintain the seven positions.

Ms. Mackey stated she would like to get that confirmed. She stated if there are currently nine Commissioners that Council has voted to serve, she would like to have Council to have a say in determining how we reduce the number to seven.

Mr. Branham inquired if the boundaries for the community representative were stated in the current ordinance and if the area was smaller than what is stated in the proposed ordinance.

Ms. Terracio responded it was her understanding they were neighborhood designations.

Mr. Branham inquired if the language highlighted in gray is the portion that is being amended.

Mr. Brown stated he would have to confirm what the changes are.

Mr. Livingston moved to defer this item until the November committee meeting, seconded by Mr. Branham.

In Favor: Branham, Livingston, Weaver, and Mackey

Not Present: McBride

The vote in favor was unanimous.

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

In Favor: Branham, Livingston, Weaver, and Mackey

Not Present: McBride

The vote in favor was unanimous.

The meeting adjourned at approximately 6:24 PM.

## RICHLAND COUNTY ADMINISTRATION

2020 Hampton Street, Suite 4069 Columbia, SC 29204 803-576-2050



## Agenda Briefing

Prepared by:	epared by: Christopher S. Eversmann, AAE		Title:	G	Senera	l Manager	
Department:	Public Works		Division: Airp		Airpo	ort (CUB)	
Date Prepared:	September 15, 2023		Meeting Date:		Date:	October 24, 2023	
Legal Review	Legal Review Elizabeth McLean via email			Date:		October 17, 2023	
Budget Review	Abhijit Deshpande via email			Date:		September 28, 2023	
Finance Review	Stacey Ham	Stacey Hamm via email		Date:		October 11, 2023	
Approved for conside	ration:	Assistant County Administrator		John M. Thompson, Ph.D., MBA, CPM		ompson, Ph.D., MBA, CPM, SCCEM	
Meeting/Committee Administration & Finance							
Subject Richland County Code of Ordinances, Chapter 3, Airport				t			

### **RECOMMENDED/REQUESTED ACTION:**

The Richland County Airport Commission and the staff of the Jim Hamilton - LB Owens Airport (CUB) recommend approval of the updated Airport Ordinance.

## Request for Council Reconsideration: Xes

### FIDUCIARY:

Are funds allocated in the department's current fiscal year budget?	Yes	$\boxtimes$	No
If not, is a budget amendment necessary?	Yes	$\boxtimes$	No

### **ADDITIONAL FISCAL/BUDGETARY MATTERS TO CONSIDER:**

There are no specific fiscal or budgetary implications to this ordinance; it reflects current management practices, service levels, and level of funding.

### **OFFICE OF PROCUREMENT & CONTRACTING FEEDBACK:**

Not applicable.

### COUNTY ATTORNEY'S OFFICE FEEDBACK/POSSIBLE AREA(S) OF LEGAL EXPOSURE:

The County Attorney's Office recommended further edits and revisions which were incorporated into the draft ordinance document as attached.

### **REGULATORY COMPLIANCE:**

This ordinance update is consistent with FAA Grant assurances and SC Code, Title 55.

### **MOTION OF ORIGIN:**

This update of Chapter 3 did not originate with a County Council motion.

## **STRATEGIC & GENERATIVE DISCUSSION:**

The existing Airport ordinance is very dated and does not reflect current administration, organization, levels of service, budget and financial management practices, or the Airport development process. This document is an update that addresses all of these areas. Though a longer document, it organizes and streamlines descriptions of essential functions. Among the significant items addressed are:

- Definitions: Adds a section of definitions of technical aviation and airport terminology.
- Organization: Adds a section to reflect current County organization.
- Airport Commission:
  - o Reduces the size from nine to seven Commissioners.
  - Consolidates two officer positions into one.
  - Maintains two community representatives and expands the area from which they can be appointed.
  - Emphasizes broad, strategic responsibilities.
- Funding: Addresses Airport funding, grants, fees, rates, and budgets.
- Services: Defines a basic level of Airport services.
- Operations and Facilities: Defines the essential operations, facilities, and airspace imaginary surfaces.
- Tenants: Defines tenants and various tenant businesses and organizations.
- Enforcement: Empowers the Airport General Manager with specific, limited codes enforcement powers on Airport property.

## Associated Strategic Goal, Objective, and Intiative:

- Goal 1: Foster Good governance
  - o Updates, streamlines, and right-sizes the Airport Commission
- Objective 3.1: Align budget to priorities and seek alternative revenue sources
  - Lists FAA and SCAC Airport Development Grants
- Objective 4.3: Create excellent facilities
  - Accounts for Airport Facility types

## ADDITIONAL COMMENTS FOR CONSIDERATION:

The Airport Commission conducted a work session on this ordinance on August 31, 2023. The ordinance was recommended for approval by a unanimous vote at their September 11, 2023 meeting.

### **ATTACHMENTS:**

1. Proposed Richland County Code of Ordinances, Chapter 3, Airport

## CODE OF ORDINANCES oF RICHLAND COUNTY, SOUTH CAROLINA CONTAINING THE GENERAL ORDINANCES OF THE COUNTY

## **CHAPTER 3: AIRPORT\***

Cross reference(s)--Department of public works, § 2-192 et seq.; buildings and building regulations, Ch. 6; planning, Ch. 20; roads, highways and bridges, Ch. 21; land development regulations, Ch. 26. State law reference(s)--Aeronautics generally, SC Code 1976, § 55-1-10 et seq.; Richland-Lexington Airport District, § 55-11-310 et seq.

## **ARTICLE I. ADMINISTRATION**

## Sec. 3-1. In General

Richland County shall provide a general aviation airport known as the Jim Hamilton – LB Owens Airport. The airport shall be part of The National Plan of Integrated Airport Systems (NPIAS). The primary mission of the Airport is to provide facilities for the safe and efficient use of general aviation aircraft in support of transportation needs and economic development of the Midlands area and the State of South Carolina. The secondary mission is to provide a reliever airport for Columbia Metropolitan Airport (CAE).

## Sec. 3-2. Definitions

- (a) (Aircraft) Noise Abatement Those voluntary aircraft operating procedures developed for use in the vicinity of the airport that minimize the environmental effects of aircraft noise.
- (b) Airport General Manager The designated County Employee who manages the Jim Hamilton LB Owens Airport (CUB) on behalf of the Airport Sponsor.
- (c) Airport Overlay District Per chapter 26 of the Richland County code of Ordinances, Airport Height Restrictive Overlay District. An area surrounding the Airport the purpose of which is to ensure that future land development in the district is compatible with height restrictions associated with airspace imaginary surfaces and anticipated and projected aircraft noise levels. Shall include a map reflecting the district boundaries and other physical characteristics thereof.
- (d) Airport Reference Code (ARC) A system of code numbers and letters selected for airport planning purposes in accordance with the characteristics of the aircraft for which an airport facility is intended.
- (e) Airport Sponsor Richland County, the owner of the Airport.
- (f) Airspace Obstruction (to air navigation) An object, whether existing or planned, permanent or temporary, to include natural vegetative growth on terrain, that penetrates airspace imaginary surfaces. Obstructions are presumed to be hazards to air navigation until a Federal Aviation Administration (FAA) study determines otherwise and must be mitigated by marking or removal.
- (g) ARFF Aircraft Rescue and Fire Fighting.
- (h) CTAF Common Traffic Advisory Frequency. Utilizes the same designated frequency as UniCom for the purpose of communication between aircraft.
- (i) Fixed-Base Operator (FBO) FBO is an entity or person allowed to provide fixed based operations by virtue of an agreement with Richland County.
- (j) Minimum Standards Those required conditions an operator must meet in order to provide a commercial service on the airport. These standards are required in order to establish conditions

that ensure safe and efficient operation of the airport in accordance with FAA rules, regulations, and guidance as well as industry best practices.

- (k) National Air Transportation Association (NATA) The public policy group that represents the interests of the general aviation business community before the Congress and federal, state and local government agencies.
- (I) National Airspace System (NAS) The airspace, navigation facilities, and airports of the United States (US) along with their associated information, services, rules, regulations, policies, procedures, personnel and equipment. It includes components shared jointly with the military.
- (m) National Plan of Integrated Airport Systems (NPIAS) An inventory of significant US aviation infrastructure assets.
- (n) Part 77 Airspace (more fully, 14 CFR, Part 77) That collection of imaginary surfaces surrounding an airport runway that establish standards and notification requirements for objects affecting safe aircraft navigation. This notification serves as the basis for evaluating the effect of the construction, facility alteration, or vegetative growth on airborne operating procedures surrounding the airport.
- (o) Specialized Aviation Service Operator (SASO) Any person or organization who is authorized to conduct business by virtue of a contract with the County, but not engaged in business of an aviation nature within the scope of a Fixed Base Operator (FBO), or a local operation, as defined herein.
- (p) Universal Communication (UniCom) A non-government air/ground radio communication facility which may provide Airport Advisory Services.

## Sec. 3-3. Organization.

The Airport shall be assigned to the County Department of Public Works. It shall be managed by a designated General Manager who shall be a County Employee.

## Sec. 3-4. Applicability.

Provisions of this ordinance apply to The Richland County Airport Commission, airport staff, the Fixed-Base Operator (FBO), Specialized Aviation Service Operators (SASOs), aeronautical and non-aeronautical businesses operating at the Airport, Airport tenants and their guests, and those planning to develop properties in close proximity thereto.

Secs. 3-5 – 3-6. Reserved for Future Use.

## ARTICLE II. RICHLAND COUNTY AIRPORT COMMISSION

### Sec. 3-7. In General.

The county council does hereby establish the Richland County Airport Commission to advise and assist the county council in providing public aviation facilities and services and to promote aviation as an efficient transportation mode and a means of broadening the economic base of Richland County.

Sec. 3-8. Composition; terms; officers; meetings.

- (a) The Richland County Airport Commission shall consist of nine (9) seven (7) commissioners to be appointed by the county council; provided, however, that at least two (2) of the appointees shall be designated as "Community Representatives" and reside within a two-mile radius of the Airport. An exhibit showing this area is contained in Appendix A to this Article.
- (b) The term of office of each commissioner shall be for a period of four (4) years or until his successor is appointed and qualified.
- (c) The commission shall elect a chairman each calendar year. The chairman shall be the executive head of the commission. The commission shall choose from among its members a vice chairman, a secretary, and a treasurer. The positions of secretary and treasurer may be combined into a single position by vote of the Commission.
- (d) The commission shall meet at such times and places as determined by the chairman, but shall hold at least one meeting every two months. The Airport General Manager shall serve as administrative assistant to the commission. All meetings of the commission shall be conducted in compliance with the South Carolina Freedom of Information Act (FOIA).
- (e) One or more members of the county council shall be assigned by the chairman of the county council as liaisons to the Airport Commission.

(Ord. No. 1788-88, § I, 9-20-88; Ord. No. 2162-91, § I, 12-3-91)

Sec. 3-9. Authority, duties, and responsibilities.

The commission shall have the following authority, duties, and responsibilities:

- (a) To advise the county council on the operation, maintenance, and development and control of the Jim Hamilton – LB Owens Airport and to recommend to the county council such rules and regulations for the operation of the airport as the commission shall deem advisable.
- (b) To control itself by the vote of a majority of those voting in meetings duly called and held. At all meetings of the commission a majority of its members shall constitute a quorum.
- (c) To adopt bylaws governing its operation, fixing the duties of its officers and their terms of office, and the method of handling its affairs. The bylaws shall not be in conflict with any laws governing the commission.
- (d) To review and approve initial applications for Commercial Aviation Operators and Flight Instruction operations.
- (e) To consider requests and appeals of tenants regarding continued hangar occupancy.

(Ord. No. 1788-88, § II, 9-20-88; Ord. No. 003-96HR, § I, 1-2-96)

Secs. 3-10 – 3-11. Reserved for Future Use.

## **ARTICLE III. FINANCE**

Sec. 3-12. In General.

The Airport is a designated enterprise and shall, in accordance with Federal Aviation Administration (FAA) Grant Assurances, seek financial self-sustainment. It shall follow the County's Fiscal Year.

Sec. 3-13. Airport Fund.

The Airport Fund shall be established and maintained in accordance with the rules and accounting practices of government enterprises. County revenue generated through airport operations shall sustain this fund.

### Sec. 3-14. Rates and Fees.

A master schedule of airport rates and fees shall be published annually in accordance with the County's budget process.

### Sec. 3-15. Grants.

Federal and State Grant funding opportunities to promote the development and maintenance of the Airport consistent with the Airport Capital Improvement Plan (ACIP) and available local matching funds shall be utilized when appropriate.

#### Sec. 3-16. Hangar lease agreement.

Any person desiring to lease a hangar for the storage of an aircraft at the Jim Hamilton – LB Owens Airport may complete a standard hangar lease agreement supplied by the county and submit the same to the county's leasing agent. Such lease shall be subject to approval by council. (Code 1976, § 7-1094; Ord. No. 457-77, 10-27-77; Ord. No. 003-96HR, § I, 1-2-96)

### Sec. 3-17. Operating budget.

The Airport General Manager shall prepare, on a recurring basis, an Airport operating budget request as part of the County's budget process. This request shall be in accordance with guidance provided by the County Administrator.

### Sec. 3-18. Funding.

The county council may appropriate and provide to the Airport Fund such sums of money as a majority of the county council may deem necessary for the purposes of the airport and its operation and maintenance.

(Ord. No. 1788-88, § III, 9-20-88)

Sec. 3-19 Hangar Security Deposits.

A security deposit equal in amount to one-month's rent at the time of the execution of the initial hangar lease shall be collected from the lessee by the leasing agent on behalf of the Airport Sponsor. These funds shall be maintained and accounted for by the Airport Sponsor. If all provisions of the lease are satisfactorily met at the time of termination of the lease, the original amount of the security deposit shall be promptly refunded to the lessee.

Sec. – 3-20. Reserved for Future Use.

## **ARTICLE IV. SERVICES**

Sec. 3-21. In General.

The Airport shall offer appropriate aviation and support services in order to ensure the safety and efficiency of the flying public and those patrons using those facilities.

Sec. 3-22. Minimum Standards.

Airport Minimum Standards shall be developed and maintained in order to ensure the quality of operations, facilities, and services at the Airport.

Sec. 3-23. Fixed-Base Operator (FBO).

An FBO shall provide these required services on behalf of Airport tenants and patrons:

- (a) Administering Hangar and other Airport leases
- (b) Operation and Maintenance of the Airport Fuel Farm
- (c) Dispensing Aviation Fuel
- (d) Staffing the Airport Terminal during established hours of operation
- (e) Provide Aircraft Hangar pull-in and pull-out (tug) services for based Aircraft
- (f) Operate Aviation Band Radio Communications on an assigned UniCom / CTAF.
- (g) Removal of disabled aircraft within the Runway or Runway Safety Area (RSA) when authorized in order to restore Airport functioning

If consistent with the any Fixed-Based Operator Agreement with the Airport Sponsor, other optional services may be provided as well, as authorized by the Airport Commission and General Manager.

### Sec. 3-24. Flight Training.

Flight Training provided by Certificated Flight Instructors (CFIs) may be offered at the airport as an optional service.

### Sec. 3-25. Aircraft Fueling.

Aircraft Fueling may be provided by properly trained FBO Line Staff in accordance with current Fire Codes and NATA standards. Self-service fuel, if offered, may be provided to aircraft operators as well. This Section shall be applicable in the future to electrical charging of aircraft if available.

Sec. 3-26. Specialized Aviation Service Operator (SASO).

Additional aeronautical services may be provided to Airport tenants and patrons by SASO(s) authorized by the Airport General Manager and the Airport Commission in accordance with published Airport Minimum Standards.

### Sec. 3-27. Weather.

The Airport shall make ground and facilities available for the placement by others of an automated weather station for the purpose of advising aircraft operators of current conditions.

Secs. 3-28 – 3-29. Reserved for Future Use.

### **ARTICLE V. AIRPORT OPERATIONS**

Sec. 3-30. In General.

The Airport shall operate in a manner that promotes safety, efficiency, and long-term preservation of its efficacy.

## Sec. 3-31. Rules & Regulations.

A comprehensive set of rules and regulations governing the operation of the Airport shall be maintained and published periodically as recommended by the Airport General Manager and the Airport Commission and approved by county council. These shall be incorporated into an *Airport Manual*.

## Sec. 3-32. UniCom / CTAF License.

A license, issued by the Federal Communications Commission (FCC), to operate UniCom / CTAF in support of airport operations on a designated aviation band frequency shall be maintained by the Airport Sponsor.

