COLUMBIA CITY COUNCIL MEETING AGENDA
TUESDAY, FEBRUARY 21, 2023

The Columbia City Council will conduct a Council Meeting on Tuesday, February 21, 2023 at 4:00 p.m. at City Hall (Council Chambers), 1737 Main Street, 3rd Floor, Columbia, South Carolina 29201. Members of the public may view the meeting online at www.columbiasc.gov. Please contact the City Clerk's Office at (803)545-3045 or cityclerk@columbiasc.gov if you have questions regarding the meeting.

The Honorable Daniel J. Rickenmann, Mayor
The Honorable Howard E. Duvall, Jr., At-Large ▪ The Honorable Edward H. McDowell, Jr., District II
The Honorable William Brennan, District III ▪ The Honorable Aditi Bussells, At-Large
The Honorable Tina N. Herbert, District I

Prior to entering the meeting please turn all electronic communication devices to the silent, vibrate or off position. All presenters are asked to speak directly into the microphone for recording purposes.

CALL TO ORDER

PLEDGE OF ALLEGIANCE

INVOCATION

ADOPTION OF THE AGENDA

PUBLIC INPUT RELATED TO ITEMS ON THE AGENDA

APPROVAL AND PRESENTATION OF HONORARY STREET NAMING

1. Resolution No.: R-2023-020 - Approving the Honorary Naming of 1600 Oak Street to 2300 Laurel Street "Vince Ford Way"

CONSENT AGENDA ITEMS 2 THROUGH 24

2. Council is asked to approve a new Professional Services Agreement for a Davis-Bacon Compliance Consultant, as requested by the Community Development Department on February 3, 2021. Award to Contractor Compliance and Monitoring, Inc. in an amount not to exceed $130,000.00, which includes contingency. The term of the agreement is three years. This firm is located in San Mateo, CA.

   Funding Source: Community Development Block Grant Disaster Recovery Controlled Account - Mitigation Planning Activities - Professional Services (2639999-9120040020-636600). The original budget amount is $130,000.00.

3. Council is asked to approve a new Contract to Purchase a Western Star 47X Set Back Axle Truck for the Public Works Department, as requested by the Fleet Services Division on January 31, 2023. Award to Virginia Truck Center Inc., doing business as Excel Truck Center using the SC State Contract in the amount of $361,088.00. This vendor is located in Roanoke, VA.

   Funding Source: Capital Replacement - Auto, Trucks, Heavy Equipment-Capital (6308972-658500). The original budget amount is $361,088.00.

4. Council is asked to approve the Purchase of Chemicals for the Water & Wastewater Treatment Plants, as requested by Columbia Water on October 3, 2022. Award to multiple vendors, in an amount not to exceed $5,699,345.00.

   Funding Source: Utilities Columbia Canal Water Treatment Plant-Chemicals (5516206-624800); Utilities Lake Murray Water Treatment Plant-Chemicals (5516207-624800); Utilities Metro Wastewater Plant - Chemicals (5516208-624800). The original budget amount is $5,699,345.00.

5. Ordinance 2023-024 - Authorizing the City Manager to execute Amendment No. 8 to Amended and Restated Agreement of Sale and Purchase between the City of Columbia and Baker and Baker Real Estate Developers, LLC for the Sale of Parcel "A" containing approximately 27, 664 square feet (0.64 acre) and Parcel "B" containing approximately 25, 444 (0.58 acre) square feet located on the eastern side of Gist Street between Laurel Street and Blanding Street and known as Richland County TMS No.: 09005-02-44 and TMS No.: 09005-02-23

   First reading approval was given on February 7, 2023.

6. ANNEXATION, FUTURE LAND USE MAP AMENDMENT, AND ZONING MAP AMENDMENT for 1709 Smith Street; TMS# 16301-02-06

   Ordinance No.: 2023-010 - Annexing 1709 Smith Street, Richland County TMS #16301-02-06 into the City of Columbia, South Carolina, and Incorporating said property into Columbia Compass: Envision 2036 and the Official Zoning Map

   Council District: 3

   Proposal: Request to annex the property and assign a land use classification of Industrial (IND) and assign zoning of Light Industrial District (LI) at the time of annexation. The property is currently classified as Economic Development Center/Corridor and zoned M-1 by Richland County.

   Applicant: I-77 Atlas, LLC

Staff Recommendation: Approval

PC Recommendation: 12/08/2022; Approval (7-0)

First reading approval was given on February 7, 2023.

7. ANNEXATION, FUTURE LAND USE MAP AMENDMENT, AND ZONING MAP AMENDMENT for 2601 Two Notch Road and 1608 Germany Street; TMS# 11512-01-11

Ordinance No.: 2023-005 - Annexing 2601 Two Notch Road and 1608 Germany Street, Richland County TMS #11512-01-11 into the City of Columbia, South Carolina, and Incorporating said property into Columbia Compass: Envision 2036 and the Official Zoning Map

Council District: 2

Proposal: Request to annex the property and assign a land use classification of Urban Edge Multi-family (UEMF) and assign zoning of Community Activity Center/Corridor District (CAC) at the time of annexation. The property is currently classified as Mixed Residential (High Density) and zoned GC by Richland County.

Applicant: Laurie E. Flowers and Tammy M. Flowers / Jacqueline Bowman

Staff Recommendation: Approval

PC Recommendation: 12/08/2022; Approval (7-0)

First reading approval was given on February 7, 2023.

8. ANNEXATION, FUTURE LAND USE MAP AMENDMENT, AND ZONING MAP AMENDMENT for 7611 and 7611 ½ Garners Ferry Road and 0.40 acres, S/S Fountain Lake Road; TMS# 16315-03-02 and 16315-03-05

Ordinance No.: 2023-002 - Annexing 7611 Garners Ferry Road, 7611 ½ Garners Ferry Road and 0.40 acre S/S Fountain Lake Road, Richland County TMS# 16315-03-02 and TMS# 16315-03-05 into the City of Columbia, South Carolina, and Incorporating said property into Columbia Compass: Envision 2036 and the Official Zoning Map

Council District: 3

Proposal: Request to annex the property and assign a land use classification of Urban Edge Regional Activity Center (UEAC-2) and assign zoning of General Commercial District (GC) at the time of annexation. The property is currently classified as Neighborhood (Medium Density) and zoned GC by

Richland County.

Applicant: H & BJ Holdings, LLC and JDR, LLC / Del Lago Ventures, Inc.

Staff Recommendation: Approval

PC Recommendation: 12/08/2022; Approval (7-0)

First reading approval was given on February 7, 2023.

9. ANNEXATION, FUTURE LAND USE MAP AMENDMENT, AND ZONING MAP AMENDMENT for 1109 Kinley Road; TMS# 05000-04-09

Ordinance No.: 2023-018 - Annexing 1109 Kinley Road, Richland County TMS #05000-04-09 into the City of Columbia, South Carolina, and Incorporating said property into Columbia Compass: Envision 2036 and the Official Zoning Map

Council District: 1

Proposal: Request to annex the property and assign land use classification of Community Activity Corridor (AC-2) and assign zoning of Community Activity Center/Corridor District (CAC) at the time of annexation. The property is currently classified as Neighborhood (Medium Density), in a Priority Investment Area and zoned RU by Richland County.

Applicant: Izola Gist

Staff Recommendation: Approval

PC Recommendation: 01/12/2023; Approval (8-0)

First reading approval was given on February 7, 2023.

10. ZONING MAP AMENDMENT for 621 Amherst Avenue, TMS# 13804-15-08

Ordinance No.: 2023-009 - Amending the Official Zoning Map to modify the zoning for 621 Amherst Avenue, Richland County TMS# 13804-15-08

Council District: 3

Proposal: Request to rezone the property from Residential Two-Family District (RD) in the Shandon community Character Protection Overlay District (OV-CCP) to Neighborhood Center/Corridor District (NAC).

Applicant: Sage Real Property Group, LLC c/o Jeb Zoller

Staff Recommendation: Approval

PC Recommendation: 11/10/2022; Approval (7-0)

First reading approval was given on February 7, 2023.

11. ZONING MAP AMENDMENT for 200 Mulberry Lane, TMS# 08913-06-04

Ordinance No.: 2023-008 - Amending the Official Zoning Map to modify the zoning for 200 Mulberry Lane, Richland County TMS# 08913-06-04

Council District: 2

Proposal: Request to rezone the property from Residential Single Family-Small Lot District (RSF-3) in the Whaley Street Historic Protection Area (OV-HP) to Residential Mixed District (RM-2) in the Whaley Street Historic Protection Area (OV-HP).

Applicant: Wade Ward

Staff Recommendation: Approval

PC Recommendation: 12/08/2022; Approval (7-0)

First reading approval was given on February 7, 2023.

12. ZONING MAP AMENDMENT for 951 and 919 True Street, TMS# 16408-01-02 and 16408-01-03

Ordinance No.: 2023-011 - Amending the Official Zoning Map to modify the zoning for 951 True Street and 919 True Street, Richland County TMS# 16408-01-02 and 16408-01-03

Council District: 4

Proposal: Request to rezone the property from Mixed Use District (MU-1) to General Commercial District (GC).

Applicant: Howard Duvall, Columbia City Council

Staff Recommendation: City Council Member Sponsored

PC Recommendation: 12/08/2022; Approval (7-0)

First reading approval was given on February 7, 2023.

13. FUTURE LAND USE MAP AMENDMENT CONFIRMATION for 8325 Old Percival Road; TMS# 19813-01-02

Ordinance No.: 2023-006 - Amending the Columbia Compass: Envision 2036 Map to confirm the future land use classification for 8325 Old Percival Road; Richland County TMS# 19813-01-02; annexed by Ordinance No 2022-051 enacted September 20, 2022

Council District: 4

Proposal: Request to confirm the future land use classification of Urban Edge Residential Small Lot (UER-1). The property is currently assigned interim future land use classification of Urban Edge Residential Small Lot (UER-1).

Applicant: Hurricane Construction, Inc.

Staff Recommendation: Approval

PC Recommendation: 05/12/2022; Approval (4-0)

First reading approval was given on February 7, 2023.

14. ZONING MAP AMENDMENT CONFIRMATION for 8325 Old Percival Road; TMS# 19813-01-02

Ordinance No.: 2023-007 - Amending the Official Zoning Map to confirm the zoning for 8325 Old Percival Road, Richland County TMS# 19813-01-02; annexed by Ordinance No.: 2022-051 enacted September 20, 2022

Council District: 4

Proposal: Request to confirm the zoning of Residential Mixed District (RM-1). The property currently has interim zoning of Residential Mixed District (RM-1).

Applicant: Hurricane Construction, Inc.

Staff Recommendation: Approval

PC Recommendation: 05/12/2022; Approval (4-0)

First reading approval was given on February 7, 2023.

15. FUTURE LAND USE MAP AMENDMENT CONFIRMATION for 3800 Overbrook Drive and 616 Suber Street; TMS# 13708-05-01

Ordinance No.: 2023-020 - Amending the Columbia Compass: Envision 2036 Map to confirm the future land use classification for 3800 Overbrook Drive and 616 Suber Street; Richland County TMS# 13708-05-01; annexed by Ordinance No.: 2022-124 enacted December 20, 2022

Council District: 3

Proposal: Request to confirm the future land use classification of Urban Core Residential Small Lot (UCR-1). The property currently is currently assigned an interim future land use classification of Urban Core Residential Small Lot (UCR-1).

Applicant: Bowers Property Management, LLC

Staff Recommendation: Approval

PC Recommendation: 11/10/2022; Approval (7-0)

First reading approval was given on February 7, 2023.

16. ZONING MAP AMENDMENT CONFIRMATION for 3800 Overbook Drive and 616 Suber Street; TMS# 13708-05-01

Ordinance No.: 2023-022 - Amending the Official Zoning Map to confirm the zoning for 3800 Overbrook Drive and 616 Suber Street, Richland County TMS# 13708-05-01; annexed by Ordinance No. 2022-124 enacted December 20, 2022

Council District: 3

Proposal: Request to confirm the zoning of Residential Mixed District (RM-2). The property currently has interim zoning of Residential Mixed District (RM-2).

Applicant: Bowers Property Management, LLC

Staff Recommendation: Approval

PC Recommendation: 11/10/2022; Approval (7-0)

First reading approval was given on February 7, 2023.

17. FUTURE LAND USE MAP AMENDMENT CONFIRMATION for 1921 Pineview Drive; TMS#19100-06-12

Ordinance No.: 2023-019 - Amending the Columbia Compass: Envision 2036 Map to confirm the future land use classification for 1921 Pineview Drive; Richland County TMS# 19100-06-12; annexed by Ordinance No.: 2022-125 enacted December 20, 2022

Council District: 3

Proposal: Request to confirm the future land use classification of Urban Edge Community Activity Center (UEAC-1). The property is currently assigned an interim future land use classification of Urban Edge Community Activity Center (UEAC-1).

Applicant: SAFE Federal Credit Union

Staff Recommendation: Approval

PC Recommendation: 11/10/2022; Approval (7-0)

First reading approval was given on February 7, 2023.

18. ZONING MAP AMENDMENT CONFIRMATION for 1921 Pineview Drive; TMS# 19100-06-12

Ordinance No.: 2023-021 - Amending the Official Zoning Map to confirm the zoning for 1921 Pineview Drive, Richland County TMS# 19100-06-12; annexed by Ordinance No.: 2022-125 enacted December 20, 2022

Council District: 3

Proposal: Request to confirm the zoning of General Commercial District (GC). The property currently has interim zoning of General Commercial District (GC).