## Sec. 3-33. Clear Airspace and Obstructions.

Part 77 airspace surrounding the Airport shall be managed through the maintenance of Airport Overlay Districts (AODs) enacted by the County and the City. Any obstruction that penetrates this airspace shall be appropriately mitigated by removal or marking.

## Sec. 3-34. Imaginary Surfaces.

Imaginary surfaces that make up Part 77 airspace include the following as specifically defined in the Code of Federal Regulations (CFR):

- (a) Primary Surface
- (b) Approach Surface (inner and outer)
- (c) Transitional Surface
- (d) Horizontal Surface
- (e) Conical Surface

## Sec. 3-35. Avigation Easements.

Avigation easements may be obtained by the Airport Sponsor as a means of ensuring that it has the rights necessary to mitigate any obstruction.

## Sec. 3-36. Airport Overlay Districts.

The County and the City shall enact Airport Overlay District (AODs) ordinances in order to ensure compatible surroundings to the Airport and its operation as well as associated Airspace.

## Sec. 3-37. Noise Abatement.

The Airport shall maintain and promote voluntary noise abatement procedures as a means of promoting harmonious conditions with the Airport's neighboring commercial and residential communities.

Sec. 3-38. Prohibited Operations.

The following aircraft operations are prohibited at the airport:

- (a) Parachute Jumping 14 CFR § 105.23 states (for airports without an operating Air Traffic Control Tower), "No person may conduct a parachute operation, and no pilot in command of an aircraft may allow a parachute operation to be conducted from that aircraft, over or onto any airport unless prior approval has been obtained from the management of the airport to conduct parachute operations over or on that airport."
- (b) Stunt Flying or Aerobatics No person shall operate an aircraft in a careless or reckless manner so as endanger the life or property of others by "buzzing", diving, or low altitude flying.

## Sec. 3-39. ARFF Support.

ARFF support shall be provided to the airport by the Richland – Columbia Fire Service. The Chief of the Fire Service shall maintain an adequate cadre of fire fighters available that have received ARFF training from the South Carolina Fire Academy or a like facility.

Sec. 3-40. Operating Motor Vehicles on the Airport.

No Privately Owned Vehicles (POV) shall enter the Airfield (including Runway 31 - 13, Taxiway A, and Stub Taxiways A-1 through A-5) without authorization from the Airport General Manager or, in his absence, senior Airport or FBO Staff. Unauthorized access by POVs or pedestrians is subject to issuance of a citation and a fine of  $_{--}$ . Parking is only authorized in designated areas.

Secs. 3-41 – 3-42. Reserved for future use.

### **ARTICLE VI. FACILITIES**

### Sec. 3-43. In General.

The Airport shall develop and maintain facilities necessary to ensure the safe, efficient, and financially beneficial operation of the Airport.

### Sec. 3-44. Terminal.

A terminal building shall serve as the central location for Airport operations and base for airport staff and the FBO.

### Sec. 3-45. Hangars.

Hangars for the storage of appropriately-sized aircraft may be developed, maintained, and leased. Revenue generated shall be deposited into the Airport Fund for the ongoing operation, maintenance, and development of the Airport. If demand for hangars exceeds availability, the Airport General Manager shall maintain a running hangar waiting list which will serve as a basis for assignment of hangars on a first come, first served basis as vacancies occur.

Sec. 3-46. Airfield.

The airfield, and all of its attendant improvements, shall be maintained in order to achieve safe and efficient aircraft operation commensurate with the assigned Airport Reference Code (ARC) of this Airport. The ARC for the airport at the time of publication is B-II.

#### Sec. 3-47. Planning and Development.

Planning and development of the Airport shall be in accordance with policies, procedures, and best practices promulgated by the Federal Aviation Administration (FAA), the South Carolina Aeronautics Commission (SCAC), and the Airport Sponsor. An Airport Master Plan, an Airport Layout Plan (ALP), and a Capital Improvement Plan (CIP) shall be maintained by the Airport General Manager and updated as needed from time to time. The services of an Airport Planning and Engineering Consultant may be engaged in order to assist in this effort.

#### Sec. 3-48. Construction and demolition of Airport Facilities.

Airport Facilities shall be constructed and demolished in accordance with the Airport CIP with the concurrence of the County Administrator. Development grant funds from the FAA, the SCAC, or other sources may be used for this purpose.

Secs. 3-49 – 3-50. Reserved for future use.

### **ARTICLE VII. TENANTS**

#### Sec. 3-51. In General.

Tenants may be aircraft owners who are individuals, businesses, or joint owners. They may also be aeronautical or non-aeronautical businesses or groups promoting aviation.

#### Sec. 3-52. Hangar Tenants.

Hangars are developed and leased to tenants for the benefit of General Aviation (GA) operators and the safe and secure storage of their aircraft and associated accessories. Limitations may be placed on the continued use of hangars for the storage of aircraft that are not currently airworthy or flyable.

### Sec. 3-53. Aviation Organizations.

Aviation organizations that provide education, fellowship, and advocacy also, directly or indirectly, support the operation, growth, and development of the Airport consistent with the goals of Richland County Council. They may be based at the Airport and provided meeting space based on availability and consistent with airport operations and fair market value in the case of leased space.

#### Sec. 3-54. Businesses (Aeronautical).

Aeronautical businesses may be an FBO, a SASO, or another business that functions directly to support the Airport or other aviation or aerospace industries. They may be based at the Airport under the provisions of a lease agreement or other contractual instrument approved by the county council. The Airport General Manager shall operate a system by which other Commercial Airport Operators, such as

vendors providing services on behalf of other tenants, are officially permitted and meet appropriate minimum standards.

## Sec. 3-55. Businesses (non-Aeronautical).

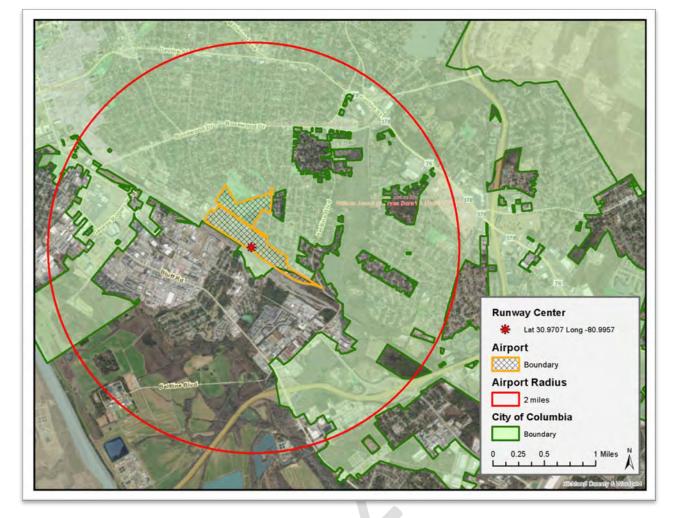
Non-aeronautical businesses may be based at the airport under the provisions of a lease agreement or other contractual instrument approved by the County Council. The Airport General Manager shall operate a system by which other Commercial Airport Operators, such as vendors providing services on behalf of other tenants, are officially permitted and meet appropriate minimum standards.

## **ARTICLE VIII. ENFORCEMENT**

## Sec. 3-55. In General.

The Airport General Manager shall be responsible for enforcing all rules and regulations contained herein and that may be established in the *Airport Manual*. Such enforcement shall be conducted in a fair, equitable, and non-discriminatory manner. The Airport General Manager shall be commissioned as a County Codes Enforcement Officer with authority limited to enforcement of this ordinance and regulations contained in the *Airport Manual* on Airport property and may issue citations for violations thereof.

Secs. 3-56 – 3-57. Reserved for future use.



Community Representative area (2-mile radius)

Appendix A

803-576-2050



## Agenda Briefing Addendum

Prepared by:	Peter Cevallos		Title:		General Manager		
Department:	Public Works		Division:		Jim Hamilton – LB Owens Airport (CUB)		
Date Prepared:	Prepared: October 25, 2023		Meeting Date:		October 24, 2023		
Approved for Consideration: Assistant County			Administrator John M. Thompson, Ph.D., MBA, CPM, SCC		. Thompson, Ph.D., MBA, CPM, SCCEM		
Committee/Meeting: Development & Services							
Agenda Item:	4a. Depa	rtment of Public W	Vorks - Jim Hamilton – LB Owens Airport (CUB) – Richland County				
	of Ordinances, Chapter 3, A						

## **COUNCIL INQUIRY #1:**

Please explain the rationale for reducing the number of Airport commissioners.

## Reply:

The Richland County Airport Commission (RCAC) recommends reducing the number of participating members from nine (9) members to seven (7) based on the conclusion that having nine (9) members frequently challenges the RCAC to establish a meeting quorum to conduct its normal business, and this reduction will create a more efficient and effective body. Further, the current number exceeds the standard the SC Aeronautics Commission and other state peer airports utilize to discharge their comparable duties and responsibilities.

## COUNCIL INQUIRY#2:

How will the commission be reduced to seven (7) members if there are currently nine (9) members appointed and serving?

## Reply:

The RCAC membership will be reduced through normal attrition and retirement of the participating members. As those longest serving members conclude their terms, those specific positions will not be filled.

## COUNCIL INQUIRY#3:

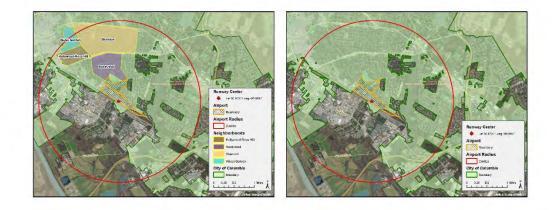
Prior to the recommended changes, how large was the size of the area where the community representatives were found and/or from what neighborhoods were they appointed/designated? Was the area/neighborhoods defined in an ordinance?

## Reply:

Per Section 3-21 (b): "The Richland County Airport Commission shall consist of nine (9) commissioners to be appointed by the county council; provided, however, that at least two (2) of the appointees shall reside in either the Rosewood, Shandon, or Hollywood-Rose Hill-Wales Garden area."

The Commission has recommended a larger recruitment area. The image on the left shows the highlighted neighborhoods as identified by the current ordinance. The image on the right illustrates the recommended the two-mile radius which provides a much larger area from which to recruit neighborhood representatives. A larger version of the below image is included as Attachment 3.

## Airport ordinance (draft)



## COUNCIL INQUIRY#3:

The committee has requested a "Track Changes" version of the manual which includes the markup of the text.

## Reply:

Please see attachment 1.

## **ATTACHMENTS:**

- 1. Track Changes of Ordinance
- 2. Current County Ordinance
- 3. Proposed recruitment area

#### CODE OF ORDINANCES OF RICHLAND COUNTY, SOUTH CAROLINA CONTAINING THE GENERAL ORDINANCES OF THE COUNTY

#### **CHAPTER 3: AIRPORT\***

Cross reference(s)--Department of public works, § 2-192 et seq.; buildings and building regulations, Ch. 6; planning, Ch. 20; roads, highways and bridges, Ch. 21; land development regulations, Ch. 26. State law reference(s)--Aeronautics generally, SC Code 1976, § 55-1-10 et seq.; Richland-Lexington Airport District, § 55-11-310 et seq.

#### **ARTICLE I. ADMINISTRATION**

#### Sec. 3-1. In General

Richland County shall provide a general aviation airport known as the Jim Hamilton – LB Owens Airport. The airport shall be part of The National Plan of Integrated Airport Systems (NPIAS). The primary mission of the Airport is to provide facilities for the safe and efficient use of general aviation aircraft in support of transportation needs and economic development of the Midlands area and the State of South Carolina. The secondary mission is to provide a reliever airport for Columbia Metropolitan Airport (CAE).

#### Sec. 3-2. Definitions

- (a) (Aircraft) Noise Abatement Those voluntary aircraft operating procedures developed for use in the vicinity of the airport that minimize the environmental effects of aircraft noise.
- (b) Airport General Manager The designated County Employee who manages the Jim Hamilton LB Owens Airport (CUB) on behalf of the Airport Sponsor.
- (c) Airport Overlay District <u>Per chapter 26 of the Richland County code of Ordinances</u>, <u>Airport Height Restrictive Overlay District</u>. An area surrounding the Airport the purpose of which is to ensure that future land development in the district is compatible with height restrictions associated with <u>airspace imaginary surfaces</u> and anticipated and projected aircraft noise levels. Shall include a map reflecting the district boundaries and other physical characteristics thereof.
- (d) Airport Reference Code (ARC) A system of code numbers and letters selected for airport planning purposes in accordance with the characteristics of the aircraft for which an airport facility is intended.
- (e) Airport Sponsor Richland County, the owner of the Airport.
- (f) Airspace Obstruction (to air navigation) An object, whether existing or planned, permanent or temporary, to include natural vegetative growth on terrain, that penetrates airspace imaginary surfaces. Obstructions are presumed to be hazards to air navigation until a Federal Aviation Administration (FAA) study determines otherwise and must be mitigated by marking or removal.
- (g) ARFF Aircraft Rescue and Fire Fighting.
- (h) CTAF Common Traffic Advisory Frequency. Utilizes the same designated frequency as UniCom for the purpose of communication between aircraft.
- (i) Fixed-Base Operator (FBO) FBO is an entity or person allowed to provide fixed based operations by virtue of an agreement with Richland County.
- (j) Minimum Standards Those required conditions an operator must meet in order to provide a commercial service on the airport. These standards are required in order to establish conditions

Formatted: Highlight

-	Deleted: <mark>I</mark>
	Formatted: Highlight
$\langle \rangle$	Deleted: <mark>A</mark>
$\langle \rangle$	Deleted: <mark>S</mark>
	Deleted:
	Deleted:
	Deleted: ⊤
	Deleted: Richland County Council.

#### Deleted: A

Formatted: Highlight

Deleted: ny person who shall have entered into a written lease or agreement with the County for the use of any building, shop, or hangar, or for the site upon which such a building might be erected, and who by further agreement, guarantees to provide, on the Airport, certain services to the public.

that ensure safe and efficient operation of the airport in accordance with FAA rules, regulations, and guidance as well as industry best practices.

- (k) National Air Transportation Association (NATA) The public policy group that represents the interests of the general aviation business community before the Congress and federal, state and local government agencies.
- (I) National Airspace System (NAS) The airspace, navigation facilities, and airports of the United States (US) along with their associated information, services, rules, regulations, policies, procedures, personnel and equipment. It includes components shared jointly with the military.
- (m) National Plan of Integrated Airport Systems (NPIAS) An inventory of significant US aviation infrastructure assets.
- (n) Part 77 Airspace (more fully, 14 CFR, Part 77) That collection of imaginary surfaces surrounding an airport runway that establish standards and notification requirements for objects affecting safe aircraft navigation. This notification serves as the basis for evaluating the effect of the construction, facility alteration, or vegetative growth on airborne operating procedures surrounding the airport.
- (o) Specialized Aviation Service Operator (SASO) Any person or organization who is authorized to conduct business by virtue of a contract with the County, but not engaged in business of an aviation nature within the scope of a Fixed Base Operator (FBO), or a local operation, as defined herein.
- (p) Universal Communication (UniCom) A non-government air/ground radio communication facility which may provide Airport Advisory Services.

#### Sec. 3-3. Organization.

The Airport shall be assigned to the County Department of Public Works. It shall be managed by a designated General Manager who shall be a County Employee.

#### Sec. 3-4. Applicability.

Provisions of this ordinance apply to The Richland County Airport Commission, <u>airport staff</u>, the Fixed-Base Operator (FBO), Specialized Aviation Service Operators (SASOs), <u>aeronautical</u> and non-<u>aeronautical businesses</u> operating at the Airport, Airport tenants and their guests, and those planning to develop properties in close proximity thereto.

Secs. 3-5 – 3-6. Reserved for Future Use.

#### ARTICLE II. RICHLAND COUNTY AIRPORT COMMISSION

#### Sec. 3-7. In General.

The county council does hereby establish the Richland County Airport Commission to advise and assist the county council in providing public aviation facilities and services and to promote aviation as an efficient transportation mode and a means of broadening the economic base of Richland County.

Sec. 3-8. Composition; terms; officers; meetings.

**Deleted:** The Airport General Manager shall be guided in his duties by a County Job Description (JD) and classified according to the County's employee classification and compensation system.