Applicant: SAFE Federal Credit Union

Staff Recommendation: Approval

PC Recommendation: 11/10/2022; Approval (7-0)

First reading approval was given on February 7, 2023.

19. AMENDMENT TO THE UNIFIED DEVELOPMENT ORDINANCE for Vape Shops

Ordinance No.: 2023-004 - Amending the 1998 Code of Ordinances of the City of Columbia, South Carolina, Chapter 17, (Unified Development Ordinance), Article 4, Use Regulations, Section 17-4.2, Principal Uses, to add Provisions Governing Smoke or Vape Shops, and Article 9, Definitions and Measurements, to add Definitions concerning Smoke or Vape Shops

Proposal: Request to amend Chapter 17 Article 4 of the Columbia Code of Ordinances to add Provisions governing Smoke or Vape Shops, and Article 9, Definitions and Measurements, to add Definition

concerning Smoke or Vape Shops.

Applicant: Unanimous Resolution of Columbia City Council

Staff Recommendation: City Council Sponsored

PC Recommendation: 11/10/2022; Approval (7-0)

First reading approval was given on February 7, 2023.

20. Resolution No.: R-2023-001 - Authorizing consumption of beer, wine and liquor at the "St. Pat's in Five Points Festival" and authorizing the City Manager and the Parks and Recreation Director to sign Park Rules for the St. Pat's in Five Points Festival on Saturday, March 18, 2023

21. Resolution No.: R-2023-004 - Authorizing consumption of beer and wine only within Boyd Plaza adjacent to the Columbia Museum of Art for Arts and Draughts on Friday, March 31, 2023

22. Resolution No.: R-2023-005 - Authorizing consumption of beer and wine only at Artista Vista Crafty Feast on Sunday, April 16, 2023

23. Resolution No.: R-2023-007 - Authorizing consumption of beer, wine and liquor at Live on Lincoln Fundraiser for the Arts on Sunday, April 16, 2023 with a rain contingency date of Sunday, April 23, 2023

24. Resolution No.: R-2023-011 - Authorizing consumption of beer and wine beverages only at the Official Kick-Off to St. Pat's in Five Points at the Five Points Fountain on Thursday, March 2, 2023

ORDINANCES - FIRST READING

25. Ordinance No.: 2023-015 - Granting an encroachment to Naman Gervais, LLC for the use of the right of way areas of the 400 block of Gervais Street, the 1100 block of Huger Street, the 400 block of Senate Street and the 1100 block of Williams Street for the installation and maintenance of sidewalks, curb cuts, four on-street parking spaces, landscaping and irrigation adjacent to 400 Gervais Street, Richland County TMS# 08912-11-01, 08912-11-02 and 08912-11-04

26. Ordinance No.: 2023-026 - Amending the 1998 Code of Ordinances of the City of Columbia, South Carolina, Chapter 21, Stormwater Management and Sedimentation Control, Article III, Flood Damage Prevention, Division 3, Flood Hazard Reduction, Section 21-172, Specific Standards

The City of Columbia participates in the Community Rating System (CRS) for FEMA. This update in the ordinance is required to comply with FEMA's standards. Furthermore, it will improve our rating and benefit the City of Columbia citizens who will have to pay less on their flood insurance.

27. Ordinance No.: 2023-025 - Authorizing the Issuance and Sale by the City of Columbia, South Carolina, of its not exceeding $11,500,000 General Obligation Bonds, Series 2023 or such other appropriate series designation, and, pending the issuance of such bonds, authorizing the issuance and sale of General Obligation Bond Anticipation Notes, in one or more series, issued in anticipation thereof, for the purpose of funding various capital projects to include the Finlay Park Revitalization and Construction Project; fixing the form and details of the bonds or notes; authorizing the Mayor, the City Manager and the Assistant City Manager for Finance and Economic Services, or any two of them acting together, to determine certain matters relating to the bonds or notes; providing for the payment of the bonds or notes and the disposition of the proceeds thereof; and other matters relating thereto

Attorney Estimated Costs of Issuance		
Service	**Provider**	**Cost**
Co-Bond Counsel, Tax Counsel	Burr & Foreman LLP (*Michael Seezen, Ryan Gentry, Jeff Allen*)	$102,500 - $122,500
Co-Bond Counsel	Johnson, Toal & Battiste, PA (*George Johnson)*	$40,000 - $50,000

28. Ordinance No.: 2023-027 - Granting an encroachment to Naromi, LP, for the use of the right of way areas of the 100 block of Earth Road and the 300 block of Spears Creek Church Road for the installation and maintenance of four curb cuts and sidewalks adjacent to 185 Earth Road, Richland County TMS#25700-04-02

RESOLUTIONS

29. Resolution No.: R-2023-010 - Amending Resolution No.: R-2022-005 Approving and Ratifying Mutual Aid Agreements between the City of Columbia and the City of Columbia Police Department and Various Law Enforcement Agencies and Authorizing

the City Manager of the City of Columbia and the Chief of Police of the City of Columbia to execute all such agreements to add Columbia Housing Community Safety to the list of agencies

30. Resolution No.: R-2023-012 - Approval for Acquisition of 0.44 acre Located at 1127 Queen Street and Identified as Richland County TMS#11409-07-20; CIP Project #SD8438; CF#250-596

APPOINTMENTS

31. Municipal Court Judges

OTHER MATTERS

32. Council is asked to allocate $85,963.66 from the Resilient Columbia Fund for the implementation of a Community Resource Center at the Katheryn M. Bellfield Booker Washington Heights Cultural Arts Center located at 2611 Grant Street, as requested by The Honorable Daniel J. Rickenmann, Mayor.

CITY COUNCIL COMMITTEE REPORTS, REFERRALS AND NEW BUSINESS

PUBLIC INPUT

EXECUTIVE SESSION

33. Discussion of negotiations incident to proposed contractual arrangements and proposed sale or purchase of property pursuant to S.C. Code §30-4-70(a)(2)

Gadsden Street Property

34. Receipt of legal advice relating to a pending, threatened or potential claim pursuant to S.C. Code §30-4-70(a)(2)

Jessica Kolp v. City of Columbia

ADJOURNMENT

We Are Columbia

MEETING DATE: **February 21, 2023**

DEPARTMENT: **Legal Department**

FROM: ***Teresa Knox, City Attorney***

SUBJECT: **Resolution No.: R-2023-020 - Approving the Honorary Naming of 1600 Oak Street to 2300 Laurel Street "Vince Ford Way"**

FUNDING SOURCE & ORIGINAL BUDGET:

FOCUS AREAS: **Planning Together**

ATTACHMENTS:

- **#a:** R-2023-020 - honorary naming - Vince Ford (PDF)
- #b: VinceFordHSNA022023 (PDF)

RESOLUTION NO.: R-2023-020

Approving the Honorary Naming of 1600 Oak Street to 2300 Laurel Street "Vince Ford Way"

WHEREAS, Vince "Butch" Ford was born in Columbia, South Carolina on March 18, 1958 and grew up on Read Street in the Allen Benedict Court community. He attended Richland County public schools and graduated from A.C. Flora High School in 1975; and,

WHEREAS, Mr. Ford attended Benedict College where he earned a Bachelor of Science in Sociology in 1979. He earned a Master of Science in Individual and Family Development from South Carolina State University in 1988; and,

WHEREAS, In 1997, South Carolina's largest health care system, Prisma Health (formerly known as Palmetto Health) invited Mr. Ford to establish and lead a new initiative to meet the unmet health needs of the community's uninsured and underserved populations. Mr. Ford engaged both the community and hospital leaders to establish the system's inaugural Office of Community Health Services with the goal of improving community health through preventive care, early intervention and educational services. For over twenty-five years, under Mr. Ford's guidance, the Office of Community Health offered award winning programs to thousands of people in the Midlands of South Carolina. In 2014, Palmetto Health was awarded the Foster G. McGaw Award by the American Hospital Association, which is the highest national award in community health; and,

WHEREAS, Mr. Ford served as the Executive Director of the Boys and Girls Clubs of the Midlands and the James R. Clark Memorial Sickle Cell Foundation. He has coordinated and managed alcohol and drug abuse programs for the South Carolina Commission on Alcohol and Drug Abuse. His drug and alcohol school intervention program received the Outstanding Student Assistance Program Award from the National Association of Student Assistance Programs and Professions; and,

WHEREAS, beginning in 1992, Mr. Ford served on the Richland School District One School Board holding a number of positions, including Board Chair. He was named Outstanding School Board Member for the Sixth Congressional District and All-State School Board Member by the South Carolina School Boards Association. His tenure ended in 2016, after twenty-four years of service. He has also served on the Benedict College Board of Trustees, the University of South Carolina African American Community Advisory Board, the Township Auditorium Board, the Federal Reserve Bank Advisory Council and the South Carolina Bank Advisory Board; and,

WHERAS, Mr. Ford is the recipient of numerous awards including the Council of Urban Education's Benjamin E. Mays Lifetime Achievement Award (2017), the March of Dimes' Elaine Whitelaw Volunteer Service Award, national recognition of significant contributions to improving the health of babies, South Carolina Vision Magazine's Top 25 Influencers, a statewide tribute to improving the quality of life in the community, Richland One's Hall of Fame and his addition to the Columbia Housing Authority's Wall of Fame; NOW THEREFORE,

BE IT RESOLVED this _____ day of _____, 2023, that the Mayor and City Council of the City of Columbia hereby approve the honorary naming of 1600 Oak Street to 2300 Laurel Street "Vince Ford Way". The design and color of the honorary signs shall be subject to the approval of the Director of Public Works.

LEGAL DEPARTMENT DRAFT

Requested by:

Councilman McDowell

Approved by:

City Manager

Approved as to form:

Deputy City Attorney

Introduced:
Final Reading:

Mayor

ATTEST:

City Clerk

LEGAL DEPARTMENT DRAFT

Last revised: 2/15/2023

23015387

APPLICATION

We Are Columbia

HONORARY STREET/FACILITY AND SITE NAMING

Please see submission checklist for materials necessary for application
SUBMISSION MATERIALS MUST ACCOMPANY APPLICATION
Application form and materials are **DUE AT 4:00 p.m.** thirty (30) days prior to ceremony.

Is the designation:
- ☑ Street Naming Topper (sign will be posted above standard city street signs)
- ☐ Facility and site naming

Checklist:
- ☑ Application
- ☑ Council Member Sponsor
- ☐ Letter(s) of Support

Eric Douglas DeVan
Applicant Signature*

eric@devanassociates.com
E-mail Address

Eric Douglas DeVan
Print Name

P.O. Box 212846 Columbia SC 29221
Mailing Address

(803)447-3492
Phone Number

February 7, 2023
Date

c/o 100 Black Men of Greater Columbia

Check and initial acknowledging application requirements.

☑ EDD Signage wording cannot exceed twenty-six characters

☑ EDD Any changes to initial request must be made no more than 20 days prior to ceremony in writing

☑ EDD Signage wording and resolution will be finalized 15 days prior to ceremony

☑ EDD Applicant must provide letter(s) of support from neighborhood association, institution or business(s) impacted by the proposed honorary street, facility or site naming

Rev: July 2021

APPLICATION

We Are Columbia

HONORARY STREET/FACILITY AND SITE NAMING

1. Name of individual or organization to be honored:

Vince Ford

2. Name of street, facility or site proposed for designation:
Please list the intersecting street and block number. No more than two signs are permitted per designation.

Oak Street _____ _____

_____ _____

3. Attach sheet describing the significant contribution(s) this individual or organization has made in the community: see attached

4. Location, date and time of unveiling ceremony:

TBA

5. Council Member Sponsor:

Name: Ed McDowell

FOR STAFF USE:

Council Member Sponsor: ☐ **Approved** ☐ **Rejected**

Public Works: ☐ **Approved** ☐ **Rejected**

Review Type: ☐ **Staff** ☐ **Council** _____ **Council Date**

Rev: July 2021

VINCE FORD

Community Contributions

PROFILE

"Three times all Read Street"

- Richland County Public Schools, A.C. Flora High School graduate (1975)
- Benedict College -Bachelor of Science in Sociology (1979)
- South Carolina State -Master of Science in Individual and Family Development (1988)
- Establish the inaugural Office of Community Health Services (1979)
- National award-winning programs
- Twice recognized as a finalist Foster G. McGraw (2011, 2013)
- Awarded the Foster G. McGaw Award (2014)
- Executive Director of the Boys and Girls Clubs of the Midlands
- James R. Clark Memorial Sickle Cell Foundation
- Coordinated and managed alcohol/drug abuse programs for the SC Commission on Alcohol and Drug Abuse
- Outstanding Student Assistance Program Award from the National Association of Student Assistance Programs and Professions.
- Richland School District One School
- Outstanding School Board Member for the Sixth Congressional District All-State School Board Member by the South Carolina School Boards Association.
- After 24 years, his tenure ended in November 2016.
- Benedict College Board of Trustees,
- University of South Carolina African American Community Advisory Board
- The Township Auditorium Board
- The Federal Reserve Bank Advisory Council
- The South State Bank Advisory Board.
- Council of Urban Education's Benjamin E. Mays Lifetime Achievement Award (2017)
- March of Dimes' Elaine Whitelaw Volunteer Service Award
- South Carolina Vision Magazine's Top 25 Influencers
- Richland One's Hall of Fame
- Columbia Housing Authority's Wall of Fame
- Omega Psi Phi Fraternity Incorporated
- 100 Black Men of Greater Columbia
- National Association of the Advancement of Colored People (NAACP)
- Senior Vice President of Community Affairs for Prisma Health.