Deleted: Airport

Deleted: Staff

Deleted: Aeronautical

Deleted: Aeronautical

Deleted: Businesses

- (a) The Richland County Airport Commission shall consist of <u>nine (9)</u> seven (7) commissioners to be appointed by the county council; provided, however, that at least two (2) of the appointees shall be designated as "Community Representatives" and reside within a two-mile radius of the Airport. An exhibit showing this area is contained in <u>Appendix A to this Article</u>.
- (b) The term of office of each commissioner shall be for a period of four (4) years or until his successor is appointed and qualified.
- (c) The commission shall elect a chairman each calendar year, The chairman shall be the executive head of the commission. The commission shall choose from among its members a vice chairman, a secretary, and a treasurer. The positions of <u>secretary</u> and <u>treasurer</u> may be combined into a single position by vote of the Commission,
- (d) The commission shall meet at such times and places as determined by the chairman, but shall hold at least one meeting every two months. The Airport General Manager shall serve as administrative assistant to the commission. All meetings of the commission shall be conducted in compliance with the South Carolina Freedom of Information Act (FOIA).
- (e) One or more members of the <u>county council</u> shall be assigned by the <u>chairman</u> of the <u>county</u> <u>council</u> as liaisons to the Airport Commission.

(Ord. No. 1788-88, § I, 9-20-88; Ord. No. 2162-91, § I, 12-3-91)

Sec. 3-9. Authority, duties, and responsibilities.

The commission shall have the following authority, duties, and responsibilities:

- (a) To advise the county council on the operation, maintenance, and development and control of the Jim Hamilton – LB Owens Airport and to recommend to the county council such rules and regulations for the operation of the airport as the commission shall deem advisable.
- (b) To control itself by the vote of a majority of those voting in meetings duly called and held. At all meetings of the commission a majority of its members shall constitute a quorum.
- (c) To adopt bylaws governing its operation, fixing the duties of its officers and their terms of office, and the method of handling its affairs. The bylaws shall not be in conflict with any laws governing the commission.
- (d) To review and approve initial applications for Commercial Aviation Operators and Flight Instruction operations.
- (e) To consider requests and appeals of tenants regarding continued hangar occupancy.
- (Ord. No. 1788-88, § II, 9-20-88; Ord. No. 003-96HR, § I, 1-2-96)

Secs. 3-10 – 3-11. Reserved for Future Use.

#### ARTICLE III. FINANCE

Sec. 3-12. In General.

The Airport is a designated enterprise and shall, in accordance with Federal Aviation Administration (FAA) Grant Assurances, seek financial self-sustainment. It shall follow the County's Fiscal Year,

Deleted: (FY)

Sec. 3-13. Airport Fund.

Deleted: Richland County Counci
Deleted: II
Deleted: Chairman
Deleted: County
Deleted: Council
Deleted: each CY

Formatted: Strikethrough, Highlight

Deleted: enclosure (1)

Deleted: (CY)

Deleted: Secretary

Deleted: Treasurer

Deleted: each CY

The Airport Fund shall be established and maintained in accordance with the rules and accounting practices of government enterprises. County revenue generated through airport operations shall sustain this fund.

#### Sec. 3-14. Rates and Fees.

A master schedule of airport rates and fees shall be published annually in accordance with the County's budget process.

#### Sec. 3-15. Grants.

Federal and State Grant funding opportunities to promote the development and maintenance of the Airport consistent with the Airport Capital Improvement Plan (ACIP) and available local matching funds shall be utilized when appropriate.

#### Sec. 3-16. Hangar lease agreement.

Any person desiring to lease a hangar for the storage of an aircraft at the Jim Hamilton – LB Owens Airport may complete a standard hangar lease agreement supplied by the county and submit the same to the county's leasing agent. Such lease shall be subject to approval by council. (Code 1976, § 7-1094; Ord. No. 457-77, 10-27-77; Ord. No. 003-96HR, § I, 1-2-96)

#### Sec. 3-17. Operating budget.

The Airport General Manager shall prepare, on a recurring basis, an Airport operating budget request as part of the County's budget process. This request shall be in accordance with guidance provided by the County Administrator.

#### Sec. 3-18. Funding.

The county council may appropriate and provide to the <u>Airport Fund</u> such sums of money as a majority of the county council may deem necessary for the purposes of the airport and its operation and maintenance.

(Ord. No. 1788-88, § III, 9-20-88)

#### Sec. 3-19 Hangar Security Deposits.

A security deposit equal in amount to one-month's rent at the time of the execution of the initial hangar lease shall be collected from the lessee by the leasing agent on behalf of the Airport Sponsor. These funds shall be maintained and accounted for by the Airport Sponsor. If all provisions of the lease are satisfactorily met at the time of termination of the lease, the original amount of the security deposit shall be promptly refunded to the <u>lessee</u>.

Sec. – 3-20. Reserved for Future Use.

#### ARTICLE IV. SERVICES

Sec. 3-21. In General.

**Deleted:** (See section 2-29 this Code and state law.)

#### Deleted: based on the County Fiscal Year (FY)

Deleted: airport
Deleted: fund

Deleted: Lessee

The Airport shall offer appropriate aviation and support services in order to ensure the safety and efficiency of the flying public and those patrons using those facilities.

#### Sec. 3-22. Minimum Standards.

Airport Minimum Standards shall be developed and maintained in order to ensure the quality of operations, facilities, and services at the <u>Airport</u>.

#### Sec. 3-23. Fixed-Base Operator (FBO).

An FBO shall provide these required services on behalf of Airport tenants and patrons;

- (a) Administering Hangar and other Airport leases
- (b) Operation and Maintenance of the Airport Fuel Farm
- (c) Dispensing Aviation Fuel
- (d) Staffing the Airport Terminal during established hours of operation
- (e) Provide Aircraft Hangar pull-in and pull-out (tug) services for based Aircraft
- (f) Operate Aviation Band Radio Communications on an assigned UniCom / CTAF.
- (g) Removal of disabled aircraft within the Runway or Runway Safety Area (RSA) when authorized in order to restore Airport functioning

If consistent with the any Fixed-Based Operator Agreement with the Airport Sponsor, other optional services may be provided as well, as authorized by the Airport Commission and General Manager.

#### Sec. 3-24. Flight Training.

Flight Training provided by Certificated Flight Instructors (CFIs) may be offered at the airport as an optional service.

#### Sec. 3-25. Aircraft Fueling.

Aircraft Fueling may be provided by properly trained FBO Line Staff in accordance with current Fire Codes and NATA standards. Self-service fuel, if offered, may be provided to aircraft operators as well. This Section shall be applicable in the future to electrical charging of aircraft if available.

#### Sec. 3-26. Specialized Aviation Service Operator (SASO).

Additional aeronautical services may be provided to <u>Airport tenants and patrons by SASO(s)</u> authorized by the <u>Airport General Manager</u> and the <u>Airport Commission</u> in accordance with published <u>Airport Minimum Standards</u>.

#### Sec. 3-27. Weather.

The Airport shall make ground and facilities available for the placement by others of an automated weather station for the purpose of advising aircraft operators of current conditions.

Secs. 3-28 - 3-29. Reserved for Future Use.

#### **ARTICLE V. AIRPORT OPERATIONS**

Deleted: airport
Deleted: .
<b>B</b> 1 4 1
Deleted: These services include:

Formatted: Space After: 12 pt

Formatted: Indent: First line: 0.25" Deleted: Other

1	Deleted: airport
-{	Deleted: airport
ſ	Deleted: general
	Deleted: manager
	Deleted: airport
	Deleted: commission
	Deleted: airport
ĺ	Deleted: minimum
ſ	Deleted: standards

#### Sec. 3-30. In General.

The Airport shall operate in a manner that promotes safety, efficiency, and long-term preservation of its efficacy.

#### Sec. 3-31. Rules & Regulations.

A comprehensive set of rules and regulations governing the operation of the <u>Airport shall be</u> maintained and published periodically as recommended by the <u>Airport General Manager</u> and the <u>Airport Commission</u> and approved by county council. These shall be incorporated into an <u>Airport Manual</u>.

#### Sec. 3-32. UniCom / CTAF License.

A license, issued by the Federal Communications Commission (FCC), to operate UniCom / CTAF in support of airport operations on a designated aviation band frequency shall be maintained by the <u>Airport</u> <u>Sponsor</u>.

#### Sec. 3-33. Clear Airspace and Obstructions.

Part 77 airspace surrounding the <u>Airport</u> shall be managed through the maintenance of Airport Overlay Districts (AODs) enacted by the County and the City. Any obstruction that penetrates this airspace shall be appropriately mitigated by removal or marking.

#### Sec. 3-34. Imaginary Surfaces.

Imaginary surfaces that make up Part 77 airspace include the following as specifically defined in the Code of Federal Regulations (CFR):

- (a) Primary Surface
- (b) Approach Surface (inner and outer)
- (c) Transitional Surface
- (d) Horizontal Surface
- (e) Conical Surface

#### Sec. 3-35. Avigation Easements.

Avigation easements may be obtained by the <u>Airport Sponsor</u> as a means of ensuring that it has the rights necessary to mitigate any obstruction.

#### Sec. 3-36. Airport Overlay Districts.

The County and the City shall enact Airport Overlay District (AODs) ordinances in order to ensure compatible surroundings to the Airport and its operation as well as associated Airspace.

#### Sec. 3-37. Noise Abatement.

The <u>Airport</u> shall maintain and promote voluntary noise abatement procedures as a means of promoting harmonious conditions with the <u>Airport's</u> neighboring commercial and residential communities.

Deleted: airport
Deleted: sponsor

Deleted: airport

Deleted: airport

Deleted: general Deleted: manager

Deleted: airport

Deleted: airport

Deleted: sponsor

Deleted: airport

Deleted: commission

Deleted: airport
Deleted: airport's

Sec. 3-38. Prohibited Operations.

The following aircraft operations are prohibited at the airport:

- (a) Parachute Jumping 14 CFR § 105.23 states (for airports without an operating Air Traffic Control Tower), "No person may conduct a parachute operation, and no pilot in command of an aircraft may allow a parachute operation to be conducted from that aircraft, over or onto any airport unless prior approval has been obtained from the management of the airport to conduct parachute operations over or on that airport."
- (b) Stunt Flying or Aerobatics No person shall operate an aircraft in a careless or reckless manner so as endanger the life or property of others by "buzzing", diving, or low altitude flying.

#### Sec. 3-39. ARFF Support.

ARFF support shall be provided to the airport by the Richland – Columbia Fire Service. The Chief of the Fire Service shall maintain an adequate cadre of fire fighters available that have received ARFF training from the South Carolina Fire Academy or a like facility.

#### Sec. 3-40. Operating Motor Vehicles on the Airport.

No Privately Owned Vehicles (POV) shall enter the Airfield (including Runway 31 - 13, Taxiway A, and Stub Taxiways A-1 through A-5) without authorization from the Airport General Manager or, in his absence, senior Airport or FBO Staff. Unauthorized access by POVs or pedestrians is subject to issuance of a citation and a fine of  $_{,...}$ . Parking is only authorized in designated areas.

Secs. 3-41 - 3-42. Reserved for future use.

#### **ARTICLE VI. FACILITIES**

#### Sec. 3-43. In General.

The Airport shall develop and maintain facilities necessary to ensure the safe, efficient, and financially beneficial operation of the <u>Airport</u>.

#### Sec. 3-44. Terminal.

A terminal building shall serve as the central location for <u>Airport</u> operations and base for airport staff and the FBO.

#### Sec. 3-45. Hangars.

Hangars for the storage of appropriately-sized aircraft may be developed, maintained, and leased. Revenue generated shall be deposited into the <u>Airport Fund</u> for the ongoing operation, maintenance, and development of the <u>Airport</u>. If demand for hangars exceeds availability, the <u>Airport General Manager</u> shall maintain a running hangar waiting list which will serve as a basis for assignment of hangars on a first come, first served basis as vacancies occur.

Sec. 3-46. Airfield.

Deleted: airport

Deleted: airport

Deleted: airport	
Deleted: fund	
Deleted: airport	
Deleted: airport	
Deleted: general	
Deleted: manager	

The airfield, and all of its attendant improvements, shall be maintained in order to achieve safe and efficient aircraft operation commensurate with the assigned Airport Reference Code (ARC) of this <u>Airport</u>. The ARC for the airport at the time of publication is B-II.

#### Sec. 3-47. Planning and Development.

Planning and development of the <u>Airport</u> shall be in accordance with policies, procedures, and best practices promulgated by the Federal Aviation Administration (FAA), the South Carolina Aeronautics Commission (SCAC), and the Airport Sponsor. An Airport Master Plan, an Airport Layout Plan (ALP), and a Capital Improvement Plan (CIP) shall be maintained by the Airport General Manager and updated as needed from time to time. The services of an Airport Planning and Engineering Consultant may be engaged in order to assist in this effort.

#### Sec. 3-48. Construction and demolition of Airport Facilities.

Airport Facilities shall be constructed and demolished in accordance with the Airport CIP with the concurrence of the County Administrator. Development grant funds from the FAA, the SCAC, or other sources may be used for this purpose.

Secs. 3-49 – 3-50. Reserved for future use.

#### **ARTICLE VII. TENANTS**

#### Sec. 3-51. In General.

Tenants may be aircraft owners who are individuals, businesses, or joint owners. They may also be aeronautical or non-aeronautical businesses or groups promoting aviation.

#### Sec. 3-52. Hangar Tenants.

Hangars are developed and leased to tenants for the benefit of General Aviation (GA) operators and the safe and secure storage of their aircraft and associated accessories. Limitations may be placed on the continued use of <u>hangars</u> for the storage of aircraft that are not currently airworthy or flyable.

#### Sec. 3-53. Aviation Organizations.

Aviation organizations that provide education, fellowship, and advocacy also, directly or indirectly, support the operation, growth, and development of the Airport consistent with the goals of <u>Richland County Council</u>. They may be based at the Airport and provided meeting space based on availability and consistent with airport operations and fair market value in the case of leased space.

#### Sec. 3-54. Businesses (Aeronautical).

Aeronautical businesses may be an FBO, a SASO, or another business that functions directly to support the <u>Airport</u> or other aviation or aerospace industries. They may be based at the <u>Airport</u> under the provisions of a lease agreement or other contractual instrument approved by the <u>county council</u>. The Airport General Manager shall operate a system by which other Commercial Airport Operators, such as

Deleted: airport

Deleted: airport

Deleted: Hangars

Formatted: Highlight

Λ	Deleted: airport
-1	Deleted: airport
-1	Deleted: County
	Deleted: Council

vendors providing services on behalf of other tenants, are officially permitted and meet appropriate minimum standards.

Sec. 3-55. Businesses (non-Aeronautical).

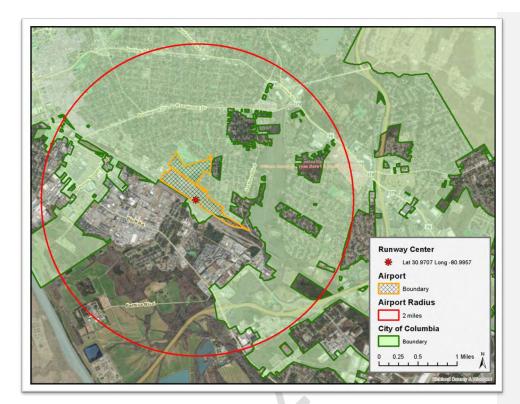
Non-aeronautical businesses may be based at the airport under the provisions of a lease agreement or other contractual instrument approved by the County Council. The Airport General Manager shall operate a system by which other Commercial Airport Operators, such as vendors providing services on behalf of other tenants, are officially permitted and meet appropriate minimum standards.

#### ARTICLE VIII. ENFORCEMENT

Sec. 3-55. In General.

The Airport General Manager shall be responsible for enforcing all rules and regulations contained herein and that may be established in the *Airport Manual*. Such enforcement shall be conducted in a fair, equitable, and non-discriminatory manner. The Airport General Manager shall be commissioned as a County Codes Enforcement Officer with authority limited to enforcement of this ordinance and regulations contained in the *Airport Manual* on Airport property and may issue citations for violations thereof.

Secs. 3-56 – 3-57. Reserved for future use.



Community Representative area (2-mile radius)

Appendix A

Deleted: Enclosure (1)

## **CHAPTER 3: AIRPORT\***

**Cross reference(s)--**Department of public works and utilities, § 2-192 et seq.; buildings and building regulations, Ch. 6; planning, Ch. 20; roads, highways and bridges, Ch. 21; land development regulations, Ch. 26.

State law reference(s)--Aeronautics generally, S.C. Code 1976, § 55-1-10 et seq.; Richland-Lexington Airport District, § 55-11-310 et seq.

## **ARTICLE I. IN GENERAL**

#### Sec. 3-1. Construction of buildings, Columbia Owens Downtown Airport.

No person shall construct, erect, bring onto or cause or allow to be brought onto any portion of Columbia Owens Downtown Airport any building, structure or fixture without prior written approval of the county administrator. The county administrator shall promulgate regulations setting forth design standards and criteria for all buildings, structures and fixtures to be located at Columbia Owens Downtown Airport. The county administrator shall not issue the written approval required herein unless he or his designee shall certify that the building, structure or fixture corresponds to such design standards and criteria.

(Code 1976, § 7-1091; Ord. No. 457-77, § 1, 10-27-77; Ord. No. 003-96HR, § I, 1-2-96)

#### Sec. 3-2. Demolition of buildings, Columbia Owens Downtown Airport.

No person shall alter, move, renovate or demolish any building or structure presently located on any portion of Columbia Owens Downtown Airport without prior written approval of the county administrator. The county administrator shall not issue the written approval required herein unless the person proposing such action shall pay to the county in advance of such action:

- (1) The net dollar amount by which such alteration, moving, renovation or demolition diminishes the entire airport property, or
- (2) A sum set by the county council from time to time, whichever is the greater.

The net dollar amount of such diminution shall be determined by the county assessor.

(Code 1976, § 7-1092; Ord. No. 457-77, § 2, 10-27-77; Ord. No. 003-96HR, § I, 1-2-96)

#### Sec. 3-3. Rental rates and charges for off-ramp leases.

Effective as soon as the county administrator shall, upon the advice of the county attorney, deem practical, rental rates and charges for off-ramp leases shall be as follows:

(1) Monthly rental rate in an amount as set by the county council from time to time;

(2) Application fee (payable annually upon commencement of or renewal of lease term) in an amount as set by the county council from time to time; provided, however, that the rental rate for the tenant designated as fixed base operator/airport manager shall be a specified percentage of gross receipts, as negotiated by the county administrator and set forth in the lease for the latter tenant.

(Code 1976, § 7-1093; Ord. No. 457-77, 10-27-77)

#### Sec. 3-4. Lease agreement.

Any person desiring to lease premises at Columbia Owens Downtown Airport may complete a standard lease agreement supplied by the county and submit the same to the county administrator's office. Such lease shall be subject to approval by council. (See section 2-29 this Code and state law.)

(Code 1976, § 7-1094; Ord. No. 457-77, 10-27-77; Ord. No. 003-96HR, § I, 1-2-96)

#### Secs. 3-5--3-20. Reserved.

## ARTICLE II. RICHLAND COUNTY AIRPORT COMMISSION

Editor's note--Ord. No. 1788-88, effective Sept. 20, 1988, did not specifically amend the Code and at the discretion of the editor §§ I--III have been included herein as Art. II, §§ 3-21--3-23.

Cross reference(s)--Boards, commissions and committees, § 2-326 et seq.

#### Sec. 3-21. Established; composition; terms; officers; meetings.

(a) The county council does hereby establish the Richland County Airport Commission to assist the county council in providing public aviation facilities and services and to promote aviation as a means of broadening the economic base of Richland County. The county council does hereby provide for the powers and responsibilities of the Richland County Airport Commission and the terms and duties of the airport commissioners.

(b) The Richland County Airport Commission shall consist of nine (9) commissioners to be appointed by the county council; provided, however, that at least two (2) of the appointees shall reside in either the Rosewood, Shandon, or Hollywood-Rose Hill-Wales Garden area.

## 32 of 74

(c) The term of office of each commissioner shall be for a period of four (4) years or until his successor is appointed and qualified. The initial appointment shall be made in staggered terms. The four (4) commission candidates receiving the most votes shall initially be appointed for four (4) years and the three candidates receiving the next higher votes shall initially be appointed for two (2) years.

(d) The commission shall elect a chairman. The chairman shall be the executive head of the commission. The commission shall choose from among its members a vice chairman, a secretary and a treasurer.

(e) The commission shall meet at such times and places as determined by the chairman, but shall hold at least one meeting each quarter. The county administrator or a member of the county staff appointed by the administrator shall serve as administrative assistant to the commission. All meetings of the commission shall be conducted in compliance with the South Carolina Freedom of Information Act.

(Ord. No. 1788-88, § I, 9-20-88; Ord. No. 2162-91, § I, 12-3-91)

#### Sec. 3-22. Authority, duties and responsibilities.

The commission shall have the following authority, duties and responsibilities:

(a) To advise the county council on the development and control of Columbia Owens Downtown Airport and to recommend to the county council such rules and regulations for the operation of the airport as the commission shall deem advisable.

(b) To control itself by the vote of a majority of those voting in meetings duly called and held. At all meetings of the commission a majority of its members shall constitute a quorum.

(c) To adopt bylaws governing its operation, fixing the duties of its officers and their terms of office, and the method of handling its affairs. The bylaws shall not be in conflict with any laws governing the commission.

(d) To recommend to the county administrator such agents and employees as the business of the commission requires.

(e) To make recommendations regarding contracts to the county council.

(f) To advise the county council regarding any gifts or donations from any source for the purpose of maintaining, operating, extending and improving Columbia Owens Downtown Airport.

(g) To advise the county council of the acquisition, in the name of Richland County, of property, real and personal, by purchase, and Richland County may condemn any land, easements or personalty the commission may deem necessary for the purpose of developing the airport and for protecting its airplane landing field.

(h) To advise the county council on the leasing of any property, real or personal, in its care, and to use all funds received from such transactions to carry out the purposes for which the commission is established.

(i) To promote aviation-related actions that will result in a broadening of the county's economic base.

(j) To establish aviation service and facility goals for Richland County.

(k) To guide, and/or advise the county administrator's office and its consultants in the preparation and updating of airport master plans and to recommend to county council the adoption of completed plans and amendments.

(1) To advise the Central Midlands Regional Planning Commission and the county council of actions necessary to maintain adequate growth space, airspace clear zones, and noise buffers around the airport.

(m) To advise the county council in the planning and construction of any new airport facilities.

(n) To recommend annual funding priorities for airport construction, maintenance, and operation to be considered in preparing the county budget.

(o) To maintain continuing contact with the Federal Aviation Administration and the South Carolina Aeronautics Commission and solicit their support in achieving county aviation goals.

(p) To conduct public hearings and take other actions to solicit consumer and general citizen participation in decisions regarding county airport facilities and services.

(q) To recommend to the county council execution contracts with fixed base operators and other private services operating out of Columbia Owens Downtown Airport. All such contracts shall contain minimum performance standards.

(r) To monitor the performance of fixed base operators and other private services operating out of Columbia Owens Downtown Airport and where authorized to recommend corrective action to enforce performance standards.

(s) To propose regulations for Columbia Owens Downtown Airport which promote operating safety, security of private equipment and fair allocation of county aviation resources. Regulations shall be submitted to the county council for adoption as county ordinances.

(t) To provide the county council direct guidance from the consumers of tax dollars spent on aviation.

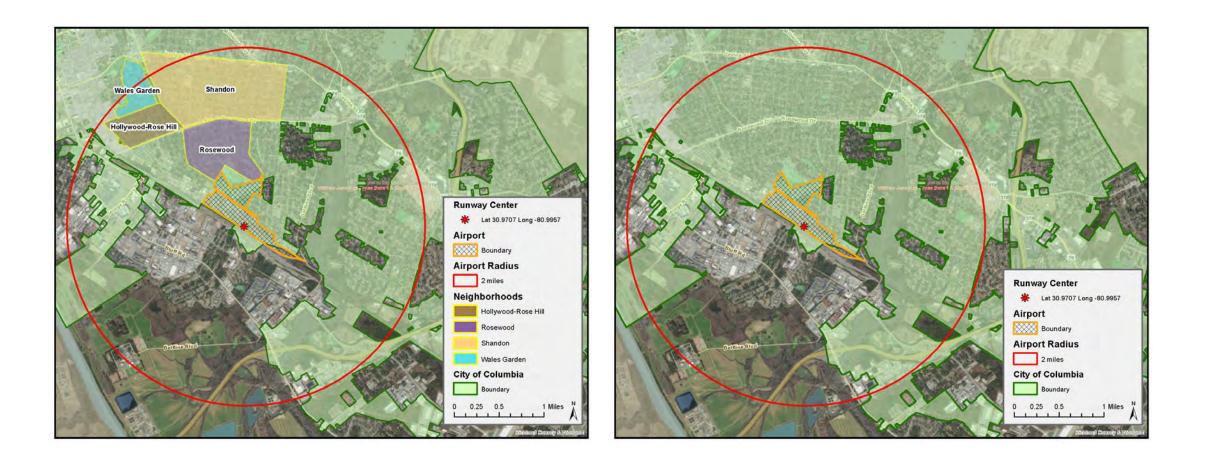
(Ord. No. 1788-88, § II, 9-20-88; Ord. No. 003-96HR, § I, 1-2-96)

#### Sec. 3-23. Funding.

The county council may appropriate and donate to the commission such sums of money as a majority of the county council may deem necessary for the purposes of the commission.

(Ord. No. 1788-88, § III, 9-20-88)

# Airport ordinance (draft)



## RICHLAND COUNTY ADMINISTRATION

2020 Hampton Street, Suite 4069 Columbia, SC 29204 803-576-2050



## Agenda Briefing

Prepared by: Quinton Epps		Title:	D	visior	n Manager	
Department:	Community Planning & Development		Division: Cons		Cons	servation
Date Prepared:	October 17, 2023		Meeting Date:		Date:	November 16, 2023
Legal Review Patrick Wright via email			Date:		October 20, 2023	
Budget Review	Abhijit Deshpande via email			Date:		November 3, 2023
Finance Review	Stacey Hamm via email			Date:		November 7, 2023
Approved for conside	ration:	Assistant County Administrator		Aric A Jensen, AICP		en, AICP
Meeting/Committee Administration & Finance						
Subject Columbia Rowing Club - Operating Ag			greeme	ent		

### **RECOMMENDED/REQUESTED ACTION:**

The Richland County Conservation Commission (RCCC) recommends the approval of a new Richland County and Columbia Rowing Club (CRC) five (5)-year Operating Agreement.

## Request for Council Reconsideration: Xes

FIDUCIARY:

Are funds allocated in the department's current fiscal year budget?	$\boxtimes$	Yes		No
If not, is a budget amendment necessary?		Yes	$\boxtimes$	No

## **ADDITIONAL FISCAL/BUDGETARY MATTERS TO CONSIDER:**

Annual maintenance cost estimates for the Broad River Rd property including road, boat shed, grounds, staff time, trash pick-up and mileage are approximately \$6,402 per year.

Applicable department/grant key and object codes: GL-1209451000, 1216302000-523300,

GL-1209451000, 1216302000-523300, 1100317000-522800.

## **OFFICE OF PROCUREMENT & CONTRACTING FEEDBACK:**

None applicable.

COUNTY ATTORNEY'S OFFICE FEEDBACK/POSSIBLE AREA(S) OF LEGAL EXPOSURE:

There are no legal concerns regarding this matter. **REGULATORY COMPLIANCE:** 

None applicable.

**MOTION OF ORIGIN:** 

There is no associated Council motion of origin.

#### **STRATEGIC & GENERATIVE DISCUSSION:**

Since 1999, the Columbia Rowing Club (CRC), a 501(c) 3 charitable organization, has operated a member-only rowing facility on a one (1) acre portion of a 30 acre property owned by Richland County near the I-20 Broad River crossing.

On April 21, 2009, Richland County and the CRC formally entered into a five (5) year Operating Agreement, which was extended on July 10, 2014 for one (1) year, and the extended again on April 7, 2015 for five (5) years. At this time, it is recommended that Council approve an updated renewal of the Operating Agreement with Columbia Rowing Club for a new five (5) year period.

Prior to December 2014, access to the entire 30 acre property was controlled by a single gate located on Omarest Dr. Subsequently, a second gate was installed to secure the boat house and launching area utilized by CRC, and a portion of the remaining 29 acres was improved with a rudimentary parking area, trash cans, and posted rules of operation, consistent with the 2010 Broad River Road Corridor and Community Master Plan.

During the October 2015 flood, the dock utilized by CRC was damaged beyond repair. In January 2016, a dock valued at \$60,000 was donated to the County by EZ Dock, and in March 2016, the County approved installation of the EZ Dock which occurred in April 2017.

Between 2003 and 2014, the Columbia Regional Sports Council estimated that the CRC rowing club and related events had an annual economic impact in excess of \$42,000. The estimated annual economic impact increased to \$71,036 in 2018, attributed to the new dock and the County's improvements. However, regional storms during the week of February 5, 2020 caused the Broad River to reach flood levels, resulting in extensive damage to property, including:

- flooding approximately 6 to 7 feet deep in the boat house;
- debris and mud inside the boat house;
- damaged boats and equipment;

- roads blocked by large trees, limbs, and other debris;
- the loss of the EZ Loading Dock and pilings damaged the dock ramp, railings, fence, and concrete ramp foundation.

At this time CRC desires to enter into new five (5) year agreement, substantially similar to previous agreements. Please see the attached CRC Agreement approved by the RCCC at its October 16, 2023 meeting.

#### ASSOCIATED STRATEGIC GOAL, OBJECTIVE, AND INITIATIVE:

The use of the Broad River Road property by the CRC has met and continues to meet portions of five (5) of the Strategic Goals in the Strategic Planning Report for Richland County dated June 29, 2022 as outlined below:

- Goal 2: Invest in Economic Development;
  - Objective 2.2: Evaluate the community specific capacity for additional shopping and amenity recruitment – In 2018 it was estimated that the CRC's operations had an annual economic impact of \$71,036.

#### ADDITIONAL COMMENTS FOR CONSIDERATION:

Below is a timeline summary relative to the Columbia Rowing Club at the Broad River property:

1999	The Richland County Legislative Delegation authorized the SCDNR to provide \$25,000 from the Richland County Water Recreation Funds for the dock at the Broad River property.
1999 – 2009	Verbal operating agreement between Richland County and Columbia Rowing Club.
April 21, 2009	Original five-year formal Operating Agreement between Richland County and Columbia Rowing Club enacted (see attached dated April 21, 2009).
July 10, 2014	One-year extension for Operating Agreement (see attached dated July 10, 2009).
April 7, 2015	Five-year extension for Operating Agreement (see attached dated April 7, 2015).
October 2015	Major flood completely destroyed dock
April 2017	Dock replaced
2018	USC reactivated the Carolina Crew program relying on the club boathouse and boats
2020	Two crews contacted the club to use the site for Spring Break practices
Feb 5, 2020 (week of)	Rain storms across the state flood the Broad River, damaging property at the site, including the new dock
February 10, 2020	RCCC approved agreement renewal

April 7, 2020	County Council approved renewal of an Operating Agreement Addendum
July 21, 2020	CRC proposes to construct a walk-in dock or launch to help maneuver boats and provide a more safe, sustainable, and environmentally friendly solution; the concept was approved by the RCCC.
2020 – 2022	Dock design and funding options are explored and considered.
October 16, 2023	The RCCC recommends County Council approve a new five (5) year Operating Agreement with the CRC.

#### **ATTACHMENTS:**

- 1. Proposed Columbia Rowing Club Operating Agreement Oct 17, 2023
- 2. Columbia Rowing Club Site Map
- 3. Original 5-Year Operating Agreement dated April 21, 2009
- 4. 1-Year Extension for Operating Agreement dated July 10, 2014
- 5. 5-Year Extension for Operating Agreement dated April 7, 2015
- 6. Operating Agreement Addendum Renewal dated April 7, 2020
- 7. Background Information on the Columbia Rowing Club
- 8. Economic impact breakdown for CRC 2003 2018

#### STATE OF SOUTH CAROLINA ) ) OPERATING AGREEMENT )

This Operating Agreement (the "Agreement") is entered into on this \_\_\_\_\_day of \_\_\_\_\_\_2023 between RICHLAND COUNTY, South Carolina, (the "County"), and COLUMBIA ROWING CLUB, (the "Club").