100 BLACK MEN

Of Greater Columbia, Inc.

Real Men Giving Real Time®

OFFICERS:

Keith C. Melvin
President

Jamie L. Devine
Vice President

Muhammad M. Salaam
Secretary

Brian J. Gaines
Treasurer

Daniel J. Johnson
Financial Secretary

Dr. Craig Witherspoon
Parliamentarian

Kris Jones
Chaplain

Ivan Earl
Historian

100 Black Men of Greater Columbia, Inc.
PO BOX 11507
Columbia, SC 29211

2601 Read Street, Suite I-2
Columbia, SC 29202

(803) 546-5499

HONARARY STREET TOPPER SUPPORT LETTER: VINCE FORD

Vince "Butch" was born in Columbia, South Carolina on March 18, 1958, and grew up on Read Street in the Allen Benedict Court community. Vince attended the Richland County Public Schools, graduating from A.C. Flora High School in 1975.

Vince attended Benedict College where he earned a Bachelor of Science in Sociology (1979) and Master of Science in Individual and Family Development (1988) from South Carolina State University.

In 1997, South Carolina's largest health system – Prisma Health (formerly Palmetto Health) – invited Vince to establish and lead a new, groundbreaking initiative intended to meet the unmet health needs of the community's uninsured and medically underserved populations. Starting from ground zero, Vince engaged hospital leaders and the community to establish the system's inaugural Office of Community Health Services with the goal of improving community health through preventive, early intervention, and educational services.

For 25 years under Vince's guidance, the Office of Community Health offered innovative, national award-winning programs that annually delivered low to no-cost cancer, dental, maternal-child health, teen health, and vision services to thousands of people in the Midlands of South Carolina. Palmetto Health was twice recognized as a finalist (2011, 2013) and finally awarded (2014) the Foster G. McGaw Award by the American Hospital Association – the highest national award for community health.

Vince served as the Executive Director of the Boys and Girls Clubs of the Midlands and the James R. Clark Memorial Sickle Cell Foundation. He has also coordinated and managed alcohol and drug abuse programs for the SC Commission on Alcohol and Drug Abuse. His drug and alcohol school intervention program received the Outstanding Student Assistance Program Award from the National Association of Student Assistance Programs and Professions.

Starting in 1992, he served on the Richland School District One School Board holding a variety of positions, including Board Chair. He was named Outstanding School Board Member for the Sixth Congressional District and All-State School Board Member by the South Carolina School Boards Association. After 24 years, his tenure ended in November 2016. Vince also served on the Benedict College Board of Trustees, the University of South Carolina African American Community Advisory Board, the Township Auditorium Board, the Federal Reserve Bank Advisory Council, and the South State Bank Advisory Board.

The awards that gave Vince the greatest pride were the Council of Urban Education's Benjamin E. Mays Lifetime Achievement Award (2017) for his longstanding commitment to the educational needs of urban school children as a school board member; the March of Dimes' Elaine Whitelaw Volunteer Service Award, a national recognition of significant contributions to improving the health of babies; South Carolina Vision Magazine's Top 25 Influencers, a statewide tribute to improving the quality of life in the community; Richland One's Hall of Fame, recognizing former Richland One students for major contributions to the school district, and his addition to The Columbia Housing Authority's Wall of Fame.

As if his time was not already shared with many, he was also a proud member and leader within the local chapters of Omega Psi Phi Fraternity Incorporated, and the 100 Black Men of Greater Columbia. He was a lifetime member of the National Association of the Advancement of Colored People (NAACP). He was still serving as Senior Vice President of Community Affairs for Prisma Health.

Sincerely,

Ronald L. Epps Ph.D.
Vince Ford Naming Committee

Omicron Phi Chapter
Omega Psi Phi Fraternity, Incorporated
Established Nineteen Hundred Twenty-Six
Post Office Box 4686, Columbia, SC 29240
613 Wilmette Road, Columbia, SC 29203
www.columbiascomegas.org

Good day,

Greeting from the brothers of Omicron Phi chapter of Omega Psi Phi fraternity inc. and the friends of our dear departed Brother Henry Vincent Ford. The purpose of this correspondence is to endorse our beloved brothers name along with the 100 Black Men of Columbia to be etched on the maps of this great city as it was in the hearts of its citizens. Brother Ford was born in Columbia, South Carolina March 18, 1958 to the Late Essie Mae Ford and Ernest Bernard Ford Jr. His outgoing demeanor and heart of giving was forged by his parents and the extended family of the Read street and Allen Benedict Community. He was a graduate of A. C. Flora High School in 1975 and continued to seek higher education, first receiving his Bachelor of Science in Sociology from Benedict College followed by a Masters of Science in Individual and Family Development in 1988 From South Carolina State University.

Brother Ford was inducted into the Omega Psi Phi fraternity through the Omicron Phi chapter on April 28, 1985. He joined the ranks of men with similar goals of community upliftment and wholistic wellbeing of family, friends and humankind. Brother Ford maturated through the ranks first as Keeper of Records and Seal to Vice Basileus then ultimately 22nd Basileus (President) of the chapter. He displayed natural leadership and a caring spirit that made all with good intentions gravitate to his endeavors knowing that they were always in the best interest of those in need. He served on the Mardi Gras committee and led the way in raising funding for scholarships. He was voted and received these honors by the brotherhood, Omega Man of the Year twice, and Citizen of the Year twice being the first to achieve such a feat in chapter history. Brother Ford reinforced the commitment of the fraternity to the NAACP. Insuring that the chapter was involved in every effort in the fight for equality and rights for those who were unable to defend themselves. Brother Ford embedded the mantra "I am my Brother's Keeper" in the chapter by assisting in career development of our undergraduate brothers at both Allen University and his alma mater Benedict College.
To list all of Brother Ford's accomplishments would take a lifetime. But to show you the footprint he made on his community, family and friends only takes a conversation. All who met Vincent Ford were impressed by his audacity to and tenacity to make this world better than he found it. I humbly submit these words on behalf of the Omicron Phi chapter of Omega Psi Phi fraternity in hopes that the name Henry Vincent Ford be listed forever in the annuals of Columbia, South Carolina.

God Speed

Doyle Covert, Basileus
Omicron Phi Chapter #538
Omega Psi Phi Fraternity Incorporated

Executive Committee Members

Doyle Covert – Basileus
Al Georges – Vice Basileus / Stacey Gadson - Keeper of Records and Seal
Isaiah Thomas - Asst. Keeper of Records and Seal / Sterling Jenkins – Keeper of Finance
Leo Johnson – Asst. Keeper of Finance / Kevin Crawford II – Reporter / Derek Suber – Asst. Reporter
Shawn Capers – Keeper of Peace / Milton Kimpson Jr. – Counselor
Edjuardo Barbee – Chaplain / Shannon Legree – Immediate Past Basileus

BENEDICT COLLEGE

1600 Harden Street
COLUMBIA, SOUTH CAROLINA 29204

OFFICE OF THE PRESIDENT

February 7, 2023

The Honorable Edward H. McDowell, Jr.
Councilman
Richland County District II
Columbia, South Carolina

Dear Councilman McDowell:

On behalf of the Trustees, staff, faculty, students and alumni of Benedict College, I wish to express my full support of the effort to affix the late Henry Vincent Ford's name to what is currently "Oak Street" in Columbia, SC. As you know, Oak Street runs through the center of Benedict College's main campus, thus it is a the most meaningful place to memorialize his legacy.

Mr. Ford was a 1979 graduate of Benedict; a former member of the Benedict College Board of Trustees; a member of the Benedict College National Alumni Association; member of the Columbia Benedict Alumni Club II; and benefactor to the Vince and Patricia Ford Endowed Scholarship Fund at Benedict College. In short, Mr. Ford was among our most distinguished alumni. His commitment to the College, our community and the Richland District 1 School Board deserves our recognition.

Finally, and perhaps most importantly, affixing Mr. Ford's name to this campus thruway ensures that generations of Benedict College students will be aware of, and familiar with, the legacy of Henry Vincent Ford. In many respects, he epitomized what we want our students to aspire to - an accomplished man, of the highest integrity, with a heart for service to his community. Accordingly, I would recommend the naming without hesitation or reservation.

Sincerely,

Roslyn Clark Artis, J.D., Ed.D.
President and CEO

(803) 705-4681 Business
(803) 705-6937 Fax

Equal Opportunity in Education and Employment
Without Regards to Race, Sex, Color, National Origin, Religion or Disability

PRISMA HEALTH

Feb. 6, 2023

To whom it may concern,

I would like to express my support for honoring Vince Ford by dedicating a street in his name.

Vince worked for Prisma Health for 25 years, implementing programs and developing partnerships to improve access to medical and social health services for historically underserved people and communities. He took this passion for promoting equity beyond health care through engagement on numerous community boards, committees and task forces, including serving on the Richland One school board for more than 24 years.

During my three and a half years as CEO of Prisma Health, Vince was a godsend as I worked to familiarize myself with the people, communities and institutions in the Midlands. He was invaluable in helping me navigate issues involving diverse groups of civic, governmental, faith-based and business constituents. Vince knew everyone, and everyone knew Vince.

More importantly, everyone respected Vince, because it was crystal clear that his goal was to build up our community by making sure everyone had equal access to high-quality health care and a good education. Vince pursued his goal with vigor, a big happy voice and an even bigger smile.

Vince dedicated his life and career to promoting community health equity, and I can think of no one more deserving of this honor.

Mark O'Halla
President and CEO
Prisma Health

Prisma Health
300 East McBee Avenue,
Suite 500
Greenville, SC 29601
P. 864-797-7800

We Are Columbia

MEETING DATE: **February 21, 2023**

DEPARTMENT: **Procurement and Contracts**

FROM: ***Sandra Middleton, Purchasing Agent***

SUBJECT: **Council is asked to approve a new Professional Services Agreement for a Davis-Bacon Compliance Consultant, as requested by the Community Development Department on February 3, 2021. Award to Contractor Compliance and Monitoring, Inc. in an amount not to exceed $130,000.00, which includes contingency. The term of the agreement is three years. This firm is located in San Mateo, CA.**

REQUISITION NO.: **R215122**

FUNDING SOURCE & ORIGINAL BUDGET: **Funding Source: Community Development Block Grant Disaster Recovery Controlled Account - Mitigation Planning Activities - Professional Services (2639999-9120040020-636600). The original budget amount is $130,000.00.**

CLEAN WATER 2020?: **No**

There were four (4) submittals to RFP014-20-21-KDD Davis-Bacon Compliance Consultant.

Base Cost	$95,350.00
Contingency (32.14%)	$30,650.00
Total	$130,000.00

ATTACHMENTS:

- **#a:** MT8234Memo.Davis-BaconComplianceConsultant (PDF)
- #b: Final.Agreement.RFP014-20-21-KDDDavisBaconComplianceConsultant.CCMI (PDF)

We Are Columbia

TO: Honorable Daniel J. Rickenmann, Mayor & Members of City Council
Ms. Teresa Wilson, City Manager

FROM: Ms. Shannon Lizewski, Interim Purchasing Director, Department of Procurements & Contracts
Mr. Jeff Palen, Assistant City Manager/Chief Financial Officer
ACM for the Department of Procurement and Contracts
Ms. Missy Gentry, Assistant City Manager - Development

DATE: February 21, 2023

Subject: Recommendation for Approval (Davis-Bacon Compliance Consultant)

The Department of Procurement of Contracts in coordination with Community Development respectfully request your review and approval of the Professional Service Agreement for Davis-Bacon Compliance Consultant. The Consultant will assist the City with Davis-Bacon and Section 3 compliance reporting and services as required for federally funded construction projects.

As federal funds are being utilized for this project, there were no geographical preference programs or sub-contracting goals placed in the Request for Proposal (RFP).

Engagement of Consultant:

The City will engage the Consultants as projects are identified. The Consultant will work with City Staff, Community Development Consultants, and Contractors hired by the City. Consultant engagement may include, but not be limited to:

- Participation with the City in the dissemination of information and postings related to Davis-Bacon Act Standards and CDBG-MIT program and contract requirements deliverables
- Monitoring and auditing of labor standards and local requirements
- Provide technical assistance to contractors related to Davis-Bacon labor standard requirements
- Deliver all required Davis-Bacon related documents to the City at the conclusion of each project
- Section 3 Compliance

If you have questions or concerns, please do not hesitate to contact our office.

Contractor Compliance and Monitoring, Inc.
Davis-Bacon Compliance Consultant for Community Development Block Grant Mitigation Grants (CDBG-MIT)

AGREEMENT FOR PROFESSIONAL SERVICES

This Agreement is being awarded under procurement method RFP014-20-21-KDD Davis-Bacon Compliance Consultant for Community Development Block Grant Mitigation Grants (CDBG-MIT).

1. **PURPOSE** – This Agreement is entered into as of the date of the last signature affixed hereto, by and between the City of Columbia, South Carolina (hereinafter referred to as the "City") and Contractor Compliance and Monitoring, Inc., (hereinafter referred to as the "Consultant"), to provide support in areas of Davis-Bacon compliance related to projects proposed for funding with CDBG-MIT, CDBG-DR, or other Federal funds for the City of Columbia, SC).