WHEREAS, the County owns the Richland County Rowing Center (the "Site"), approximately 1 acre located on the upstream northern reach of the Broad River property as bound by gates; and

WHEREAS, the County and the Club wish to enter into an agreement for the Club's access, use, operation, and maintenance of the Site;

**NOW, THEREFORE,** in consideration of the mutual covenants contained herein and intending to be legally bound hereby, the County and the Club agree as follows:

- 1. Access Guidelines. The Club agrees to use the Site only for official Club activities and purposes. It shall be the responsibility of the Club to ensure that the gate, when not open and in use for Club activities, shall be locked when the last Club member departs the Site. The Club shall provide all facility keys to County staff. The Club shall be responsible for maintaining an accurate list of all persons who are issued gate keys. Such list shall be made available to the County at the County's request. The Club will use due care in the operation of vehicles on the Site for Club purposes. All unauthorized vehicles are subject to the jurisdiction of the Richland County Sheriff's Department. If additional or "over-flow" parking is needed for any activity on the Site, it shall be the responsibility of the Club to provide such parking. The hours of operation shall be from sunrise to sunset.
- 2. **Insurance.** At all times during the duration of this Agreement, the Club shall maintain liability insurance in an amount sufficient to cover all Club activities on or related to the use of the Site. The Club shall provide a certificate of insurance to the County indicating the amount of coverage. It shall be in the sole discretion of the County to determine if the coverage amount is sufficient to meet the requirements of this section. Once the County has approved the coverage amount in the certificate of insurance, such amount shall not be reduced during the term of this Agreement.
- 3. **Indemnification.** The Club shall hold harmless and shall fully and completely indemnify

County from any and all claims, demands or actions brought against the Club or County by any person, natural or corporate, arising from any act or omission on the part of the Club and related to any activity contemplated by this Agreement. Additionally, all Club members shall sign an indemnification agreement indemnifying the County and the Club from any liability arising from any Club related activities at or related to the Site.

- 4. **Club Safety Guidelines.** The Club agrees to establish a set of Membership Rules and Guidelines (the Guideline) concerning safety and behavior at the Site and while on the River. The Club agrees to the following specific safety training and procedures found in the Guideline related to rowing activities at or related to the Site:
  - 1. All Club members will be required to pass a swimming test before being allowed to row from the Site.
  - 2. All Club members will pass training concerning the proper procedures to be used in the event that a boat capsizes.
  - 3. No member will row more than 500 meters downstream of the dock toward the dam if rowing alone.
  - 4. No member will row downstream of the dam warning buoys under any circumstances.
  - 5. No Club member will be allowed to row on the River under unsafe weather or water level conditions.
  - 6. No alcoholic beverages will be allowed at the Site.
  - 7. No loud or disruptive activities will be allowed at the Site.
  - 8. No fires are permitted outside of controlled devices such as grills or designated fire rings.
- 5. **Approval of Club Activities.** Normal day-to-day and weekly activities will be governed by this Agreement. Additional activities such as regattas to which other clubs are invited, new programs that involve a substantial increase in activity, and special events to which the public is invited will require notice given to the Richland County Conservation Division. The Club shall give notice of any such activities in a reasonable time to allow the County to properly research.
- 6. Site Maintenance. All Site maintenance including but not limited to trash removal, repairs or installation of structures, permitting, grass cutting, and landscaping will be the responsibility of the Club. The Club will report any damages, repairs, or construction on the Site before implementation. Structures will be kept in good condition and safe to use. Added structures will have to be approved by the County prior to construction and comply to all codes and safety requirements. Any added structure may be required to be removed at the termination of this Agreement. The expense of the removal of a structure will be the responsibility of the Club. The County retains its right to inspect the Site from time to time to ensure that the site is being properly maintained and protected for future use.
- 7. <u>**Term and Termination.**</u> This Agreement shall remain in effect for a period of five (5) years

from the date of execution unless either party chooses to terminate the Agreement by giving 90 days writtennotice to the other party. If the Agreement is terminated by either party, the County will determine if the dock, or other installed structures, will be removed and stored on the Site or taken off the Site by the Club.

- 8. **Assignment.** Neither this Agreement nor any duties or obligations under this Agreement may be assigned by the Club without prior written consent of the County.
- 9. <u>Amendment of the Agreement.</u> Any amendment to this Agreement shall not be binding upon all of the parties unless such amendment is in writing and executed by all parties hereto.
- 10. Notice. All correspondence shall be sent as follows:

#### **Columbia Rowing Club:**

Columbia Rowing Club Mr. Hisham Elkazzaz, President 5013 Old Leesburg Road, Hopkins, SC 29061

#### **Richland County:**

Richland County Attn: County Administrator PO Box 192 Columbia, SC 29202

IN WITNESS WHEREOF, the parties hereto have set their hands and affixed their respective seals the day and year first above written.

#### **Richland County**

By:			

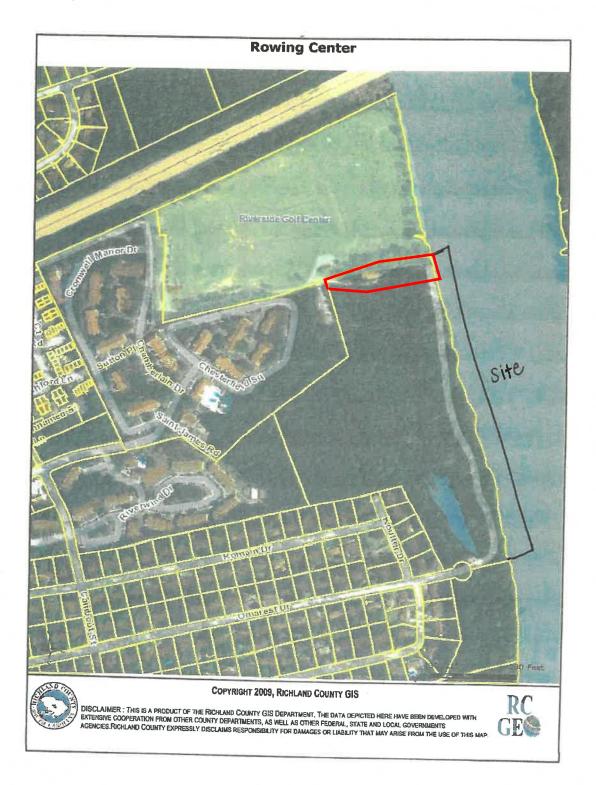
**Columbia Rowing Club** 

Title:

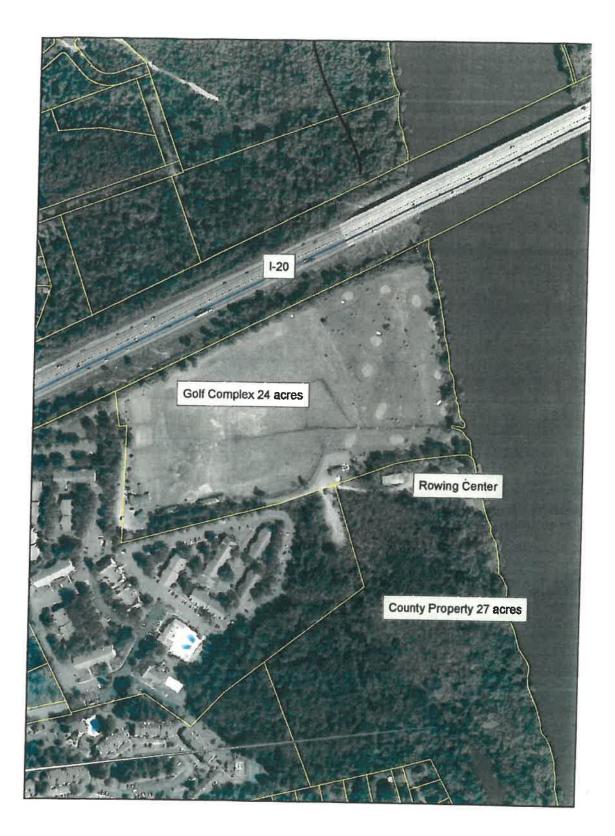
Richland County Attorney's Office

Approved As To LEGAL Form Univ. No Opinion Rendered As To Content.

#### **Rowing Center**



http://www3.richlandmaps.com/rcgeoportal/defaultPrint.htm



# STATE OF SOUTH CAROLINA)))OPERATING AGREEMENT)

This Operating Agreement (the "Agreement") is entered into on this 2! day of <u>April</u> 2009 between **RICHLAND COUNTY**, South Carolina, (the "County"), and **COLUMBIA ROWING CLUB**, (the "Club").

WHEREAS, the County owns and operates the Richland County Rowing Center (the "Site"), located on the west bank of the Broad River; and

WHEREAS, the County and the Club wish to enter into an agreement for the Club's access and use of the Site;

**NOW, THEREFORE,** in consideration of the mutual covenants contained herein and intending to be legally bound hereby, the County and the Club agree as follows:

- 1. <u>Access Guidelines</u>. The Club agrees to use the Site only for official Club activities and purposes. It shall be the responsibility of the Club to ensure that the gate, when not open and in use for Club activities, shall be locked when the last Club member departs the Site. Keys to the gate may be issued to Club members, officers of the Carolina Crew, and select helpers in the Club Youth Rowing Program. The Club shall be responsible for maintaining an accurate list of all persons who are issued gate keys. Such list shall be made available to the County at the County's request. The Club will use due care in the operation of vehicles on the Site for Club purposes. All unauthorized vehicles are subject to the jurisdiction of the Richland County Sheriff's Department. If additional or "over-flow" parking is needed for any activity on the Site, it shall be the responsibility of the Club to provide such parking. Open fires, open flames, grilling, barbequing, alcoholic beverages, and activities related to the use of alcoholic beverages are hereby expressly prohibited on the Site. The hours of operation shall be from sunrise to sunset.
- 2. <u>Insurance</u>. At all times during the duration of this Agreement, the Club shall maintain liability insurance in an amount sufficient to cover all Club activities on or related to the use of the Site. The Club shall provide a certificate of insurance to the County indicating the amount of coverage. It shall be in the sole discretion of the County to determine if the coverage amount is sufficient to meet the requirements of this section. Once the County has approved the coverage amount in the certificate of insurance, such amount shall not be reduced during the term of this Agreement.
- 3. **Indemnification**. The Club shall hold harmless and shall fully and completely indemnify County from any and all claims, demands or actions brought against the Club or County by

any person, natural or corporate, arising from any act or omission on the part of the Club and related to any activity contemplated by this Agreement. Additionally, all Club members shall sign an indemnification agreement indemnifying the County and the Club from any liability arising from any Club related activities at or related to the Site.

- 4. <u>Club Safety Guidelines.</u> The Club agrees to establish a set of Membership Rules and Guidelines (the Guideline) concerning safety and behavior at the Site and while on the River. The Club agrees to the following specific safety training and procedures found in the Guideline related to rowing activities at or related to the Site:
  - 1. All Club members will be required to pass a swimming test before being allowed to row from the Site.
  - 2. All Club members will pass training concerning the proper procedures to be used in the event that a boat capsizes.
  - 3. No member will row more than 500 meters downstream of the dock toward the dam if rowing alone AND water is going over the dam as indicated by the water level indicator at the dock.
  - 4. No member will row downstream of the dam warning buoys under any circumstances.
  - 5. No Club member will be allowed to row on the River under unsafe weather or water level conditions.
  - 6. No alcoholic beverages will be allowed at the Site.
  - 7. No loud or disruptive activities will be allowed at the Site.
- 5. <u>Approval of Club Activities.</u> Normal day-to-day and weekly activities will be governed by this Agreement. Additional activities such as regattas to which other clubs are invited, new programs that involve a substantial increase in activity, and special events to which the public is invited will require prior approval by the Richland County Administrator. The Club shall give notice of any such activities in a reasonable time to allow the County to properly research and respond. It is understood that certain small events may offer opportunities which will call upon an acceleration of the approval process.
- 6. <u>Site Maintenance</u>. General day-to-day Site maintenance including trash removal will be the responsibility of the Club. Any remaining repairs will be the responsibility of the County.
  - 7. <u>**Term and Termination**</u>. This Agreement shall remain in effect for a period of five (5) years from the date of execution. Either party may terminate the Agreement by giving 90 days written notice to the other party.
  - 8. <u>Assignment</u>. Neither this Agreement nor any duties or obligations under this Agreement may be assigned by the Club without prior written consent of the County.

- 9. <u>Amendment of the Agreement.</u> Any amendment to this Agreement shall not be binding upon all of the parties unless such amendment is in writing and executed by all parties hereto.
- 10. Notice. All correspondence shall be sent as follows:

#### **Columbia Rowing Club:**

#### **Richland County:**

Columbia Rowing Club George Park, President 720 Vintage Lane Columbia, SC 29210 Richland County Attn: County Administrator PO Box 192 Columbia, SC 29202

IN WITNESS WHEREOF, the parties hereto have set their hands and affixed their respective seals the day and year first above written.

RICHLAND COUNTY By: Title: TRATOR COLUMBIA ROWING CLUB By: Title: President

## STATE OF SOUTH CAROLINA

COUNTY OF RICHLAND

Addendum to Operating Agreement (Extension)

THIS ADDENDUM entered into this  $10^{\frac{1}{10}}$  day of July, 2014, by and between RICHLAND COUNTY (hereinafter referred to as "County"), and COLUMBIA ROWING CLUB (hereinafter referred to as "the Club").

WHEREAS, the parties entered into an Operating Agreement (hereinafter the "Agreement"), dated April 21, 2009; and

WHEREAS, the parties now wish to extend the term of said Agreement.

)

)

NOW, THEREFORE, in consideration of the foregoing and intending to be legally bound hereby, the parties agree as follows:

1. The parties mutually agree that the Term of the Agreement shall be extended and shall terminate automatically one (1) year from the date of execution of this Addendum.

2. In all other respects, the Agreement shall remain in full force and effect.

3. This Addendum may be executed in multiple counterparts, each of which shall be deemed to be an original and all of which shall constitute a single instrument.

4. This Addendum and all amendments or additions hereto shall be binding upon and fully enforceable against the successors and assigns of the parties hereto.

IN WITNESS WHEREOF, the parties hereto have caused this instrument to be executed in their names and their corporate seals to be hereunto affixed the day and year first written above.

WITNESSES:

RICHLAND COUNTY, SOUTH CAROLINA

By: Tony Mc Donald Its: Richland County Administrator

COLUMBIA ROWING CLUB

By: Its:

Richland County Attorney's Office

Approved As To LEGAL Form Only.

48 of 74

# STATE OF SOUTH CAROLINA)))COUNTY OF RICHLAND))(Extension)

THIS ADDENDUM entered into this <u>1</u> day of <u>April</u>, 2015, by and between RICHLAND COUNTY (hereinafter referred to as "County"), and COLUMBIA ROWING CLUB (hereinafter referred to as "the Club").

WHEREAS, the parties entered into an Operating Agreement (hereinafter the "Agreement"), dated April 21, 2009 and extended such Agreement by an Addendum to Operating Agreement (Extension), dated July 10, 2014; and

WHEREAS, the parties now wish to again extend the term of said Agreement.

NOW, THEREFORE, in consideration of the foregoing and intending to be legally bound hereby, the parties agree as follows:

1. The parties mutually agree that the Term of the Agreement shall be extended and shall terminate automatically five (5) years from the date of execution of this Addendum.

2. In all other respects, the Agreement shall remain in full force and effect.

3. This Addendum may be executed in multiple counterparts, each of which shall be deemed to be an original and all of which shall constitute a single instrument.

4. This Addendum and all amendments or additions hereto shall be binding upon and fully enforceable against the successors and assigns of the parties hereto.

IN WITNESS WHEREOF, the parties hereto have caused this instrument to be executed in their names and their corporate seals to be hereunto affixed the day and year first written above.

WITNESSES:

RICHLAND COUNTY, SOUTH CAROLINA

Bv Its:

COLUMBIA ROWING CLUB By:

STATE OF SOUTH CAROLINA

COUNTY OF RICHLAND

Third Addendum to Operating Agreement (Extension)

This ADDENDUM entered into this 16th day of June, 2020, by and between RICHLAND COUNTY ("County"), and COLUMBIA ROWING CLUB ("the Club").

) )

)

WHEREAS, the parties entered into an Operating Agreement ("Agreement"), dated April 21, 2009 and extended by a Addenda to Operating Agreement (Extension), dated July 10, 2014 and April 7, 2015, respectively; and

WHEREAS, the Agreement expired on April 7, 2020, and since then the parties have continued to operate under the terms of the Agreement as if it remained in place while they negotiated this Third Addendum to Operating Agreement (Extension), which they enter into as of the above date;

NOW, THEREFORE, in consideration of the foregoing and intending to be legally bound hereby, the parties agree as follows:

- 1. The parties agree that the Term of the Agreement shall be extended and shall terminate automatically one (1) year from the date of execution of this Addendum. Thereafter, the parties may agree in writing to extend the Agreement in one-year increments for up to four years.
- 2. In all other aspects, the Agreement shall remain in full force and effect and shall be regarded by the parties as having been in effect throughout its term and the extensions thereof through the term of this Extension and any further extensions thereof.
- 3. This Addendum may be executed in multiple counterparts, each of which shall be deemed to be an original and all of which shall constitute a single instrument.
- 4. This Addendum and all amendments or additions hereto shall be binding upon and fully enforceable against the successors and assigns of the parties hereto.