   For and in consideration of the mutual covenants and promises contained herein, the parties agree as follows:

2. **SCOPE OF SERVICES** – Upon written notification by the City to proceed, the Consultant shall provide the scope of services more fully described in Exhibit A, attached hereto. The Consultant shall perform any and all incidental services not specifically set forth in Exhibit A, which are necessary to fully complete the scope of services described in Exhibit A.

3. **SUPPLEMENTAL OR ADDITIONAL SERVICES** – The City may require supplemental or additional services of the Consultant or recommended by the Consultant and approved by the City in writing.

   The Consultant must obtain written approval from the City for any supplemental or additional services prior to the work being performed. If the Consultant fails to obtain

prior written approval to perform the work, the City is under no obligation to compensate the Consultant for services performed.

4. **TERM OF AGREEMENT** – The term of the Agreement is the date of the execution of a *Notice to Proceed and a valid Purchase Order from the City of Columbia* for an initial term of Three (3) years, with the option to extend work for at the mutual pleasure of both parties.

   The decision whether to extend the Agreement, upon written request, shall be the sole and exclusive discretion of the City and neither party shall be under any obligation to agree to an extension of the initial term or any additional term. The decision to extend the initial term and any subsequent extension periods may be determined no later than 90 days prior to the end date of each period.

5. **SCHEDULE FOR COMPLETION OF SERVICES** – The Consultant shall complete any and all services performed under this Agreement within the timeframes as outlined in Exhibit B, attached hereto.

6. **COMPENSATION** – (See Exhibit C)

   A. The total compensation to be paid by the City to the Consultant under this Agreement shall not exceed One Hundred Thirty Thousand Dollars and No/100 ($130,000.00).

      Owner will pay Consultant for performance of the work in accordance with the Contract Documents in current funds at the contract amount agreed upon on the Consultants Compensation Form attached to this Contract which establishes the contract value shall not exceed Ninety-Nine Thousand, Three Hundred Fifty Dollars and Zero Cents ($99,350.00) **unless written approval is authorized by the City**.

The maximum potential value of the contract includes a City controlled contingency allowance in the amount of Thirty Thousand, Six Hundred Fifty Dollars and Zero Cents ($30,650.00). This contingency amount will be administered, if necessary, at the discretion of the City for optional additional services within the pre-determined Scope of Services for this Contract.

B. The Consultant shall submit invoices no more frequently than monthly for services rendered during each phase of the Project. Each invoice submitted must describe the services for which payment is requested, show payment calculations and specify the person(s) rendering such service(s). Consultant must invoice monthly regardless of work being completed during that period. If no work is completed, a zero balance invoice should be submitted. **Each invoice must also clearly identify any portion of the fee invoiced for subcontracted services, including any such services that are specified in the Summary of Proposed Subconsultants shown on Exhibit D hereto.** Each invoice shall bear the signature of the Consultant, whose signature shall certify that the information contained in the invoice is true and accurate and that the invoice amount is currently due and owing. The City will not pay interest or penalty on any past due amount.

C. Invoicing Procedure:

Failure of the Consultant to follow these invoice requirements will result in the delay of payment of the invoice.

D. Prompt Payment to Subconsultants and Material Suppliers (Use Prompt Payment Affidavit)

1. The Consultant is required to pay all Subconsultants and material suppliers for all work that the Subconsultant has satisfactorily completed, no later than twenty (20) calendar days after the Consultant has received payment from the City.

2. In addition, all retainage amounts received from the City by the Consultant must be paid by the Consultant to the Subconsultant no later than fourteen (14) calendar days after the Subconsultant has, in the opinion of the Assistant City Consultant for Construction or his/her designee, satisfactorily completed its portion of the Work.

3. A delay in or postponement of payment to the Subconsultant or material supplier requires good cause and prior written approval of the City's Assistant City Consultant for Construction or his/her designee.

4. The Consultant is required to include, in each Subcontract, a clause requiring the use of appropriate arbitration mechanisms or other method to resolve all payment disputes.

5. The City will not pay the Consultant for subsequent work performed unless and until the Consultant ensures that the Subconsultants have been promptly paid for the work they have performed under all previous payment requests, as evidenced by the filing of City lien waivers, canceled checks (if requested), and the Consultant's sworn statement that it has complied with the prompt payment requirements. The Consultant must submit a Prompt Payment Affidavit, Subconsultant list that identifies each Subconsultant (both Disadvantaged Business Enterprises (DBEs) and non-DBEs) including Subcontract values and the date and amount of the last payment to such Subconsultant(s). That documentation must be provided with every payment request submitted to the City, except for the first payment request.

6. Failure to comply with these prompt payment requirements is a breach of this Agreement. The City reserves the right to pursue any and all

remedies permitted under law for breach of contract, including, but not limited to, Consultant debarment.

E. Affirmative Action Procurement and Contracting Goals:

It is the goal of the City of Columbia, SC to maximize opportunities for historically Disadvantaged Business Enterprises (DBEs) including, but not limited to, Small Business Enterprises (SBEs), Minority Business Enterprises (MBEs), and Women-Owned Business Enterprises (WBEs). The City has implemented an overall citywide 15% goal to encourage socially and economically disadvantaged business participation. This goal extends to bidders, contractors, Subconsultants and suppliers on its procurement and contracting offerings.

Additional information on the City's affirmative action goals and objectives may be obtained by contacting the following office: City of Columbia Office of Business Opportunities, 1401 Main Street, 4th Floor, Columbia, SC 29201, (803) 545-3950.

The City's success in tracking the amount of business received by SBE, MBE and WBE firms (whether as a prime Consultant or Subconsultant) is dependent upon the business community partnering with the City in this important endeavor.

The Consultant must comply with the affirmative action terms and conditions as outlined herein. The Consultant, shall in the performance of the Agreement, make constructive efforts to assist the City in complying with best practices in contracting as it relates to meeting affirmative action objectives

F. Subcontracting Goals

Under this Agreement, the subcontracting goals are as follows:

SB Goals	N/A	%
MBE	N/A	%
WBE	N/A	%
LSA	N/A	%

The Consultant will ensure Subconsultant performance during the period of performance, and optional periods as applicable. Achievement of these goals are expected during the life of the Agreement, including any extensions thereof.

7. **MENTOR-PROTÉGÉ PROGRAM** (http://www.columbiasc.net/business-outreach/)
Non-applicable – The City of Columbia encourages, where economically feasible, establishment of mentor-protégé relationships to ensure contracting opportunities for all businesses, including minority / women / small business enterprises. The Mentor-Protégé Program (MPP) helps develop private sector business relationships and enhances the contracting capabilities of minority-owned business enterprises (MBE), women-owned business enterprises (WBE), and small business enterprises (SBE). In order to provide opportunities for growth and to encourage hands-on business relationships, certain capital improvement projects may be designated by the City of Columbia as Mentor-Protégé Program projects. The City of Columbia has determined that participation in the City's Mentor-Protégé Program is required for this project.

The Consultant must comply with Mentor-Protégé Program Guidelines. The Consultant agrees that the Mentor Protégé Program does not create any third-party beneficiary status or contractual rights and/or duties between the City and the Protégé and that the City is not a party to the Implementation Plan. The Consultant agrees that it has or will enter into a separate contractual Agreement with the Protégé to which the City is not a party. The MPP Implementation Plan is attached hereto as Exhibit E.

8. INDEMNIFICATION & INSURANCE

A. The Consultant shall procure and shall maintain during the life of this Agreement, whether such operation be by itself or by a Subconsultant or anyone directly or indirectly employed by either of them, such insurance as required by statute, ordinance, or this Agreement, to adequately protect the City from any claims or damages including bodily injury or death, which may arise during performance and operations under this Agreement.

Each insurance policy required by these instructions shall be endorsed to state that coverage shall not be suspended, voided, OR cancelled by either party, reduced in coverage or in limits, unless thirty (30) days prior written notice, by certified mail, return receipt requested, has been given to the City.

Workers Compensation Insurance: The Consultant shall procure and shall maintain during the life of this Agreement, Workers Compensation Insurance for all employees to be engaged in work on the project under this Agreement, and in case any work is subcontracted, the Consultant shall require the Subconsultant similarly to provide Worker Compensation Insurance for all of the latter employees to be engaged in such work unless such employees are covered by the protection afforded by the Consultant's Worker Compensation Insurance. The Consultant shall not permit any person who is not protected by Workers Compensation Insurance or a properly approved Self-Insured Workers Compensation Program to perform any activity related to this Agreement.

General Liability: The Consultant shall provide to the City evidence of General Liability insurance in an amount not less than One Million Dollars and no/100 ($1,000,000) per occurrence, and Two Million Dollars and no/100 ($2,000,000)

dollars aggregate in accordance with the current Code of Ordinances, City of Columbia, South Carolina, which can be located at www.columbiasc.net.

Professional Liability: Professional Liability Insurance in an amount not less than One Million Dollars and No/100 ($1,000,000.00) per occurrence, and Two Million Dollars and No/100 ($2,000,000.00) Aggregate.

Automobile Liability Insurance: Five Hundred Thousand Dollars and No/100 ($500,000.00) combined single limit per accident for bodily injury and property damage.

B. The Consultant shall furnish the City with a certificate showing satisfactory proof of carriage of the insurance required hereunder and such insurance shall be approved by the City prior to the Consultant and any Subconsultant of the Consultant commencing any services under this Agreement and this insurance shall remain in effect throughout the term of this Agreement, and any extensions of service. Insurance shall remain in effect for the duration of the project and for a period of one (1) year after completion. The City of Columbia shall be the Certificate Holder and shall be named as an *Additional Insured*.

C. The Consultant shall indemnify, defend, hold harmless and reimburse the City, its agents, and employees from and against any and all losses, liabilities, expenses, and all claims for damages of any nature whatsoever relating to or arising out of any action or failure to act by Consultant, its Subconsultants, officers, agents and employees of any of the obligations under the Agreement. Losses, liabilities, expenses and claims for damages shall include, but will not be limited to, civil and criminal fines and penalties, loss of use or services, bodily injury, death, personal injury, or injury to real or personal property, defense costs, legal fees and costs, and attorney's fees for an appeal.

The Consultant will also agree to promptly notify the City of any civil or criminal actions filed against the Consultant or of any notice of violation from any federal or state agency, or of any claim as soon as practical as relates to the services provided under this Agreement. The City, upon receipt of such notice, shall have the right at its election to defend any and all actions or suits or to join in defense.

9. PERMITS & LICENSES

A. The Consultant shall be responsible for obtaining any approvals, permits and/or licenses as may be required of the Consultant in performing the services required under this Agreement. The Consultant shall be responsible for any costs relating to same.

B. The Consultant shall be responsible for identifying the necessity for and providing any applications and supporting documentation to the City for any approvals and/or permits required of the City in order for the Consultant to perform the services required under this Agreement. Such approvals and/or permits may include, but not be limited to, South Carolina Department of Health and Environmental Control (SCDHEC) Construction Permits, SCDHEC Stormwater Management for Construction Sites Permits, SCDHEC Water Resources Permits, Corps of Consultants Permits, City/County/ South Carolina Department of Health and Environmental Control (SCDOT) Encroachment Permits, encroachment permits for other utility rights-of-way and railroad right-of-way encroachment permits/agreements. The City shall obtain the approvals and/or permits identified by the Consultant and pay any costs relating to same.

C. The Consultant shall answer questions and consult with the City and/or appropriate authorities as necessary to assist the City's efforts in obtaining required permits/approvals.

D. The Consultant shall procure a City of Columbia business license while performing services under this Agreement.

10. **DUTIES UPON TERMINATION** – At termination of this Agreement, the Consultant shall immediately provide the City with all records and data in any format the Consultant is capable of producing and at no cost to the City, which were generated, created or received by the Consultant in performance of the services required by this Agreement or as the City may deem necessary to perform the required services by the City or the Consultant's successor. All records shall be free from any proprietary claims or interest. The Consultant agrees to fully cooperate with the City and any successor to ensure an effective transition to continuously provide the required services.

11. **INTEREST OF CONSULTANT** – The Consultant covenants that Consultant presently has no interest and shall not acquire any interest, direct or indirect, which would conflict in any manner or degree with the performance of services required to be performed under this Agreement or which is adverse to the interests of the City. The Consultant further covenants that in the performance of this Agreement no person having such interest shall be employed.

    The Consultant is expected to make Consultant's services available to other entities but agrees to refrain from representing other entities in matters where the position of the City conflicts with that of the other entity. The City may at its discretion, waive this provision. The Consultant has provided a list of all of its clients with whom there may be potential conflicts with the City. This list shall be supplemented throughout the duration of this Agreement.

12. **TERMINATION OF AGREEMENT** – The City may terminate this Agreement at any time upon any of the following grounds:

A. Failure by the City to appropriate funds for the performance of any of the services required in this Agreement in any annual budget;

B. The Consultant fails to perform any of the services required in this Agreement and does not correct such deficiency within fifteen (15) days after being notified by the City of such deficiency;

C. Force Majeure;

D. The City, at its sole option and discretion, has the right to terminate this Agreement for any reason whatsoever. A termination for default under this Agreement, if wrongfully made, shall be treated as a termination for convenience under this clause;

E. Upon expiration of the term of this Agreement; and

F. By mutual agreement.

Notice of termination shall be sent by registered mail, return receipt requested. In the event of termination, the Consultant shall only be entitled to the actual direct costs of all labor and material expended on the services required under this Agreement prior to the effective date of the termination or the Consultant shall be entitled to be paid a pro-rata percentage of the total Agreement price which is equal to its percent of completion, whichever of the two methods provides the lowest sum to be paid to the Consultant. In no event shall the Consultant be entitled to anticipatory profit or damages for any termination under this Agreement. In no event shall the Consultant be entitled to assert a claim in quantum meruit or any other measure of damages other than that stated herein.

13. **OWNERSHIP OF PROJECT** - All data, documents or other information of any description generated by or used by the Consultant or any Subconsultant retained by the Consultant and related to the services required by this Agreement shall be the property of the City and shall not be used by the Consultant for any purpose whatsoever except to perform the services required by this Agreement.

14. **OWNERSHIP OF PROJECT DOCUMENTS** - All data, documents or other information of any description generated by or used by the Consultant or any Subconsultant retained by the Consultant and related to the services required by this Agreement shall be the property of the City and shall not be used by the Consultant for any purpose whatsoever except to perform the services required by this Agreement.

15. **NOTICE** - All notices and communications in connection with this Agreement will be addressed to the following:

City of Columbia
Name: Office of Procurement and Contracts
Title: Purchasing Agent
Address: 1800 Main Street
Second Floor
Columbia, SC 29201
Phone: (803) 545-3470
Fax: N/A
Email: procurement@columbiasc.gov

Contractor Compliance & Monitoring, Inc.
Name: Deborah Wilder
Title: President
Address: 635 Mariners Island Blvd. #200
2343 Donnington Way
San Mateo, CA, 94404
Phone: 650-522-4403
Fax: N/A
Email: deborah@wilderlawfirm.com

16. **CONSENT DECREE - Non-Applicable**

A. The services performed by the Consultant pursuant to this Agreement are required in whole or in part to satisfy the terms of the Consent Decree entered by the United Stated District Court for the District of South Carolina on May 21, 2014, in the case captioned *The United States of America and State of South Carolina by and through the Department of Health and Environmental Control*

v. City of Columbia, Civil Action No. 3:13-2429-TLW (the "Consent Decree"), a copy of which has been provided to the Consultant by the City and is incorporated by reference herein. The Consultant shall perform the services pursuant to this Agreement in conformity with the terms of the Consent Decree as required by Paragraph 5 therein.

B. In addition to the requirements above, the Consultant shall comply with the document retention requirements of Paragraph 68 of the Consent Decree which includes, but is not limited to, the obligation to preserve all non-identical copies of all documents, records, or other information (including documents, records, or other information in electronic form) in the Consultant's possession or control that relate in any manner to the Consultant's performance under this Agreement ("Preserved Documents"). Upon the Consultant's performance of all services required under this Agreement, the Consultant shall provide the City with all Preserved Documents. In addition to the requirements above, the Consultant shall provide the City with all Preserved Documents upon termination of this Agreement.

C. Upon the occurrence of a force majeure event as defined in Paragraph 55 of the Consent Decree, the Consultant shall provide notice to the City's Director of Utilities and Engineering in person, by phone, or by electronic mail within twenty-four (24) hours of when the Consultant first knew or should have known that the event might cause a delay. Within three (3) days thereafter, the Consultant shall provide written notice in accordance with Section XII above to include the following information: an explanation and description of the reasons for the delay; the anticipated duration of the delay; all actions taken or to be taken in an effort to prevent or minimize the delay; a schedule for implementation of any measures to be taken in an effort to prevent or mitigate the delay or the effect of the delay; and the Consultant's rationale for attributing such delay to a force majeure event. The Consultant shall include with any

notice all available documentation supporting the claim that the delay was attributable to a force majeure event.

D. The Consultant shall reimburse the City the amount of any stipulated penalties imposed on the City pursuant to Paragraph 47 of the Consent Decree if the Consultant neglects, fails, or refuses to meet the deadlines set forth in Exhibit B attached hereto. The Consultant agrees that any failure to meet such deadlines will result in the City's failure to meet the deadlines set forth in the Consent Decree except in the event of force majeure notice by the Consultant that results in the extension of said deadline by the U.S. Environmental Protection Agency under the Consent Decree. The City reserves all other remedies available for the Consultant's failure to perform pursuant to the Agreement.

E. The Consultant shall perform the services pursuant to this Agreement using sound Consulting practices as set forth in Paragraph 9 of the Consent Decree.

17. MISCELLANEOUS

A. Nothing in this Agreement shall be construed to give any rights or benefits to anyone other than the City and the Consultant.

B. The Consultant shall be responsible for performance of all services required by this Agreement. The Consultant does not act as the City's agent or employee.

C. The Consultant will not assign or sublet its obligations to perform the services required by this Agreement without the written consent of the City. The Consultant shall be as fully responsible to the City for the acts and omission of its Subconsultants, as it is for the acts and omissions of persons directly employed by the Consultant.

The Consultant shall furnish and its Subconsultants shall furnish all information and reports required hereunder.

D. In the event there are any disagreements between the City and the Consultant with regard to any of the requirements, specifications or interpretation of this Agreement, the Consultant agrees to defer to the reasonable interpretations of the City as, from time to time, may be made by the City. Ambiguities in the terms of this Agreement, if any, shall not be construed against the City.

E. This Agreement shall be construed in accordance with the laws and City of Columbia Code of Ordinances and those of the State of South Carolina. The Consultant agrees to subject itself to the jurisdiction and venue of the courts of Richland or Lexington County, State of South Carolina as to all matters and disputes arising or to arise under this Agreement and the performance thereof. The City may seek attorney's fees and the Consultant agrees to pay such fees as awarded by the Court or other body. No attorney's fees may be sought by, nor will be paid to, the Consultant.

F. This Agreement represents the entire agreement between the City and the Consultant and supersedes all prior communications, negotiations, representations or agreements, either written or oral. The parties may amend this Agreement at any time provided that such Amendments are executed in writing, signed by a duly authorized representative of both organizations, and approved, where applicable, by the City's governing body.

The City may, in its discretion, amend this Agreement to conform with federal, state, or local governmental guidelines, policies and available funding amounts, or for other reasons. If such Amendments result in a change in the funding, the scope of services, or schedule of, the activities to be undertaken as part of the Agreement, such modifications will be incorporated only by written

amendment signed by both the City and the Consultant.

G. The failure of either the Consultant or the City to insist upon the strict performance of any provision of this Agreement shall not be deemed to be a waiver of the right to insist upon strict performance of such provision or of any other provision of this Agreement at any time. Partial payment by the City shall not be construed as a waiver. Waiver of any breach of this Agreement shall not constitute waiver of a subsequent breach.

H. In the event any provision of this Agreement is determined to be void or unenforceable, all other provisions shall remain in full force and effect.

I. This Agreement is subject to City Council approval.

J. The Consultant acknowledges, for itself and its Subconsultants, that it is subject to the provisions of the 1991 Ethics Reform Act (8-13-100, et seq, South Carolina Code of Laws, 1976, as amended). Under this Act, "A person may not, directly or indirectly, give, offer, or promise anything of value to a public official, public member, or public employee with intent to:

1. influence the discharge of a public official's, public member's, or public employee's official responsibilities;

2. influence a public official, public member, or public employee to commit, aid in committing, collude in, or allow fraud on a governmental entity; or,

3. induce a public official, public member, or public employee to perform or fail to perform an act in violation of the public official's, public member's, or public employee's official responsibilities.

"Anything of value" includes, but is not limited to, lodging, transportation, entertainment, food, meals, beverages, money, gifts, honorariums, discounts and interest-free loans.

K. In carrying out the service, the Consultant shall not discriminate against any employee or applicant for employment because of that employee or applicant's age, sex, gender, gender identity or expression, sexual orientation, race, religion, creed, color, disability, national origin, veteran or military status, political affiliation, or any other characteristic protected by federal, state, or local laws ("protected characteristic"). The Consultant shall take affirmative steps to ensure equal employment opportunities for all applicants for employment, without regard to their protected characteristics. For the purpose of this Non-Discrimination in Contracting Policy, the term "sex" includes medical needs and / or lactation needs arising from pregnancy, childbirth, or related medical conditions pursuant to the South Carolina Pregnancy Accommodations Act, 2018 S.C. Act No. 244. This Non-Discrimination in Contracting Policy extends to all aspects of the Consultant's operations, including, but not limited to the Consultant's employment practices (including selection, hiring, assignment, re-assignment, training, promotion, transfer, compensation, layoff, leave of absence, return from layoff or leave of absence, discipline, and termination); selection of volunteers and vendors, and provision of services. The Consultant shall post in conspicuous places, available to employees and applicants for employment, notices to be provided by the government setting forth the provisions of this Non-Discrimination in Contracting Policy. The Consultant shall incorporate the provisions of this Non-Discrimination in Contracting Policy in all subcontracts for service work.

L. This Agreement shall be binding upon the respondent and upon its successors and assignees. This Agreement shall be binding upon the City in accordance with its terms and provisions.

M. All of the reports, information, data, records or documents of any kind, prepared or assembled by the Consultant under this Agreement are matters of public record, but that the Consultant agrees that they shall only be made available to any individual or organization by the City and the Consultant shall not make them available to any individual or organization without the prior written approval of the City.

N. Every exhibit, schedule and appendix attached to this Agreement and referred to herein is hereby incorporated into this Agreement by reference unless this Agreement expressly provides otherwise. This Agreement, exhibits and other documents include, but are not limited to the Conditions of Federal Contracting and Fair Labor Standards, Conflict of Interest Statement, Non-collusion Affidavit, Business Information Record for Subconsultants /Subcontractors, Local Business Enterprise, and Mentor Protégé Implementation forms are incorporated by reference in this Agreement and set forth the entire understanding between the parties hereto regarding the subject matter hereof.

18. **TERMS AND CONDITIONS** - Federal Funding Conditions: The Consultant must comply with the conditions of federal funding as follows:

1. ANTI-KICKBACK ACT OF 1986: Prohibits any payment or gratuity made for the purpose of inducing award of a subcontract or prime contract with the federal government. The Consultant shall comply with all applicable "Anti-Kickback" regulations and shall insert appropriate provisions in all subcontracts covering work under this Agreement to insure compliance by the Subconsultants with such regulations, and shall be responsible for the submission of affidavits required of Subconsultants thereunder except as the Secretary of Labor may specifically provide for variations of or exemptions from the requirements thereof.

2. DEBARMENT, SUSPENSION, AND INELIGIBILITY: The Consultant represents and warrants that it and its subcontractors are not debarred,

suspended, or placed in ineligibility status by any federal, state, or local regulatory authorities.

3. UNIFORM ADMINISTRATIVE REQUIREMENTS AND COST PRINCIPLES 2 CFR 200: which revises the following, 24 CFR 570.502, 570.610 Consultant shall comply with the requirements and standards of OMB Circular A¬122, "Cost Principles for Non-profit Organizations", OMB Circular A-133, "Audits of Institutions of Higher Education, and Other Non-profit Institutions". Audits shall be conducted annually. Consultant shall also comply with the provisions of OMB Circular A-110, "Uniform Administrative Requirements", implemented at 24 CFR Part 84, "Uniform Requirements for Grants and Agreements with Institutions of Higher Education, Hospitals, and Other Non-Profit Organizations or the related HMGP provisions.

4. AMERICANS WITH DISABILITIES ACT: Consultant agrees to comply fully with any and all provisions of the Americans with Disabilities Act (hereinafter referred to as "ADA") as applicable with the Consultant and the activities to be performed by Consultant under the scope of this Agreement. If employing more than fifteen (15) employees, Consultant agrees to comply fully with Title I of the "ADA" as set forth at 28 CFR Part 130. If providing "public accommodations" as defined by the Act in Section 301(7)(A) -(L), Consultant agrees to comply fully with Title III of the "ADA" as set forth at 28 CFR Part 36. If providing public transportation, Consultant agrees to comply fully with the federal regulations as set forth at 49 CFR Parts 37 and 38.

5. CLEAN AIR ACT AND THE FEDERAL WATER POLLUTION CONTROL ACT: The Consultant must comply with all applicable standards, orders, or regulations issued pursuant to the Clean Air Act (42 U.S.C. §7401-7671(q) and the Federal Water Pollution Control Act as amended (33 U.S.C. §1251-1387).

The Consultant will report each violation to the City, Federal Emergency Management Agency (FEMA), and the appropriate Environmental Protection Agency Regional Office (EPA).

The Consultant agrees to include these requirements in each subcontract exceeding Twenty-Five Thousand Dollars ($25,000.00) financed in whole or in part with federal assistance provided by FEMA.

6. Every exhibit, schedule and appendix attached to this Agreement and referred to herein is hereby incorporated into this Agreement by reference unless this Agreement expressly provides otherwise. This Agreement, exhibits and other documents include, but are not limited to the Scope of Services and Schedule, Fee, Subconsultant Form, Conditions of Federal Funding and Fair Labor Standards, Invoicing Procedures, Prompt Payment Affidavit, the Conflict of Interest Statement, Non-collusion Affidavit, Local Business Enterprise, and Mentor Protégé Implementation forms are incorporated by reference in this Agreement and set forth the entire understanding between the parties hereto regarding the subject matter hereof.

7. AMENDMENTS: The parties may amend the Agreement at any time provided that such amendments are executed in writing, signed by a duly authorized representative of both parties, and approved, where applicable by the City's governing body. The City may in its discretion, amend the Agreement to conform with federal, state, or local governmental guidelines, polices and available funding amounts, or for other reasons. If such amendments result in a change on the funding, the scope of services, or schedule of, the activities to be undertaken as part of the Agreement, such modifications will be incorporated only by written amendment and signed by both parties.