IN WITNESS WHEREOF, the parties hereto have caused this instrument to be executed in their names and their corporate seals to be hereunto affixed the day and year first written above.

WITNESSES:

ve sur

RICHLAND COUNTY, SOUTH CAROLINA By: Paul Mush

a 15 Its:

COLUMBIA ROWING CLUB

Its:

#### **Background Information on the Columbia Rowing Club**

The purpose of Columbia Rowing Club is to educate the public on the benefits of the sport of rowing as a healthful means of recreation and physical fitness at all levels by providing instruction, competition, and access to equipment and facilities in the Columbia, S.C. area.

Since its inception, Columbia Rowing Club has offered free and/or low cost rowing lessons to the public and, during that time, has introduced the sport of rowing to hundreds of Midlands residents. The club is open to the public, has maintained a low membership fee, and waives the membership fee for anyone who cannot afford it. The reason for a membership fee is to pay for insurance required by the agreement with the County and to purchase and maintain rowing equipment which is accessible to all members. The club currently has 63 active members. Membership costs range from \$0 to \$165, depending on income eligibility. No one has been or will be turned away for the inability to pay.

During its 14 years operating at the Richland County Rowing Center, Columbia Rowing Club has provided a safe environment for rowing without any negative incidents.

The beautiful water, the warm climate, and the facility provided for rowing by Richland County have been recognized nationally in the rowing community by Rower's Almanac, which named Columbia the 5th best city in the United States to retire and row.

Two of the club's programs are especially important and deserve elaboration:

- 1. Youth Rowing
- 2. Visiting Crews

Youth Rowing is a program open to all youth in the Midlands from age 13 - 18. The youth are provided instruction in the sport of rowing and coaching to prepare them for competition. The program provides an important alternative to more traditional organized sports. It is a low impact, whole-body exercise that requires no special athletic skill. Through the program, young people learn important life-lessons such as teamwork, individual and team responsibility, punctuality, the rewards of hard work, along with learning a sport they can enjoy for a lifetime. All of the equipment for the team has been purchased by the club. Coaching is provided by volunteers from the club, and no child has been denied the opportunity due to financial hardship. At least one participant in the program has received a waiver of fees by the club in almost every season Youth Rowing has operated. (The cost to participate is \$0 - \$200 per youth.) The program has males and females, varies from season to season in minority representation (as high as 60% one season), has had youth from virtually every high school in the Midlands, and from every socio-economic class. The youth practice 3-4 days per week and participate in competitions in SC, GA, and TN against crews from throughout the Southeast and parts of the Midwest. Four young people from the Youth program have received rowing scholarships for college.

Visiting Crews: Every year, Columbia Rowing Club hosts visiting crews from colleges and high schools in northern states for winter and spring training. Some of the schools that have trained in Columbia at the Richland County Rowing Center are: Georgetown University (10 years), Bucknell University, Hobart and William Smith Colleges, University of Vermont, University of Michigan, University of William and Mary, Bryn Mawr College, Colgate University, Old Dominion, Carnegie-Mellon, Vassar, Vanderbilt University, Syracuse University, University of Dayton, St. Mark's Academy, Tabor Academy, and St. Ignatius High School. These crews come to Columbia because of the unique nature of the rowing center, the warm climate of Columbia, which provides ideal training opportunities while their waters are still frozen, and the hospitality of Columbia Rowing Club and the Regional Sports Council. Each crew stays for about a week, bringing up to 75 rowers, plus coaches and support personnel. According to the Regional Sports Council, the direct economic impact of visiting crews to the economy of the Midlands from 2003 – 2013 is \$1,764,500, with a total economic impact of \$5,293,500.

The University of South Carolina reinstated the Carolina Crew club program in 2018. Any USC student is welcome to join the crew team and can be taught how to row. The Carolina Crew practice at the rowing site and use the Columbia Rowing Clubs boats. The cost to participate is \$80 per semester and goes to help pay for boat insurance and US Rowing dues. Carolina Crew practices 3-4 days a week and participates in regattas around the region. On average Carolina Crew has 12-18 members each semester.

Attachment 8

# COLUMBIA REGIONAL SPORTS COUNCIL / COLUMBIA ROWING CLUB Richland County Rowing Center Economic Impact Breakdown

#### 2003 WINTER/SPRING TRAINING

							DIRECT ECONOMIC			
CREW		CHECK-OUT		TOTAL ROOM NIGHTS	<u># OF ATHLETES</u>	<u># OF COACHES</u>	<b>IMPACT</b>			
Carnegie Mellon University	1/3/2003	1/9/2003	Studio One	60	36	1				
Total				60	36	1	\$42,000			
2004 WINTER/SPRING TRAINING										
CREW	CHECK-IN	CHECK-OUT	<u>HOTEL</u>	TOTAL ROOM NIGHTS	# OF ATHLETES	# OF COACHES	IMPACT			
Georgetown University	1/2/2004	1/11/2004	Embassy Suites	102	66	4				
Carnegie Mellon University	1/2/2004	1/8/2004	Best Inn - Garner Lane	60	36	1				
Total				162	102	5	\$113,400			
			2005 WINTER/SPRIN	<b>G TRAINING</b>						
				-			DIRECT ECONOMIC			
CREW	CHECK-IN	CHECK-OUT	HOTEL	TOTAL ROOM NIGHTS	# OF ATHLETES	# OF COACHES	IMPACT			
Georgetown University	1/2/2005	1/8/2005	Embassy Suites &	92	54	4				
ç ,	1/8/2005	1/11/2005	Comfort Suites-Downtown	48						
Carnegie Mellon University	1/2/2005	1/7/2005	Best Inn - Garner Lane	40	30	1				
US Rowing Clinic	2/18/2005	2/20/2005	Holiday Inn-City Centre	21		15				
William & Mary Rowing	3/5/2005	3/12/2005	StudioPLUS	98	54	2				
Bryn Mawr Rowing	3/6/2005	3/12/2005	StudioPLUS	31	25	1				
Old Dominion Rowing	3/5/2005	3/12/2005	Homewood Suites	28	12	2				
Tabor Academy Crew	3/12/2005	3/19/2005	Suite One - Harbison	84	34	5				
Total				442	209	30	\$309,400			
			2006 WINTER/SPRIN	<b>G TRAINING</b>						
							DIRECT ECONOMIC			
CREW	CHECK-IN	CHECK-OUT	HOTEL	TOTAL ROOM NIGHTS	# OF ATHLETES	# OF COACHES	IMPACT			
Georgetown University	1/3/2006	1/10/2006	Embassy Suites	77	40	2				
University of Michigan	2/25/2006	3/4/2006	Best Inn - Garner Lane	128	60	3				
Old Dominion Rowing	3/4/2006	3/10/2006	Homewood Suites	12	18	2				
Tabor Academy Crew	3/11/2006	3/17/2006	Suite One - Harbison	98	35	5				
University of Vermont	3/18/2006	3/25/2006	Ramada Limited I-20	112	50	3				
Total				427	203	15	\$298,900			
2007 WINTER/SPRING TRAINING										
DIR										
CREW	CHECK-IN	CHECK-OUT	HOTEL	TOTAL ROOM NIGHTS	# OF ATHLETES	# OF COACHES	<b>IMPACT</b>			
Georgetown University	1/3/2007	1/8/2007	Embassy Suites	132	60	2				
University of Michigan	2/24/2007	3/3/2007	American Inn - Garner Lane	129	60	3				
Syracuse University	3/10/2007	3/17/2007	Embassy Suites	97	60	2				
Tabor Academy Crew	3/18/2007	3/25/2007	Fairfield Inn by Marriott 53 of 74	98	32	4				
Total			55 01 74	456	212	11	\$319,200			

# COLUMBIA REGIONAL SPORTS COUNCIL / COLUMBIA ROWING CLUB Richland County Rowing Center Economic Impact Breakdown

#### 2008 WINTER/SPRING TRAINING

DIRECT ECONOMIC

							DIRECT ECONOMIC
CREW	CHECK-IN	CHECK-OUT	<u>HOTEL</u>	TOTAL ROOM NIGHTS	<u># OF ATHLETES</u>	<u># OF COACHES</u>	<b>IMPACT</b>
Georgetown University	1/2/2008	1/8/2008	Embassy Suites	132	48	4	
Syracuse University	3/9/2008	3/16/2008	Embassy Suites	97	60	2	
Colgate University	3/14/2008	3/22/2008	Royal Inn	120	35	3	
St. Mark's School	3/14/2008	3/21/2008	Holiday Inn Express	56	20	2	
Tabor Academy Crew	3/14/2008	3/21/2008	Fairfield Inn by Marriott	84	32	4	
Total			-	489	195	15	\$342,300

#### 2009 WINTER/SPRING TRAINING

							DIRECT ECONOMIC
<u>CREW</u>	CHECK-IN	CHECK-OUT	HOTEL	TOTAL ROOM NIGHTS	<u># OF ATHLETES</u>	# OF COACHES	<b>IMPACT</b>
Georgetown University	12/30/2008	1/6/2009	Embassy Suites	70	37	3	
Bucknell University	1/5/2009	1/12/2009	Radisson	77	34	4	
Syracuse University	3/7/2009	3/15/2009	Embassy Suites	153	60	2	
Bucknell University	3/7/2009	3/15/2009	Radisson	128	34	4	
St. Mark's School	3/16/2009	3/23/2009	Wingate Harbison	35	25	2	
Tabor Academy Crew	3/14/2009	3/21/2009	Fairfield Inn by Marriott	96	32	4	
Total				559	222	19	\$391,300

#### 2010 WINTER/SPRING TRAINING

							DIRECT ECONOMIC
CREW	CHECK-IN	CHECK-OUT	<u>HOTEL</u>	TOTAL ROOM NIGHTS	<u># OF ATHLETES</u>	# OF COACHES	<b>IMPACT</b>
Georgetown University	1/4/2010	1/11/2010	Embassy Suites	80	40	3	
Bucknell University	1/11/2010	1/18/2010	Radisson	90	40	4	
Vanderbilt	3/6/2010	3/12/2010	Ramada Limited	90	32	2	
Syracuse University	3/13/2010	3/21/2010	Embassy Suites	153	60	2	
Bucknell University	3/13/2010	3/20/2010	Radisson	128	48	4	
St. Mark's School	3/15/2010	3/22/2010	Wingate Harbison	35	25	2	
Total				576	245	17	\$403,200

# COLUMBIA REGIONAL SPORTS COUNCIL / COLUMBIA ROWING CLUB Richland County Rowing Center Economic Impact Breakdown 2011 WINTER/SPRING TRAINING

CREW	CHECK-IN	CHECK-OUT	HOTEL	TOTAL ROOM NIGHTS	# OF ATHLETES	# OF COACHES	DIRECT ECONOMIC <u>IMPACT</u>
Georgetown University	1/2/2011	1/11/2011	Embassy Suites	90	40	3	
Bucknell University	1/10/2011	1/17/2011	Staybridge Suites	72	40	4	
Vanderbilt Universtiy	3/3/2011	3/11/2011	Wingate Harbison	60	32	2	
Vassar College	3/11/2011	3/18/2011	Staybridge Suites	66	35	2	
Bucknell University	3/12/2011	3/19/2011	Radisson	70	40	4	
Total				358	187	15	\$250,600

#### 2012 WINTER/SPRING TRAINING

CREW	CHECK-IN	CHECK-OUT	HOTEL	TOTAL ROOM NIGHTS	# OF ATHLETES	# OF COACHES	DIRECT ECONOMIC IMPACT
Georgetown University	1/2/2012		Embassy Suites	90	50	3	<u></u>
Dayton University	1/9/2012	1/15/2012	InTown Suites	12	6	2	
Bucknell University	3/10/2012	3/16/2012	DoubleTree	60	36	2	
Vassar College	3/11/2012	3/18/2012	Staybridge Suites	91	45	2	
Hobart & William Smitih Colleges	3/17/2012	3/24/2012	DoubleTree	138	68	5	
St. Ignatius (OH) High School	4/9/2012	4/13/2012	Ramada Limited I-20	92	85	15	
Total				483	290	29	\$338,100

#### 2013 WINTER/SPRING TRAINING

CREW	CHECK-IN	CHECK-OUT	HOTEL	TOTAL ROOM NIGHTS	# OF ATHLETES	# OF COACHES	DIRECT ECONOMIC <u>IMPACT</u>
Georgetown University	1/1/2013	1/8/2013	Embassy Suites	77	57	3	
Bucknell University	3/9/2013	3/16/2013	Hotel Zimalcrest	54	37	2	
Vassar College	3/16/2013	3/23/2013	Staybridge Suites	66	29	2	
Hobart & William Smitih Colleges	3/16/2013	3/23/2013	Hotel Zimalcrest	77	45	4	
St. Ignatius (OH) High School	4/1/2013	4/7/2013	Ramada Limited I-20 & Embassy	145	80	10	
Total				419	248	21	\$293,300

# COLUMBIA REGIONAL SPORTS COUNCIL / COLUMBIA ROWING CLUB Richland County Rowing Center Economic Impact Breakdown 2014 WINTER/SPRING TRAINING

	_						DIRECT ECONOMIC
		CHECK-OUT	HOTEL	TOTAL ROOM NIGHTS	# OF ATHLETES	# OF COACHES	<b>IMPACT</b>
5	30/2013	1/6/2014	Embassy Suites	70	40	3	
, ,	8/2014	1/12/2014	Embassy Suites	68	60	10	
5	6/2014	3/22/2014	Staybridge Suites	66	36	2	
Stony Brook 3/15	5/2014	3/22/2014	Staybridge Suites	35	25	1	
Total				239	161	16	\$167,300
			2015 WINTER/S	PRING TRAINING			
							DIRECT ECONOMIC
CREW CHE	ECK-IN	CHECK-OUT	<u>HOTEL</u>	TOTAL ROOM NIGHTS	# OF ATHLETES	# OF COACHES	<b>IMPACT</b>
U of Rhode Island men 3/14	4/2015	3/22/2015	Staybridge Suites	56	26	2	
Total				56	26	2	\$39,200
Total				50	20	2	<b>\$55,200</b>
			2017 WINTER/S	PRING TRAINING			
							DIRECT ECONOMIC
CREW CHE	ECK-IN	CHECK-OUT	HOTEL	TOTAL ROOM NIGHTS	<u># OF ATHLETES</u>	# OF COACHES	<b>IMPACT</b>
U of Rhode Island men 3/10	0/2017	3/18/2017	Staybridge Suites	99	50	2	
Total				99	50	2	\$71,036
						-	ψη 1,000
			2018 WINTER/S	PRING TRAINING			
							DIRECT ECONOMIC
CREW CHE	ECK-IN	CHECK-OUT	HOTEL	TOTAL ROOM NIGHTS	# OF ATHLETES	# OF COACHES	IMPACT
U of Rhode Island men 3/9	9/2018	3/17/2018	Staybridge Suites	96	43	2	
Tatal				00	40	0	¢74.000
Total				96	43	2	\$71,036
TOTAL IMPACT OF THE RICHLAND CO	OUNTY	<b>ROWING CEN</b>	ITER SINCE 2003	4,921	2,429	200	\$3,450,272

# RICHLAND COUNTY ADMINISTRATION

2020 Hampton Street, Suite 4069 Columbia, SC 29204 803-576-2050



#### Agenda Briefing

Prepared by:	Callison Richard son		Title	:	Divisior	Manager
Department:	Grants and	Community Outreach	Divis	<b>Division:</b> Community Development		munity Development
Date Prepared:	October 24	, 2023	Meeting Date:		Date:	November 16, 2023
Legal Review	Patrick Wright via email			Date: C		October 30, 2023
Budget Review	Abhijit Deshpande via email			Date:		November 1, 2023
Finance Review	Stacey Ham	Stacey Hamm via email			ate:	November 3, 2023
Approved for consider	ed for consideration: Assistant County Administrator Aric A			A Jense	en, AICP	
Meeting/Committee	Administ	Administration & Finance				
Subject	FY23-24	Y23-24 CDBG Public Service Projects and Public Facilities Infrastructure Projects				

#### **RECOMMENDED/REQUESTED ACTION:**

In alignment with the 2023 Annual Action Plan and approved budget, Community Development staff requests approval of the proposed allocations and projects for investment with the PY23 CDBG funds.