8. The City will maintain oversight to ensure the Consultant performs in accordance with all terms, conditions and specifications. The Consultant will be responsible for performance of all services required by the Agreement.

9. ACCESS TO RECORDS: The State, the U.S. Department of Housing and Urban Development, the Comptroller General of the United States, or any of their duly authorized representatives, shall have, at any time and from time

to time during normal business hours, access to any work product, books, documents, papers, and records of the Subcontractor which are related to this contract, for the purpose of inspection, audits, examinations, and making excerpts, copies and transcriptions.

The Consultant agrees to permit any of the foregoing parties to reproduce by any means whatsoever or to copy excerpts and transcriptions as reasonably needed.

The Consultant agrees to provide the State, the U.S. Department of Housing and Urban Development, the Comptroller General of the United States, or any of their duly authorized representatives access to construction or other work sites pertaining to the work being completed under the contract.

In compliance with the Disaster Recovery Act of 2018, the City and the Consultant acknowledge and agree that no language in this contract is intended to prohibit audits or internal reviews by FEMA Administrator or the Comptroller General of the United States.

10. DHS SEAL, LOGO, AND FLAGS: The Consultant shall not use the DHS seal(s), logos, crests, or reproductions of flags or likeness of DHS agency officials without specific FEMA pre-approval.

11. PROGRAM FRAUD AND FALSE OR FRAUDULENT STATEMENTS OR RELATED ACTS: The Consultant acknowledges that 31 U.S.C. Chap. 38 (Administrative Remedies for False Claims and Statements) applies to the Consultant's actions pertaining to this contract.

REMAINDER OF THIS PAGE LEFT INTENTIONALLY BLANK – SIGNATURE PAGE FOLLOWS

Contractor Compliance and Monitoring, Inc.
Davis-Bacon Compliance Consultant for Community Development Block Grant Mitigation Grants (CDBG-MIT)

Witness the parties' respective hands and seals on the date first written below.

CITY OF COLUMBIA, SOUTH CAROLINA

Witness **Teresa Wilson, City Manager** **Date:**_____

APPROVED AS TO FORM
Legal Department City of Columbia, SC
2.09.2022

NAME OF FIRM

Deborah E.G. Wilder — **Print: Name/Title**
President

Deborah E.G. Wilder — **Signature** **Date:** 2/11/2022

(Corporate Seal) Contractor Compliance and Monitoring, Inc.

Attest/Witness

Signature
Russell H. Wilder

Date: 2/11/2022

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List of Exhibits

Exhibit A – Scope of Services

Exhibit B – Schedule for Completion of Services

Exhibit C – Compensation

Exhibit D – Business Information Statement for Subconsultant/Subcontractor

Exhibit E – Conditions of Federal Funding

EXHIBIT A - SCOPE OF SERVICES

Contractor Compliance & Monitoring, Inc. shall have thoroughly reviewed the Allocations, Common Application, Waivers, and Alternative Requirements for Community Development Block Grant (CDBG) Mitigation Grantees found in Federal Register Notice 84 FR 45840 and all pertinent Federal Register notices, and the City of Columbia CDBG-DR Action Plan and all amendments thereto.

The purpose of labor standards compliance monitoring is to ensure that each worker is paid a fair and equitable wage in accordance with all appropriate federal, state, local and CDBG-specific regulations. The selected consultant will perform all tasks relevant to monitoring the labor standards of the contractors and all sub-contractors for the specified contract period of each project. The selected consultant will be expected to provide all required reporting and monitoring documentation to Columbia's Office of Community Development (Grantee).

A. Licenses and Certifications

All Offerors shall possess a valid and current State of South Carolina Business License. Any Offerors/Respondents who do not possess a valid State of South Carolina Business License at the time submissions are due will be found non-responsive.

All Offerors shall possess a valid and current City of Columbia Business License at the time of the solicitation due date. Any Offerors/Respondents who do not possess a valid City of Columbia Business License at the time submissions are due will be found non-responsive.

B. Project Specific Licenses and Certifications – Not applicable

C. Deliverables

The Scope of Services includes, but not limited to, the following activities:

1. Participation with the City in the dissemination of information and postings related to Davis-Bacon Act standards and CDBG-MIT program and contract requirements and deliverables.
2. Monitoring and auditing of labor standards compliance under the Davis-Bacon Act, CDBG-MIT and other federal, state and local requirements including, but not limited to:
   a. Obtaining applicable state and federal wage classification decisions as applicable.
   b. Reviewing procurements and bid packages to ensure that the correct recording and reporting forms and wage rates are included per requirements of the project's federal funding program.
   c. Reviewing pertinent provisions of collective bargaining agreements (if any).
   d. Auditing payroll and benefit records and certified payroll submissions on a weekly basis to evaluate compliance with Davis-Bacon requirements.
   e. Sending out wage class requests,
   f. Conducting on-site labor interviews to verify payroll information.
   g. Auditing Davis-Bacon payrolls and billing documentation to determine compliance with HUD Labor Standards requirements.
   h. Providing technical assistance to the Office of Community Development with mandatory HUD repots including HUD Form 4710 – Semi-annual Labor Standards Enforcement Report Local Contracting Agencies, HUD Form 2516 – Contract and Subcontract Activity, and other labor related reports, forms or requirements for the Office of Community Development.
   i. Complying with additional recordkeeping and other requirements, as requested.
   j. Attending the pre-construction conferences to provide the Contractors and any sub-contractors with contractor labor compliance handouts, applicable wage rate information, and other pertinent documents.

3. Provide technical assistance to contractors, if needed, related to Davis-Bacon labor standard requirements.
4. If requested, provide weekly written contractor review summaries to the City, assess areas of noncompliance and provide suggestions regarding method of correction to the City and Contractor, as needed.
5. Monitor corrective action plans as needed.
6. Provide monthly written reports to the City regarding CDBG-MIT funded contractor compliance.
7. Provide other data and annual and/or quarterly reports as requested by the City related to compliance with its CDBG-MIT projects labor standard requirements.
8. Deliver all required Davis-Bacon related documents to the City at the conclusion of each project.
9. Section 3 Compliance
   a. Oversight for contracts over $200,000.00.
   b. Training and technical assistance to contractors and City staff to build capacity.
   c. Report all Labor hours and note if Section 3 employee or Targeted Section 3 employee (lives within a mile radius of the project) or a Non-Section 3 employee.
   d. Track all labor hours as HUD has safe harbor benchmarks of 25% Section 3 and 5% Targeted Section 3.
10. Submit data monthly for HUD Quarterly Performance Reporting.

D. Ownership of Documents and Access to Records

All data, documents or other information of any description generated by or used by the Consultant or any Subconsultant retained by the Consultant and related to the services required by this Agreement shall be the property of the City and shall not be used by the Consultant for any purpose whatsoever except to perform the services required by this Agreement.

The Consultant shall make available for examination by the City all of its records with respect to all matters covered by the final agreement and shall maintain such records for a period not less than three (3) years after receipt of final payment under the Agreement.

The State, the U.S. Department of Housing and Urban Development, the Comptroller General of the United States, or any of their duly authorized representatives, shall have, at any time and from time to time during normal business hours, access to any work product, books, documents, papers, and records of the Subcontractor which are related to this contract, for the purpose of inspection, audits, examinations, and making excerpts, copies and transcriptions

In addition, the following access to records requirements apply to the final agreement:

- The Consultant agrees to provide the City, and if at the City's direction, HUD, the Comptroller General of the United States, or other third party access to any books, documents, papers, and records of the Agreement that are directly pertinent to the Agreement for the purposes of making audits, examinations, excerpts, and transcriptions.
- The Consultant agrees to permit any of the foregoing parties to reproduce, at the expense of the requestor, by any means whatsoever or to copy excerpts and transcriptions as reasonably needed.
- All requests for access to Consultants records shall be made in writing.
  All specific City of Columbia IT requirements as listed within the Scope of Services Consultant's Responsibilities shall apply.

Contractor Compliance & Monitoring, Inc. may be asked to provide additional Davis Bacon compliance services, as identified by the City, which may be funded from other federal sources.

EXHIBIT B – SCHEDULE FOR COMPLETION OF SERVICES

The schedule of services will be on a City of Columbia CDBG-MIT project by project basis and determined by the City's Community Development Department.

Additional services as identified in Exhibit A – Scope of Services will be on a project by project basis and determined by the City's Community Development Department.

CONTRACTOR COMPLIANCE & MONITORING, INC.
www.ccmilcp.com

635 MARINERS ISLAND BLVD, SUITE 200, SAN MATEO CA 94404 – P 650-522-4403 – dwilder@ccmilcp.com

May 27, 2021

Re: RFP14-20-21-KDD Davis Bacon Compliance Consultant for Community Development Block Grant Mitigation Grants (CDBG-MIT)

Contractor Compliance and Monitoring Inc. (CCMI) is pleased to submit the following Cost Proposal

Our billable rates are as follows:

$85 Technician
$95 Analyst
$105 Sr. Analyst (Brooker, Lopez)
$135 Manager (Noguera)
$400 Principal (Wilder)
Onsite interviews $1,000 per month

While we have completed the Cost Proposal Detail Sheet, those numbers are based on the following presumptions:

- That two of the four projects will start the first year and the remaining projects will start in the second year.
- Some of the projects will overlap, but not all projects will be ongoing at the same time.
- Onsite interviews will occur periodically, but not monthly.
- The number of hours will ebb and flow based on the prevailing wage experience of the contracting community.

APPENDIX – COST PROPOSAL DETAIL SHEET

Name of Consultant	Date of Proposal
Contractor Compliance & Monitoring Inc	May 27, 2021
Street Address	Federal ID Number
635 Mariners Island Blvd #200	46-0509386
City, State, Zip	DUNS Number
San Mateo CA 94404	18-255-1320

A. Direct Labor (specify personnel by name)

Attach a copy of the scope of services identified in the contract. Each task identified in the scope of services should be assigned an estimated amount of time for completion. The total amount of time identified on the scope of services should correspond to the estimate in this section.

Personnel Name	Est. No. of Hours	Hourly Rate	Est. Cost
1. Steve Noguera	100	135	13,500
2. Delia Lopez	100	95	9,500
3. Ida Brooker	150	105	15,750
4. Deborah Wilder	10	400	4,000
5. Total Direct Labor	360		42,750

B. Overhead/Indirect Costs	Rate	Base	Est. Cost

C. Other Direct Costs

Transportation	Est. # of site visits	Rate	Est. Cost
	8	850	6800
Per Diem	Est. No. of Days	Daily Rate	Est. Cost
Production	Est. No. of Pages	Page Rate	Est. Cost

Other (specify)	
1. Initial Travel and Mtg with client	$ 950
2. LCP Tracker Costs	$ 1600
3.	$
4.	$
5. Total Other Direct Costs	$

D. Subcontracts

Name of Subcontractor(s)	Est. No. of Days	Daily Rate	Est. Cost
1.			
2.			
3. Total Subcontractor Costs			

Total Estimated Costs (Line A5+B+C5+D3)	$
Profit	$
TOTAL PRICE – YEAR ONE	$52,100

Name of Consultant	Date of Proposal
Contractor Compliance & Monitoring, Inc.	5-27-2021
Street Address	**Federal ID Number**
635 Mariners Island Blvd #200	46-0509386
City, State, Zip	**DUNS Number**
San Mateo CA 94404	18-255-1320

A. Direct Labor (specify personnel by name)

Attach a copy of the scope of services identified in the contract. Each task identified in the scope of services should be assigned an estimated amount of time for completion. The total amount of time identified on the scope of services should correspond to the estimate in this section.

Personnel Name	Est. No. of Hours	Hourly Rate	Est. Cost
1. Steve Noguera	100	135	13,500
2. Delia Lopez	100	95	9,500
3. Ida Brooker	120	105	12,600
4. Deborah Wilder	10	400	4,000
5. Total Direct Labor	330		39,600

B. Overhead/Indirect Costs	Rate	Base	Est. Cost
	—	—	—

C. Other Direct Costs

Transportation	Est. # of site visits	Rate	Est. Cost
	6	850	$5100
Per Diem	**Est. No. of Days**	**Daily Rate**	**Est. Cost**
	—	—	—
Production	**Est. No. of Pages**	**Page Rate**	**Est. Cost**
	—	—	—

Other (specify)	
1. Initial Travel & Meeting with client	$
2. LCP Tracker costs	$950
3.	$1600
4.	$
5. Total Other Direct Costs	$
	$7650

D. Subcontracts

Name of Subcontractor(s)	Est. No. of Days	Daily Rate	Est. Cost
1.			
2.			
3. Total Subcontractor Costs			

Total Estimated Costs (Line A5+B+C5+D3)	$ —
Profit	$ —
TOTAL PRICE – YEAR TWO	$47,250
TOTAL PRICE – TWO YEAR TOTAL	$ 99,350

Name of Consultant	Date of Proposal
Contractor Compliance & Monitoring Inc.	May 27, 2021
Street Address	**Federal ID Number**
635 Mariners Island Blvd #200	46-0509386
City, State, Zip	**DUNS Number**
San Mateo, CA 94404	18-255-1320

A. Direct Labor (specify personnel by name)

Attach a copy of the scope of services identified in the contract. Each task identified in the scope of services should be assigned an estimated amount of time for completion. The total amount of time identified on the scope of services should correspond to the estimate in this section.

Personnel Name	Est. No. of Hours Total	Hourly Rate	Est. Cost
1. Steve Noguera	200	135	27,000
2. Delia Lopez	200	95	19,000
3. Ida Brooker	270	105	28,350
4. Deborah Wilder	20	400	8,000
5. Total Direct Labor	690		82,350

B. Overhead/Indirect Costs	Rate	Base	Est. Cost

C. Other Direct Costs

Transportation	Est. # of site visits	Rate	Est. Cost
	14	850	11,900
Per Diem	**Est. No. of Days**	**Daily Rate**	**Est. Cost**
Travel to Columbia for mtg	2 x 950		1900
LCP tracker costs			3200
			$99,350

EXHIBIT D - BUSINESS INFORMATION RECORD FOR SUBCONSULTANTS/SUBCONTRACTORS

The Bidder shall list all subcontractors and vendors, who will be providing subcontracting services, furnishing materials, etc. for this project. The list shall be submitted in the format provided below. Any proposed changes from the list shall be submitted in writing to the Owner prior to initiation of any action, with the reason for proposed changes.

MUST BE TYPED AND REFLECT ONLY THOSE PROVIDING A SERVICE "NO LINE STRIKE THROUGH"

Business Name (as shown on W9 or SAM.gov) / DUNS # (REQUIRED)	City of Columbia Vendor number	Services and/or Materials Provided	Cost of Services and/or Material ($ Value)	Percentage of Total Contract	MBE, WBE, SBE, DBE, LBE, CDBE (indicate all that apply)	Minority Association Code (If applicable - Use 2 letter Code – See Key Below)
None				%		
				%		
				%		
				%		
				%		
				%		

Key: Minority/Women Owned Business Enterprise Association Code

AF – Asian American Female **AM** – Asian American Male **BF** – African American Female
BM – African American Male **FB** – Non-Minority Female Owned **HF** – Hispanic American Female
HM – Hispanic American Male **NF** – Native American Female **NM** – Native American Male

COMBINED TOTAL SUB AMOUNT $_____
TOTAL CONTRACT AMOUNT: $_____

I certify this information is true, correct, complete and active.

Business Name: _- Contractor Compliance and Monitoring, Inc.

Representative Name/Title: Deborah Wilder - President

Date: May 27, 2021

EXHIBIT E - CONDITIONS OF FEDERAL FUNDING

Community Development Block Grant
Mitigation Program

Conditions of Federal Funding

The contractor acknowledges that federal financial assistance will be used to fund the Contract. Contractor will comply will all applicable federal law, regulations, executive orders, and agency policies, procedures, and directives.

The federal government is not a party to this contract and is not subject to any obligations or liabilities to the non-Federal entity, contractor, or any other party pertaining to any matter resulting from the contract.

Compliance with Federal Regulations: The work to be performed under this Agreement is on a project assisted under a program providing direct Federal financial assistance from HUD.

1. **RELIGIOUS ACTIVITIES 24 CFR 570.200 (j)**
   As a general rule, in accordance with First Amendment Church/State Principles, CDBG assistance may not be used for religious activities or provided to primarily religious entities for any activities, including secular activities, except as cited at 24 CFR 570.200(J)(1)(2)(3).

2. **POLITICAL ACTIVITIES 24 CFR 570.207**
   CONTRACTOR will comply with this section, which prohibits the use of CDBG funds to finance the use of facilities or equipment for political purposes or to engage in other partisan political activities, such as candidate forums, voter transportation, or voter registration.

   a) HATCH ACT CHAPTER 15, TITLE 5, U.S. CODE

      CONTRACTOR further agrees that none of the personnel employed in the administration of the within defined Project shall be in any way or to any extent, engaged in the conduct of political activities in contravention of Chapter 15, Title 5, U.S. Code.

3. **OTHER PROGRAM REQUIREMENTS 24 CFR**
   CONTRACTOR shall carry out its activities in compliance with all Federal laws and regulations as described in 24 CFR 570.600-570.612, except that CONTRACTOR will not assume the CITY'S environmental responsibilities described at 24 CFR 570.604, nor the CITY'S responsibility for initiating the review process under the provisions of 24 CFR Part58.

4. **GENERAL-24 CFR 570.600**
   CONTRACTOR agrees to comply with such laws and Program requirements as are applicable to grants made under section 106 of Title I of the Housing and Community Development Act of 1974.

5. **TITLE VI OF THE CIVIL RIGHTS ACT OF 1964--24 CFR 570.601 FAIR HOUSING ACT-24 CFR 570.601 EXECUTIVE ORDER 11063--24 CFR 570.601**
   This Agreement is subject to the requirements of Title VI of the Civil Rights Act of 1964, P.L. 88-352; the Fair Housing Act; and Executive Order 11063, as amended by Executive Order 12259; and HUD regulations at 24 CFR Part 1, providing for non-discrimination on the grounds of race, color, creed, sex, familial status, disability, or national origin under any activity receiving Federal funds and also obligating CONTRACTOR to use Federally-funded property for the purpose for which the Federal funds were awarded.

6. SECTION 109 OF THE ACT--24 CFR 570.602 AGE DISCRIMINATION ACT of 1975--24 CFR 570.602(c) SECTION 504 OF THE REHABILITATION ACT OF 1973--24 CFR 570.602(c)

This Agreement is subject to Section 109 of the Housing and Community Development Act of 1974, The Age Act of 1975, and Section 504 of the Rehabilitation Act of 1973, which requires that no person in the United States shall, on the grounds of age, race, color, national origin, disability, or sex, be excluded from participation in, be denied the benefits of, or be subject to discrimination under any program or activity funded in whole or in part with Community Development Block Grant funds.

7. SECTION 3 (IF APPLICABLE)

Compliance with the provisions of Section 3, the regulations set forth in 24 CFR 135, and all applicable rules and orders issued hereunder prior to the execution of this contract, shall be a condition of the Federal financial assistance provided under this contract and binding upon the Contractor, the Subcontractor and any of the Subcontractor's Subcontractors. Failure to fulfill these requirements shall subject the Contractor, the Subcontractor and any of the Subcontractor's Subcontractor, their successors and assigns, to those sanctions specified by the Agreement through which Federal assistance is provided. The Contractor certifies and agrees that no contractual or other disability exist which would prevent compliance with these requirements. The Contractor further agrees to comply with these "Section 3" requirements and to include the following language in all subcontracts executed under this Agreement:

The work to be performed under this contract is an activity assisted under a program providing direct Federal financial assistance from HUD and is subject to the requirements of Section 3 of the Housing and Community Development Act of 1968, as amended, 12 U.S.C. 1701. Section 3 requires that to the greatest extent feasible opportunities for training and employment be given to low-and very low-income residents of the activity area and contracts for work in connection with the activity be awarded to business concerns that provide economic opportunities for low-and very low- income persons residing in the metropolitan area in which the activity is located."

The Contractor further agrees to ensure that opportunities for training and employment arising in connection with a housing rehabilitation, housing construction, or other public construction activity are given to low and very low-income persons residing within the metropolitan area in which the CDBG funded activity is located; where feasible, priority should be given to low- and very low-income persons within the service area of the activity or neighborhood in which the activity is located, and to low- and very low-income participants in other HUD programs; and award contracts for work undertaken in connection to housing rehabilitation, housing construction, or other public construction activity are given to business concerns that provide economic opportunities for low- and very low-income persons residing within the metropolitan area in which CDBG-funded activity is located; where feasible, priority should be given to business concerns which provide economic opportunities to low- and very low -income residents within the service area or neighborhood in which the activity is located, and to low- and very low-income participants in other HUD programs.

8. LABOR STANDARDS & DAVIS BACON ACT 24 CFR 570.603 (IF APPLICABLE)

Section 110(a) of the Act contains labor standards that apply to non-volunteer labor financed in whole or in part with assistance provided under the Act. The Contract Work Hours and Safety Standards Act also applies. Contractors or subcontractors on construction work shall be paid wages at rates not less than those prevailing on similar construction in the locality as determined by the Secretary of Labor in accordance with the Davis-Bacon Act, as amended. Contractor will comply with the following conditions:

a) Overtime requirements. No contractor or sub-contractor contracting for any part of the contract work which may require or involve the employment of laborers or mechanics shall require or permit any such laborer or mechanic in any workweek in which he or she is employed on such work to work in excess of forty hours in such workweek unless such laborer or mechanic receives compensation at a rate not less than one and one-half times the basic rate of pay for all hours worked in excess of forty hours in such workweek.

b) Violation; liability for unpaid wages; liquidated damages. In the event of any violation of the clause set forth in paragraph (A) of this section the contractor and any sub-contractor responsible therefor shall be liable for the unpaid wages. In addition, such contractor and sub-contractor shall be liable to the United States (in the case of work done under contract for the District of Columbia or a territory, to such District or to such territory), for liquidated damages. Such liquidated damages shall be computed with respect to each individual laborer or mechanic, including watchmen and guards, employed in violation of the clause set forth in paragraph (A) of this section, in the sum of $10 for each calendar day on which such individual was required or permitted to work in excess of the standard workweek of forty hours without payment of the overtime wages required by the clause set forth in paragraph (A) of this section.

c) Withholding for unpaid wages and liquidated damages. The City shall upon its own action or upon written request of an authorized representative of the Department of Labor withhold or cause to be withheld, from any moneys payable on account of work performed by the contractor or sub-contractor under any such contract or any other Federal contract with the same prime contractor, or any other federally-assisted contract subject to the Contract Work Hours and Safety Standards Act, which is held by the same prime contractor, such sums as may be determined to be necessary to satisfy any liabilities of such contractor or sub-contractor for unpaid wages and liquidated damages as provided in the clause set forth in paragraph (B) of this section.

d) Subcontracts. The contractor or sub-contractor shall insert in any subcontracts the clauses set forth in paragraph (A) through (D) of this section and also a clause requiring the subcontractors to include these clauses in any lower tier subcontracts. The prime contractor shall be responsible for compliance by any subcontractor or lower tier sub-contractor with the clauses set forth in paragraphs (A) through (D) of this section.

9. CONTRACT WORK HOURS AND SAFETY STANDARDS ACT (40 USC 3701-3708)

When applicable all contracts awarded by the City in excess of $100,000 that involve the employment of mechanics or laborers must include a provision for compliance with 40 USC 3702 and 3704, as supplemented by the Department of Labor Regulations (29 CFR Part 5) Under 40 USC 3702 of the Act, each contractor must compute the wages of every mechanic and laborer on the basis of a standard work week of 40 hours. Work in excess of the standard work week is permissible provided that the worker is compensated at a rate of not less than one and a half times the basic rate of pay for all hours worked in excess of 40.

10. ENVIRONMENTAL STANDARDS 24 CFR 570.604

This Agreement is subject to the National Environmental Policy Act of 1969, as detailed in implementing regulations 24 CFR Part 58. No funds related to the project or activity can be obligated or expended until an Environmental Clearance Authorization is completed and the contract is executed. Any expenditures for a program that takes place before the execution of a contract and the completion of the Environmental Clearance cannot be reimbursed. The City is responsible for providing the Contractor the HUD required Environmental Clearance Authorization.

11. NATIONAL FLOOD INSURANCE PROGRAM 24 CFR 570.605

This Agreement is subject to the Flood Disaster Protection Act of 1973, and the regulations in 44 CFR Parts 59 through 79.

12. DISPLACEMENT, RELOCATION, ACQUISITION, AND REPLACEMENT OF HOUSING 24 CFR 570.606

CONTRACTOR shall assure that they have taken all reasonable steps to minimize the displacement of persons (families, individuals, businesses, non-profit organizations, and farms) as a result of activities pursuant to Part 570.606. Relocation of displaced persons shall be provided in conformance with the Uniform Relocation Assistance and Real Property Acquisition Act of 1970 as amended.

13. EMPLOYMENT AND CONTRACTING OPPORTUNITIES 24 CFR 570.607

CONTRACTOR shall comply with Executive Order 11246, as amended by Executive Order 12086, which provides for Equal Employment Opportunity, and Section 3 of the Housing and Urban Development Act of 1968, with implementing regulations at 24 CFR Part 135. Section 3 requires that employment and other economic development opportunities arising in connection with housing rehabilitation, housing construction, or other public construction projects shall, to the greatest extent feasible, and consistent with existing Federal, State, and local laws and regulations, be given to low- and very low-income persons.

14. LEAD-BASED PAINT 24 CFR 570.608

This Agreement is subject to the regulations at 24 CFR Part 35, prohibiting the use of lead- based paint in residential structures constructed or rehabilitated with assistance provided pursuant to Part 570.608; notification of hazards of lead-based paint poisoning; and elimination of lead- based paint hazards.

15. USE OF DEBARRED, SUSPENDED, OR INELIGIBLE CONTRACTORS OR CONTRACTORS 24 CFR 570.609

This Agreement is subject to the requirements set forth in 24 CFR Part 5, in which is incorporated 24 CFR Part 24, which provides for the listing of debarred and suspended participants, participants declared ineligible, and participants who have voluntarily excluded themselves from participation in covered transactions pursuant to Part 24.

The Contractor is subject to non-procurement Debarment and Suspension Regulations implementing Executive Orders 12549 and 12689, 2 C.F.R. pt. 180 (2 C.F.R. §200.212). The Agreement is a covered transaction for the purposes of C.F.R. pt. 180 and 2 C.F.R. pt. 3000. As such the Contractor is required to verify that none of the Contractor(s), its principals (defined at 2 C.F.R. §180.995), or its affiliates (defined at 2 C.F.R. §180.905) are excluded (defined at 2 C.F.R. §180.940) or disqualified (defined at 2 C.F.R. §180.935).