#### Request for Council Reconsideration: Yes

FIDUCIARY:

Are funds allocated in the department's current fiscal year budget?	$\boxtimes$	Yes		No
If not, is a budget amendment necessary?		Yes	$\boxtimes$	No

#### **ADDITIONAL FISCAL/BUDGETARY MATTERS TO CONSIDER:**

The proposed projects will be funded from the following budgets and object codes:

GL/JL Key	1202992010 / 4892700	CDBG	FY23
Object Code	527600	Lump Sum Appropriations	\$258,509
Object Code	526703	Public Facilities	\$801,079
GL/JL Key	1202992010 / 4892300	CDBG	FY22
Object Code 526703		Public Facilities	\$801,079

*Applicable department/grant key and object codes:* as outlined above

**OFFICE OF PROCUREMENT & CONTRACTING FEEDBACK:** 

Not applicable.

COUNTY ATTORNEY'S OFFICE FEEDBACK/POSSIBLE AREA(S) OF LEGAL EXPOSURE:

There are no legal concerns regarding this matter.

#### **REGULATORY COMPLIANCE:**

#### CDBG Project Eligibility and Alignment with County's HUD Plans:

All proposed projects have been verified by Community Development staff to meet HUD eligibility criteria, including:

- 1. Meeting a HUD National Objective
- 2. Will be managed by an eligible subrecipient
- 3. Aligns with the County's 22-26 Five Year Consolidated Plan and 23 Annual Action Plan
- 4. Will take place in an LMI area of unincorporated Richland County and or directly serve LMI qualified residents of unincorporated Richland County.

#### Environmental Reviews:

Environmental Reviews will be conducted for each project to ensure compliance with HUD. Projects involving construction of any manner will be reviewed by a NEPA-Certified Environmental Consultant.

#### Drawing funds from HUD:

All funds will be disbursed as reimbursements. As funds are expended, Community Development staff will enter the activities into the IDIS system and initiate a draw for the full amount.

#### CDBG Timeliness Test:

Richland County is facing a CDBG Timeliness Test defined below by July 30, 2024.

A CDBG Entitlement grantee, in accordance with the CDBG regulations at 24 CFR 570.02, must have a balance no greater than one and one-half (1.5) times its annual grant remaining in the Line of Credit, 60 days prior to the end of the program year.

As CDBG funds have built up due to COVID-19, program closures, and staff turnover over the last several years, the County must expend and draw from IDIS a total of \$2,981,717.10 in CDBG funds by July 30, 2024. Community Development staff is working diligently to ensure a plan is in place to successfully expend these funds through HUD compliant activities in line with the County's Annual Action Plans, including, but not limited to: investments in infrastructure and public facilities, grants to non-profits to fund public services, the minor home repair program, and planning and administration expenses.

The proposed projects and partner agencies allow for the efficient and impactful use of CDBG funds, positions the County meet the Timeliness Test, and provide critical services and community improvements for LMI households throughout the County.

#### MOTION OF ORIGIN:

"...to approve the submission of the Community Development Block Grant (CDBG), HOME Investment Partnership, and Emergency Solutions Grant (ESG) plans, as well as the Substantial Amendment to the 2022-2026 Five-Year Consolidated Plan to incorporate the newly awarded ESG funds to HUD..."

Council Member	The Honorable Chakisse Newton, District 11
Meeting	Regular Session
Date	July 18, 2023

#### **Proposed Projects:**

Attachment 1 Overview of Public Service Projects

Attachment 2 Overview of Public Facilities and Infrastructure Projects

#### Selection Process:

The Community Development (CD) staff initiated a wide-reaching and robust Notice of Funding Availability (NOFA) and selection process on August 4, 2023. Beginning with a 30-day notice and preapplication period which included two informational workshops attended by over 50 local organizations, the CD staff worked diligently to ensure community partners were aware of the funding opportunity. A NOFA landing page was created on the Richland County website where community members could access all application materials, CDBG programs guidelines, FAQ's, and more. The Public Information Office made graphics and shared information via social media. It was by-and-large the largest NOFA push and response in the Division's recent history. Emphasis was put on encouraging County Departments to seek funding for infrastructure, facility, and programming support. Further, Division staff were available to answer questions and encourage participation by the many organizations that have not previously pursued CDBG funding, including both Richland School Districts One and Two, as well as several local churches.

CD staff reviewed all pre-applications to ensure CDBG and HUD eligibility for proposed projects and service area as well as alignment with the County's 2023 Annual Action Plan. Right-fit projects were invited to submit full applications to provide additional information. Full applications were received on Friday, October 15<sup>th</sup>, where they were checked for completeness and continued eligibility. Two diverse CDBG Scoring Committees were utilized - one for Public Service applications and another for Public Facilities and Infrastructure applications. Committee members received training on the CDBG program, Independent Scoring Guidelines, and scoring criteria for the proposals. Scoring Committee submitted all final scores by Friday, November 3<sup>rd</sup>, and CD staff submitted final recommendations to the Administration & Finance Committee for consideration.

The Selection Timeline occurred as follows:

August 4	Notice of Funding Availability released
September 4	Request for Application Proposals Submitted
September 15	Richland County Government staff reviewed for eligibility, fit with AAP, invited selected projects to full application
October 15	Full applications due via Neighborly Software
October 15 – 20	Community Development staff review for completeness, continued eligibility
Friday, October 20	Training with Scoring Committee
October 20 – November 3	Scoring Committee review and score via Neighborly Software

November 8	CD Staff submits funding recommendations to Admin & Finance Committee
November 15	Administration & Finance Committee Meeting
December 6	Council Meeting to finalize

#### Initiating Projects and Expending Funds

After initial recommendation for projects from the Administration & Finance Committee, CD staff will begin the NEPA Environmental Review process for all construction-based projects. After Council approval of the proposed CDBG projects on December 5, 2023, CDBG staff will initiate contracts for Public Service projects and Public Facility and Infrastructure projects that have met the Environmental Review requirements and have been approved by HUD. All projects proposed have the ability to expend at least 80% of their CDBG award by July 1, 2024, further positioning the County to meet the critical CDBG Timeliness Test of July 30, 2024.

#### CDBG Timeliness Test:

The purpose for these proposed projects is to better position the County to reach the required HUD Timeliness Test defined below by July 30, 2024

A CDBG Entitlement grantee, in accordance with the CDBG regulations at 24 CFR 570.02, must have a balance no greater than one and one-half (1.5) times its annual grant remaining in the Line of Credit, 60 days prior to the end of the program year.

As CDBG funds have built up due to COVID-19, program closures, and staff turnover over the last several years, the County must expend and draw from IDIS a total of \$2,981,717.10 by July 30, 2024. Community Development staff is working diligently to ensure a plan is in place to successfully expend these funds through HUD compliant activities in line with the County's Annual Action Plans, including: investments in infrastructure and public facilities, grants to non-profits to fund public services, the minor home repair program, and planning and administration expenses.

The proposed projects allow for the efficient and impactful use of CDBG funds, position the County meet the Timeliness Test, and provide critical services and improvements to LMI areas of the County.

#### Alternatives:

With the critical need to meet the CDBG Timeliness Test in July 2024, the County must prioritize "shovel ready" projects with partners who have the capacity to manage Federal funds and run compliant programs/projects. Failure to approve these projects to move forward would jeopardize the Community Development Division's ability to meet the impending timeline as new projects would have to be identified. From start to finish, this NOFA process was conducted over a four-month period of time. If further delayed, it is unlikely the County could invest these funds in line with the 2023 Annual Action Plan. Alternative funding projects would require a Substantial Amendment process and the reallocation of these funds to other "shovel ready" investments (i.e. the purchase of a fire truck or land acquisition for affordable housing).

#### ASSOCIATED STRATEGIC GOAL, OBJECTIVE, AND INTIATIVE:

- Goal 3: Commit to fiscal responsibility.
- Goal 4: Plan for growth through inclusive and equitable infrastructure
- Objective 4.4: Provide equitable living and housing options
- Goal 5: Achieve positive public engagement
- Objective 5.1: Champion the organization through public engagement and communication on County wins
- Objective 5.2: Foster positive public engagement with constituents and create opportunities to allow us to "tell our own story"
- Objective 5.3: Complete and celebrate projects to create excitement in the community
- Objective 5.4: Develop a community engagement plan

The proposed projects allow for the strategic use of valuable CDBG funds and put them to work helping LMI households across the County. Proposed projects enable the County to invest critical dollars more efficiently and meet a critical HUD Timeliness Test. Further, these plans were developed with a period of public comment and input, so the execution of these plans is an example of citizen voices being heard and making a difference.

#### **ATTACHMENTS:**

- 1. Overview of Public Service Projects
- 2. Overview of Public Facilities and Infrastructure Projects

Proposed Public Service Projects | Funding for October 1, 2023 – September 30, 2024

Organization/Agency	Project Name	Proposed Award
Richland County CASA Foundation	Advocacy for Victims of Child Abuse and Neglect	\$28,000.00
Healthy Learners	Increasing Access to Health Care for Low-Income Children	\$63,000.00
Homeless No more	Life Skills for Homeless Families	\$50,000.00
Sistercare Inc.	Counseling, Outreach, and Bilingual Services for Underserved Residents in Unincorporated Richland County Experiencing Domestic Violence	\$67,509.00
United Way of Midlands	WellPartners Adult Eye Care Clinic—Richland County	\$50,000.00
	<b>TOTAL</b> <i>Public Service funding allocation in the PY23</i> <i>Annual Action Plan</i>	\$258,509.00 (Capped at 15%)

#### Project Descriptions:

**Richland County CASA Foundation | Advocacy for Victims of Child Abuse and Neglect**- Staff is recommending \$28,000 in programmatic support for services to address the critical needs of the Richland County Court Appointed Special Advocates (RCCASA) program, which has experienced setbacks due to COVID-related uncertainties. The funding will enable RCCASA to hire one part-time contract Case Manager, dedicated to advocating for the best interests of abused and neglected children in Richland County Family Court, expediting their path to a safe and nurturing home. This support is vital, especially considering that all children in the custody of the Department of Social Services are living in poverty.

Healthy Learners | Increasing Access to Health Care for Low-Income Children- Staff is recommending \$63,000 in programmatic support for Healthy Learners to hire two Student Services Coordinators to expand services in low-income schools across Richland One and Two. They will provide vision, dental, hearing, and mental health care to children, enhancing their educational outcomes. The project aims to serve an additional 400 low-income children residing in unincorporated Richland County.

Homeless No More | Life Skills for Homeless Families- Staff is recommending \$50,000 in programmatic support for Homeless No More to enhance life skills programs, aiding families in crisis beyond housing assistance. The focus is on keeping families together, addressing their specific needs, and striving to break the cycle of generational poverty, while case management and life skills training will be provided to at

# ATTACHMENT I | CDBG Public Service Projects

least 60 participants at St. Lawrence Place, with a target of an 80% increase in life skill engagement among program participants. Monitoring and assessments, including qualitative feedback, will be carried out by HNM's Life Skills Coordinator, and the case management team will lead discussions and track income and job placement progress, all aimed at helping clients achieve their individual goals.

Sistercare Inc. | Counseling, Outreach, and Bilingual Services for Underserved Residents in Unincorporated Richland County Experiencing Domestic Violence - Staff is recommending \$67,509 in programmatic support for Sistercare Inc. provide clinical counseling and outreach services to underserved domestic violence survivors, particularly those in unincorporated areas of Richland County, including the Hispanic/Latino community. The project aims to achieve significant outcomes, including a 100% increase in outreach to unincorporated Richland County, a 100% increase in culturally specific counseling services for Hispanic/Latino domestic violence survivors, and a 30% increase in the number of domestic violence victims accessing Sistercare's 24/7 crisis line and receiving individual and group counseling services. These efforts respond to the urgent need for support in a region with high rates of domestic violence and a growing demand for services, particularly among the Hispanic/Latino population.

**United Way of Midlands (WellPartners) | WellPartners Adult Eye Care Clinic—Richland County** - Staff is recommending \$50,000 in programmatic support for WellPartners provide eye care services to low- to moderate-income in unincorporated areas of Richland County residents without health insurance. By enhancing access to eye care, WellPartners contributes to community well-being, enabling independence, workforce participation, and healthier lives. The proposal aims to expand services by 15%, serving an additional 103 residents, with an estimated total of 3,000 patient visits and the provision of 1,100 eyeglasses, representing a value exceeding \$270,000 during the grant period.

#### **PROJECT ELIGBILITY & IMPACT:**

The requested proposals meet critical needs identified by Richland County Community Development and Department of Housing and Urban Development (HUD). All projects align with the 2023 Annual Action Plan and the 2022-2026 Five-Year Consolidated Plan, and utilize established best practices to provide services. They prioritize the greatest needs of vulnerable populations by creating interventions and providing counseling to address serve Low-to-Moderate Income individuals and households struggling with homelessness, abuse and neglect, lack of access to healthcare, and financial stability. Organizations are equipped to manage both the programmatic and grant management sides of the proposed projects. The reimbursements for salaries, direct services, travel, and program supplies will enable all of these organizations to better serve the county's at-risk populations. By granting the funding to the organizations, the funding will help the programs improve efficiency and effectiveness by providing these essential services.

All grants are provided as reimbursements based off the eligible requirements from the Community Development Block Grant eligible activities.

## ATTACHMENT II | CDBG Infrastructure & Public Facilities Projects

# Proposed CDBG Infrastructure & Public Facilities Projects Funding for October 1, 2023 – September 30, 2024

Organization/Agency	Project Name	Location	Proposed Award
Richland County Utilities	Greenlake Subdivision Gravity Sewer Rehab	Greenlake Subdivision Old Leesburg Road area Hopkins, SC	\$460,000.00
Midlands Housing Alliance	Renewal of Transitions Homeless Center	2025 Main Street Columbia, SC Serving countywide needs	\$353,150.00
Oliver Gospel Mission	Fresh Renewal of Men Experiencing Homelessness	1100 Taylor Street Columbia, SC Serving countywide needs.	\$385,000.00
Serve & Connect	Renovation of former Petersen Presbyterian Church to HQ for Serve & Connect and a Community Center with Meeting SpaceWoodfield Park Neighborhood 8131 Brookfield Rd. Columbia, SC 29206		\$300,000.00
Contingency Funding for 2024 CDBG Projects	Funding for contingency needs wit Unused funds will be reallocating to (Operation One Touch, Affordable)	o other eligible CDBG programs	\$104,008.00
		<b>TOTAL</b> PY22 and PY23 CDBG Funds Allocated for Infrastructure & Facility Improvements serving LMI individuals/households.	\$1,602,158.00

**Project Descriptions:** 

**Richland County Utilities | Greenlake Subdivision Gravity Sewer Rehab** - Staff is recommending \$460,000 to fully fund the sewer rehab project. The Greenlake sub-division collection system was constructed in 1985 and has been deteriorating due to age and many pipes are in need of replacement or rehabilitation. The current plan is to renew the deteriorated pipes to new condition using a process called Cured-In-Place pipe. The manholes in the neighborhood would be repaired using a similar method called lining. 164

# ATTACHMENT II | CDBG Infrastructure & Public Facilities Projects

households in an LMI area will be impacted by reducing sewage backups and overflows that can cause environmental and health hazards.

**Midlands Housing Alliance | Renewal of Transitions Homeless Center** - Staff is recommending \$353,150 to support the physical improvements of three areas to assist in transforming the Day Center into a Community Center for the unhoused population in the downtown area: 1) creating ADA Accessible bathrooms and doors, 2) Developing a comprehensive trauma-informed redesign of Day Center for quiet/safe spaces, and 3) integration of broadband connectivity, creating three Wi-Fi gateways on campus for clients.

**Oliver Gospel Mission | Fresh Renewal for Men Experiencing Homelessness** - Staff is recommending \$385,000 to support the physical improvements required to ensure the Oliver Gospel Mission's aging facilities can continue to meet the needs of the homeless, especially those with physical disabilities. Funds will be used to update dorm-style bathrooms in the night-by-night area of their Men's Center, increasing the number of facilities and adding ADA accessibility to overstressed facilities. Funds will also replace all four water heaters in the Men's Center. Built in 1888 and maintained with necessary repairs and minor improvements to the residential facility, but no renovations have occurred since 2018.

Serve & Connect | Renovation of former Petersen Presbyterian Church to HQ for Serve & Connect and a Community Center with Meeting Space - Staff is recommending \$300,000 to support the renovation of the former Peterson Presbyterian Church property to include space for the Serve & Connect organization's headquarters and the creation of a community center. This property is located in an area that has limited access to public services, parks, and recreational spaces. Their intention is to repurpose the once vibrant property to create a safe space for intergenerational connection among residents in the Woodfield/Dentsville communities and surrounding neighborhoods. Upgrades to the facility include HVAC, security systems, water damage repair, lighting and ceiling aspects, and creation of office and meeting spaces.

# RICHLAND COUNTY ADMINISTRATION

2020 Hampton Street, Suite 4069 Columbia, SC 29204 803-576-2050



#### Agenda Briefing

Prepared by:	Callison Ric	Callison Richardson		D	ivision	Manager
Department:	Grants and	Community Outreach	Divisi	sion: Community Development		munity Development
Date Prepared:	October 24	, 2023	Meet	Meeting Date: November 16,		November 16, 2023
Legal Review	Patrick Wri	Patrick Wright via email		Date:		October 27, 2023
Budget Review	Abhijit Deshpande via email			Date:		November 1, 2023
Finance Review	Stacey Ham	Stacey Hamm via email		Date:		November 3, 2023
Approved for consideration: Assistant County Administ		Assistant County Administr	ator A	Aric A	A Jense	n, AICP
Meeting/Committee	e Administration & Finance					
Subject	CDBG Su	CDBG Substantial Amendments to Consolidated Plan and Ann			nd Annual Action Plans for	
	Affordat	le Rental Housing Developm	ent			

#### **RECOMMENDED/REQUESTED ACTION:**

Community Development staff request approval of the proposed Substantial Amendments to the County's 2017-2021 Five-Year Consolidated Plan, 2020 Annual Action Plan, and 2021 Annual Action Plan. These amendments will expand the goal of creating more affordable rental housing for the County.

#### Request for Council Reconsideration: Yes

#### FIDUCIARY:

Are funds allocated in the department's current fiscal year budget?	$\square$	Yes		No
If not, is a budget amendment necessary?		Yes	$\boxtimes$	No

#### **ADDITIONAL FISCAL/BUDGETARY MATTERS TO CONSIDER:**

The Substantial Amendments will reallocate \$600,000 of unused CDBG funds for the acquisition and rehabilitation of affordable rental units for Low-and-Moderate-Income (LMI) residents of unincorporated Richland County with an established Affordability Period of 15 years. Funds will be reallocated from previously planned, but never executed owner-occupied rehabilitation projects and an economic development project.

The funds will be reallocated from the following projects included in the 2020 and 2021 Annual Action Plans:

\$225,000 from the 2020 Operation One Touch (minor home repair) Project.

\$175,000 from the 2021 Owner-Occupied Housing Rehabilitation Project.

\$200,000 from the 2021 Economic Development Project

Funds will be moved **from** the following Budgets and Object Codes:

GL/JL Key 1202992010 / 4891700		CDBG	FY20
Object Code	526705	Housing Revitalization	\$225,000
GL/JL Key	1202992010 / 4892100	CDBG	FY21
Object Code	526705	Housing Revitalization	\$175,000
GL/JL Key	1202992010 / 4892100	CDBG	FY21
Object Code	528000	Economic Development	\$200,000

Funds will be moved **to** the following Budgets and Object Codes:

GL/JL Key	1202992010 / 4891700	CDBG	FY20
Object Code	526702	Rental Rehabilitation	\$225,000
GL/JL Key	1202992010 / 4892100	CDBG	FY21
Object Code	526702	Rental Rehabilitation	\$375,000

We are working with Budget & Grants Management and the Finance Department to identify a proper Object Code for the new Rental Development project.

Applicable department/grant key and object codes: to be determined

**OFFICE OF PROCUREMENT & CONTRACTING FEEDBACK:** 

Not applicable.

COUNTY ATTORNEY'S OFFICE FEEDBACK/POSSIBLE AREA(S) OF LEGAL EXPOSURE:

There are no legal concerns regarding this matter.

#### **REGULATORY COMPLIANCE:**

#### HUD Consolidated Plan & Annual Action Plan Substantial Amendment Regulations:

In line with the Citizens Participation Plan, a Public Notice (see attachment) announcing the proposed Substantial Amendments, public comment period, and public hearing posted on Friday, October 27, 2023 in The State newspaper. The amended plans will be on public display for a 30-Day Public Comment Period from October 27-November 27. A Public Hearing will take place on Thursday, November 9, 2023 for Citizens to provide comment. A physical copy of the plans is available in the Community Development office while digital copies are available on the Community Development page of the County's website. All Substantial Amendments require final approval from County Council.

HUD Regulations on CDBG Acquisition & Rehab:

After approval, the Community Development staff will execute a process to utilize these funds to assist qualified, nonprofit rental housing developers with the acquisition and rehab of rental units. In accordance with HUD regulations, no CDBG funds will be used in the development of new construction,

all subrecipients will sign both a CDBG Subrecipient Agreement and a CDBG Developer's Agreement, no property sale agreements will be executed until Environmental Reviews are completed and a release of funds from HUD is received. All CDBG-assisted units will implement a 15-Year Affordability Period guaranteeing affordable rental rates for designated Low-to-Moderate Income (LMI) residents. All CDBG-assisted units will comply with HOME Investment Partnership guidelines for the maintenance and occupancy standards of affordable rental housing.

### Drawing funds from HUD:

All funds will be disbursed as reimbursements. As funds are expended, Community Development staff will enter the activities into the IDIS system and initiate a draw of the full \$600,000 by the Timeliness Test Deadline of July 31, 2024.

#### **MOTIONS OF ORIGIN:**

Report of the Administration and Finance Committee –Approval of the 5 Year Consolidated Plan [FY17-21] and the FY17-18 Annual Action Plan for Community Development Federal Funds. Mr. Pearce stated the committee recommended approval of this item. The vote in favor was unanimous.

Council Member	The Honorable Greg Pearce, District 6
Meeting	Special Called
Date	July 25, 2017

FY2020-2021 CDGG and HOME Annual Action Plan Budget - Ms. Newton moved, seconded by Ms. Dickerson. The vote in favor was unanimous.

Council Member	The Honorable Chakisse Newton, District 11
Meeting	Regular Session
Date	July 21, 2020

Community Planning & Development - 2021-2022 Annual Action Plan: Ms. Newton moved to approve the consent agenda. The vote in favor was unanimous.

Council Member	The Honorable Chakisse Newton, District 11
Meeting	Special Called
Date	July 13, 2021

#### **STRATEGIC & GENERATIVE DISCUSSION:**

The proposed Substantial Amendments will not only help the County add more affordable rental units to the local housing stock during a significant housing crisis, but it will also assist the Community Development staff's goal to meet the critical CDBG Timeliness Test coming July 30, 2024.

#### Affordable Rental Units:

With this \$600,000, staff anticipates the creation of six new rental units through this acquisition and rehabilitation project. Resulting CDBG-assisted units will be owned, maintained, and monitored for compliance by eligible community organizations experienced in affordable rental housing development. Each unit will require a 15-Year Affordability Period enforced using a Restrictive Covenant as part of the property acquisition process. Any organization assisted with the acquisition or rehab of a rental unit will be required to target families whose income is 60% (very low) or below area median income. Monthly rents and utilities should not exceed 30% of annual gross household income.

HUD has established rent limits and housing income thresholds for 2023 as follows and these limits will be utilized on all CDBG-assisted units:

#### 2023 Home Program Rent Limits

#### Columbia, SC HUD Metro FMR Area

Program	Efficiency	IBR	2BR	3BR	4BR	5BR	6 BR
Low HOME Rent Limits	\$735	\$787	\$945	\$1091	\$1217	\$1343	\$1468
High HOME Rents	\$935	\$996	\$112 5	\$1385	\$1525	\$1664	\$1803
Fair Market Rent	\$944	\$996	\$112 5	\$1442	\$1724	\$1983	\$2241

#### 2023 Home Income Limits

#### Columbia, SC MSA (Richland County)

Income Threshold by Household Size	1	2	3	4	5	6	7	8
30% Limits	\$17,650	\$20,150	\$22,650	\$25,150	\$27,200	\$29,200	\$31,200	\$33,200
50% Limits	\$29,400	\$33,600	\$37,800	\$41,950	\$45,350	\$48,700	\$52,050	\$55,400
60% Limits	\$35,280	\$40,320	\$45,360	\$50,340	\$54,420	\$58,440	\$62,460	\$66,480
80% Limit	\$47,000	\$53,700	\$60,400	\$67,100	\$72,500	\$77,850	\$83,250	\$88,600

FOUNDATION FOR FUTURE RENTAL HOUSING ACTIVITIES:

Community Development staff would like to use this initial acquisition and rehab project as an opportunity to try out the strategy for potential larger investment in future Annual Action Plans. Historically, HUD funds the County has received have been geared towards home-ownership opportunities with less emphasis on developing affordable rental units. As the current housing market with home prices and mortgage interest rates significantly pricing out most Americans, even with the

down payment assistance the County can offer through RCHAP, homeownership is entirely out of reach for Low-to-Moderate-Income families. Additionally, trends in the rental market have also made affordable rental units hard to find in Richland County. With this initial investment of \$600,000, the staff will have the opportunity to build the "toolkit" for acquisition and rehab rental projects, laying the groundwork for larger investments in the next Annual Action Plan.

#### Explanation for Unused CDBG Funds and Need to Reallocate:

Over the last several years, there has been a buildup of CDBG funds for two Community Development programs -- 1) Operation One Touch, the County's signature minor home repair program for LMI families and seniors, and 2) A Proposed (but never executed) Small Business Grant Program. This buildup of funds is due to the fact that CDBG project activity largely came to a halt during the COVID-19 Pandemic and the Division experienced a significant turnover in staffing and leadership.

With new leadership coming on board in October 2022, the Division has slowly been able to reopen programs including Operation One Touch with houses currently in the process of being repaired. However, the buildup of funds has reached a point where funding levels are beyond the current capacity of the CD Team to expend these funds through these programs in a timely manner. At present, there are \$1.4 Million in built up funds allocated for Operation One Touch (see Attachment 2) which, at \$20,000 per house (the max. allowable) and producing 20 repairs a year (beyond the historical level), would take the team more than three years to expend. Meanwhile, additional CDBG allocations for this program will arrive annually. Each house requires an application and eligibility check, scope of work creation, contractor bidding process with Procurement, Tri-Party agreement execution, etc. Though the need is great, it is a complex, time-consuming process. Further, the proposed new small business grant program needs significant development (policies and procedures, contracts, partnerships, staff training, etc.) to ensure HUD compliance and will require program management capacity the CD team will not have available until at least Spring 2024. Conversely, an acquisition and rehabilitation project are a much more efficient and effective use of time and resources for our current capacity and imposed deadlines.

These proposed substantial amendments allow for the expedited expenditure of CDBG funds to meet a critical need (rental housing development) while also positioning the County to successfully meet the fast approaching CDBG Timeliness Test Deadline of July 31, 2024. Further, even after the \$600,000 reallocation, the two affected programs will still have sufficient funding levels:

- 1. Operation One Touch: \$643,166 remaining for minor home repairs
- 2. Economic Development/Small Business Grants: \$250,000 for small business grants

These funding levels allow these important initiatives to continue at a realistic level on a reasonable timeline.

#### CDBG Timeliness Test:

The purpose for these proposed Substantial Amendments is to better position the County to reach the required HUD Timeliness Test defined below by July 30, 2024 --

-- A CDBG Entitlement grantee, in accordance with the CDBG regulations at 24 CFR 570.02, must have a balance no greater than one and one-half (1.5) times its annual grant remaining in the Line of Credit, 60 days prior to the end of the program year.

As CDBG funds have built up due to COVID-19, program closures, and staff turnover over the last several years, the County must expend and draw from IDIS a total of \$2,981,717.10 by July 30, 2024. Community Development staff is working diligently to ensure a plan is in place to successfully expend these funds through HUD compliant activities in line with the County's Annual Action Plans, including: investments in infrastructure and public facilities, grants to non-profits to fund public services, the minor home repair program, and planning and administration expenses.

The proposed Amendments allow for the addition of a new Affordable Rental Housing development project which was not included in the original Action Plans. This strategy allows for the efficient and impactful use of CDBG funds, positions the County meet the Timeliness Test, and provide affordable rental units for LMI families for the next 15 years.

#### Associated Strategic Goal, Objective, and Intiative:

- Goal 3: Commit to fiscal responsibility.
- Goal 4: Plan for growth through inclusive and equitable infrastructure
- Objective 4.4: Provide equitable living and housing options
- Goal 5: Achieve positive public engagement
- Objective 5.1: Champion the organization through public engagement and communication on County wins
- Objective 5.2: Foster positive public engagement with constituents and create opportunities to allow us to "tell our own story"
- Objective 5.3: Complete and celebrate projects to create excitement in the community
- Objective 5.4: Develop a community engagement plan

The proposed Substantial Amendments to allow for the strategic use of valuable CDBG funds and put them to work helping provide affordable, safe home for LMI renters. The Amendments enable the County to invest critical dollars more efficiently and meet a critical HUD Timeliness Test. Further, these plans were developed with a period of public comment and input, so the execution of these plans is an example of citizen voices being heard and making a difference.

#### **ATTACHMENTS:**

- 1. Public Notice for 30 Day Comment Period & Public Hearing
- 2. Balance Sheets for Operation One Touch
- 3. Balance Sheets for Economic Development Projects

Attachment 1

# County of Richland-PROD Job Ledger Budget Inquiry by Key

As of Period - October 2023

Budget Version: CB

Ledger: GL

Object	Description	Budget	Actual	Encumbrance	Balance
GL/JL Key: 12	02992010 / 4891300 - CDBG FY18				
Expenditu	re				
526705	Housing Revitalization	2,000.00	0.00	0.00	2,000.00
	Expense Total:	2,000.00	0.00	0.00	2,000.00
	Key 4891300 Total:	(2,000,00)	0.00	0.00	(2,000.00)
GL/JL Key: 12 Expenditu					
526705	Housing Revitalization	170,558.73	0.00	72,907.39	97,651.34
	Expense Total:	170,558.73	0.00	72,907.39	97,651.34
	Key 4891500 Total:	(170,558.73)	0.00	72,907.39	(243,466.12)
GL/JL Key: 12 Expenditu	 02992010 / 4891700 - CDBG FY20 re		_		
526705	Housing Revitalization	225,000.00	0.00	0.00	225,000.00
	Expense Total:	225,000.00	0.00	0.00	225,000.00
	Key 4891700 Total:	(225,000.00)	0.00	0.00	(225,000.00)
GL/JL Key: 12 Expenditur					
526705	Housing Revitalization	276,165.54	0.00	14,999.00	261,166.54
	Expense Total:	276,165.54	0.00	14,999.00	261,166.54
	Key 4892100 Total:	(276,165.54)	0.00	14,999.00	(291,164.54)
GL/JL Key: 12 Expenditur		0.000			
526705	Housing Revitalization	214,994.00	0.00	0.00	214,994.00
	Expense Total:	214,994.00	0.00	0.00	214,994.00
	Key 4892300 Total:	(214,994,00)	0.00	0.00	(214,994.00)
The second second second	02992010 / 4892700 - CDBG FY23 re				
Expenditu			0.00	0.00	219,128.00
526705	Housing Revitalization	219,128.00	0.00	0.00	

Report: JL5001 - JL5001: Job Ledger Budget Inquiry by

# County of Richland-PROD Job Ledger Budget Inquiry by Key

As of Period - October 2023

Ledger: GL Budget Version: CB

Object	Description	Budget	Actual	Encumbrance	Balance
	Key 4892700 Total:	(219,128.00)	0.00	0.00	(219,128.00)

#### Attachment 2

# County of Richland-PROD Job Ledger Budget Inquiry by Key

As of Period - October 2023

Budget Version: CB

Ledger: GL

Object	Description	Budget	Actual	Encumbrance	Balance
GL/JL Key: 12	02992010 / 4892100 - CDBG FY21				
Expenditu	re				
528000	Economic Development	250,000.00	0.00	0.00	250,000.00
	Expense Total:	250,000.00	0.00	0.00	250,000.00
	Key 4892100 Total:	(250,000.00)	0.00	0.00	(250,000.00)
GL/JL Key: 12					
Expenditu	ге				
528000	Economic Development	100,000.00	0.00	0.00	100,000.00
	Expense Total:	100,000.00	0.00	0.00	100,000.00
	Key 4892300 Total:	(100,000.00)	0.00	0.00	(100,000.00)
GL/JL Key: 12					
Expenditu	re				
528000	Economic Development	100,000.00	0.00	0.00	100,000.00
	Expense Total:	100,000.00	0.00	0.00	100,000.00
	Key 4892700 Total:	(100,000.00)	0.00	0.00	(100,000.00)