Execution of the Contract is a material representation of fact relied upon by the City. If it is later determined that the Contractor did not comply with 2 C.F.R. pt. 180, sub-part C and 2 C.F.R. pt. 3000, sub-part C in addition to remedies available to the State of South Carolina Emergency Management Division and the City of Columbia, the Federal Government may pursue available remedies, including but not limited to suspension and/or debarment.

The Contractor shall comply with the requirements of 2 C.F.R. pt. 180, sub-part C and 2 C.F.R. pt. 3000; sub-part C during the duration of the project and throughout the period that may arise from this project. The Contractor further agrees to include a provision requiring such requirements in its lower tier covered transactions throughout the duration of this contract.

The Contractor shall notify the City, if your firm or sub-contractor(s) becomes suspended or debarred during the course of this project. This Contract may be terminated in accordance with the Termination for Because provisions contained elsewhere in the contract.

16. UNIFORM ADMINISTRATIVE REQUIREMENTS, COST PRINCIPLES AND AUDIT REQUIREMENTS FOR FEDERAL FUNDS – 2 CFR PART 200

CONTRACTOR shall comply with the requirements and standards of this Super Circular.

17. CONFLICT OF INTEREST 24 CFR 570.611

This Agreement is subject to the general rule that no person who is an employee, agent, consultant, officer, or elected official or appointed official of the CITY as Recipient, or of any designated public agencies, or of CONTRACTOR who exercise or have exercised any functions or responsibilities with respect to CDBG activities assisted pursuant to Part 570.611, or who are in a position to participate in a decision-making process or gain inside information with regard to such activities, may obtain a financial interest or benefit from a CDBG-assisted activity, or have a financial interest in any contract, subcontract, or Agreement with respect to a CDBG-assisted activity, or with respect to the proceeds of the CDBG-assisted activity, either for themselves or those with whom they have business or immediate family ties, during their tenure or for one year thereafter.

18. LIMITED ENGLISH PROFICIENCY (LEP)

Executive order 13166 enacted August 11, 2000, mandates the federal government reduce language barriers to limited English proficiency (LEP) persons with regard to accessing federal benefits. Recipients of HUD assistance including state and local governments, public housing authority assisted housing providers, profit and non- profit organizations and other entities receiving funds directly or indirectly from HUD are subject to executive order 12166 and title vi provisions as a condition of receiving federal funds. Failure to ensure limited English persons (LEP) access to HUD benefits may violate Title VI Civil Rights protections based upon national origin.

19. DRUG-FREE WORKPLACE

As a Contractor of CDBG funds, and in connection with public services offered, the CONTRACTOR agrees that it shall comply with the provisions of the Drug-Free Workplace Act of 1988, 24 CFR Part 21, which requires that CONTRACTOR shall maintain a facility free from the illegal use, possession, or distribution of drugs or alcohol by its beneficiaries.

20. ANTI-LOBBYING

Section 319 of Public Law 101-121, of the Department of the Interior Appropriations Act, prohibits CONTRACTOR from using appropriated Federal funds for lobbying the Executive or Legislative Branches of the Federal Government in connection with a specific contract, grant, or loan, and requires that no Federal appropriated funds have been paid or will be paid, by or on behalf of CONTRACTOR to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.

Contractors who apply or bid for an award of $100,000 or more shall file the required certification. Each tier certifies to the tier above that it will not and has not used Federal appropriated funds to pay any person or organization for influencing or attempting to influence an officer or employee of any agency, a member of Congress, officer or

employee of Congress, or an employee of a member of Congress in connection with obtaining any Federal contract, grant, or any other award covered by 31 U.S.C. § 1352. Each tier shall also disclose any lobbying with non-Federal funds that takes place in connection with obtaining any Federal award. Such disclosures are forwarded from tier to tear up to the recipient.

21. AMERICANS WITH DISABILITIES ACT

CONTRACTOR agrees to comply fully with any and all provisions of the Americans with Disabilities Act (hereinafter referred to as ADA) as applicable to the CONTRACTOR and the activities to be performed by CONTRACTOR under the scope of this Agreement. If employing more than fifteen (15) employees, CONTRACTOR agrees to comply fully with Title I of the ADA as set forth at 28 CFR Part 130. If providing public accommodations as defined by the Act in Section 301(7)(A) -(L), CONTRACTOR agrees to comply fully with Title III of the ADA as set forth at 28 CFR Part 36. If providing public transportation, CONTRACTOR agrees to comply fully with the federal regulations as set forth at 49 CFR Parts 37 and 38.

22. ACCESS TO RECORDS

The Contractor shall make available for examination by the City all of its records with respect to all matters covered by this Agreement and shall maintain such records for a period not less than three (3) years after receipt of final payment under the Agreement. In addition, the following access to records requirements apply to the contract:

1. The Contractor agrees to provide the City, the FEMA Administrator, the Comptroller General of the United States, or any of their authorized representative(s) access to any books, documents, papers, and records of the Agreement that are directly pertinent to the Contract for the purposes of making audits, examinations, excerpts, and transcriptions.

2. The Contractor agrees to permit any of the foregoing parties to reproduce by any means whatsoever or to copy excerpts and transcriptions as reasonably needed.

3. The Contractor agrees to provide the FEMA Administrator or his/her authorized representative(s) access to information pertaining to the work being completed under the Contract/Agreement.

23. CONFIDENTIALITY

All of the reports, information, data, records or documents of any kind, prepared or assembled by the Contractor under the Agreement are confidential and the Contractor agrees that they shall not be made available to any individual or organization without the prior written approval of the City.

24. INTEREST OF CONTRACTOR

The Contractor covenants for himself and on behalf of his employees that he presently has no interest and shall not acquire any interest, direct or indirect, which would conflict in any manner or degree with the performance of services required to be performed under the Agreement or which is adverse to the interests of the City of Columbia. The Contractor further covenants that in the performance of the Agreement no person having such interest shall be employed.

The Contractor is expected to make its services available to other entities but agrees to refrain from representing other entities in matters where the position of the City conflicts with that of the other entity. The City may at its

discretion waive this provision. The Contractor has provided a list of all of its clients with whom there may be potential conflicts with the City. This list shall be supplemented throughout the duration of the Agreement.

25. PROGRAM FRAUD AND FALSE OR FRAUDELEND STATEMENTS OR RELATED ACTS

The contractor acknowledges that 31 U.S.C. Chapter 38 (Administrative Remedies for False Claims and Statements) applies to the contractor's actions pertaining to this contract.

The *False Claims Act* (*FCA*), 31 U.S.C. §§ 3729

Under Liability for Certain Acts, in general any person who:

a) knowingly presents, or causes to be presented, a false or fraudulent claim for payment or approval;

b) knowingly makes, uses, or causes to be made or used, a false record or statement material to a false or fraudulent claim;

c) conspires to commit a violation of subparagraph a), b), c), d), e), f), or g);

d) has possession, custody, or control of property or money used, or to be used, by the Government and knowingly delivers, or causes to be delivered, less than all of that money or property;

e) is authorized to make or deliver a document certifying receipt of property used, or to be used, by the Government and, intending to defraud the Government, makes or delivers the receipt without completely knowing that the information on the receipt is true;

f) knowingly buys, or receives as a pledge of an obligation or debt, public property from an officer or employee of the Government, or a member of the Armed Forces, who lawfully may not sell or pledge property; or

g) knowingly makes, uses, or causes to be made or used, a false record or statement material to an obligation to pay or transmit money or property to the Government, or knowingly conceals or knowingly and improperly avoids or decreases an obligation to pay or transmit money or property to the Government, is liable to the United States Government for a civil penalty of not less than $5,000 and not more than $10,000, as adjusted by the Federal Civil Penalties Inflation Adjustment Act of 1990 (28 U.S.C. 2461 note; Public Law 104–410 [1]), plus 3 times the amount of damages which the Government sustains because of the act of that person.

26. CLAIMS AND DISPUTES 2 CFR 200.318(k)

This contract is subject to Contract Disputes.

- All disputes arising under or relating to this contract shall be resolved under this clause.
- Claim, as used in this clause, means a written demand or written assertion by one of the contracting parties seeking, as a matter of right, the payment of money in a sum certain, the adjustment or interpretation of contract terms, or other relief arising under or relating to this contract. A voucher, invoice, or other routine request for payment that is not in dispute when submitted is not a claim under this provision.

All claims must comply with the submission and certification requirements of this provision if it is disputed either as to liability or amount must be acted upon in a reasonable time.

A claim by the Contractor shall be made in writing and, unless otherwise stated in this contract, submitted within 6 (six) months after accrual of the claim to the Contracting Officer for a written decision.

A claim by the City against the Contractor shall be subject to a written decision by the Contracting Officer.

The Contractor shall provide the certification specified below when submitting any claim.

a) The certification requirement does not apply to issues in controversy that have not been submitted as all or part of a claim.

b) The certification shall state as follows: "I certify that the claim is made in good faith; that the supporting data are accurate and complete to the best of my knowledge and belief; that the amount requested accurately reflects the contract adjustment for which the Contractor believes the City is liable; and that I am authorized to certify the claim on behalf of the Contractor."

c) The certification may be executed by any person authorized to bind the Contractor with respect to the claim.

For Contractor claims, the Contracting Officer must, if requested in writing by the Contractor, render a decision within 60 days of the request.

The Contracting Officer's decision shall be final unless the Contractor appeals.

If the claim by the Contractor is submitted to the Contracting Officer or a claim by the City is presented to the Contractor, the parties, by mutual consent, may agree to use alternative dispute resolution (ADR). If the Contractor refuses an offer for ADR, the Contractor shall inform the Contracting Officer, in writing, of the Contractor's specific reasons for rejecting the offer.

The City shall pay interest on the amount found due and unpaid from (1) the date that the Contracting Officer receives the claim (certified, if required); or (2) the date that payment otherwise would be due, if that date is later, until the date of payment.

With regard to claims having defective certifications, interest shall be paid from the date a proper certification is provided. Simple interest on claims shall be paid at the rate. Which is applicable to the period during which the Contracting Officer receives the claim and then at the rate applicable for each 6-month period as fixed by the State during the pendency of the claim.

The Contractor shall proceed diligently with performance of this contract, pending final resolution of any request for relief, claim, appeal, or action arising under the contract, and comply with any decision of the Contracting Officer.

27. DISPUTES

This contract is subject to 41 U.S.C. chapters 71, Contract Disputes. Failure of the parties to this contract to reach agreement on any request for equitable adjustment, claim, appeal or action arising under or relating to this contract shall be a dispute to be resolved in accordance with the Claims and Disputes Clause. The Contractor shall proceed diligently with performance of this contract, pending final resolution of any dispute arising under the contract.

28. EQUAL EMPLOYMENT OPPORTUNITY

During the performance of this contract, the Contractor agrees as follows:

The Contractor will not discriminate against any employee or applicant for employment because of race, color, religion, sex, sexual orientation, or national origin. The Contractor will take affirmative action to ensure that applicants are employed, and that employees are treated during employment without regard to their race, color, religion, sex, sexual orientation, or national origin.

Such action shall include, but not be limited to Employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The Contractor agrees to post in conspicuous places, available to employees and applicants for employment, notices to be provided setting forth the provisions of this nondiscrimination clause.

a) The Contractor will, in all solicitations or advertisements for employees placed by or on behalf of the Contractor; state that all qualified applicants will receive considerations for employment without regard to race, color, religion, sex, sexual orientation, or national origin.

b) The Contractor will send to each labor union or representative of workers with which he has a collective bargaining agreement or other contract or understanding, a notice to be provided advising the said labor union or workers' representatives of the Contractor's commitments under this section, and shall post copies of the notice in conspicuous places available to employees and applicants for employment.

c) The Contractor will comply with all provisions of Executive Order 11246 of September 24, 1965, and of the rules, regulations, and relevant orders of the Secretary of Labor.

d) The Contractor will furnish all information and reports required by Executive Order 11246 of September 24, 1965, and by rules, regulations, and orders of the Secretary of Labor, or pursuant thereto, and will permit access to his books, records, and accounts by the administering agency and the Secretary of Labor for purposes of investigation to ascertain compliance with such rules, regulations, and orders.

e) In the event of the Contractor's noncompliance with the non-discrimination clauses of this Agreement or with any of the said rules, regulations, or orders, this contract may be canceled, terminated, or suspended in whole or in part and the Contractor may be declared ineligible for further Government contracts or federally assisted construction contracts in accordance with procedures authorized in Executive Order 11246 of September 24, 1965, and such other sanctions as may be imposed and remedies invoked as provided in Executive Order 11246 of September 24, 1965, or by rule, regulation, or order of the Secretary of Labor, or as otherwise provided by law.

f) The Contractor will include the portion of the sentence immediately preceding paragraph (A) and the provisions of paragraphs (A) through (G) in every subcontract or purchase order unless exempted by rules, regulations, or orders of the Secretary of Labor issued pursuant to section 204 of Executive Order 11246 of September 24, 1965, so that such provisions will be binding upon each sub-contractor or vendor.

g) The Contractor will take such action with respect to any subcontract or purchase order as the administering agency may direct as a means of enforcing such provisions, including sanctions for noncompliance: Provided, however, that in the event the Contractor becomes involved in, or is threatened with, litigation with a sub-

contractor or vendor as a result of such direction by the administering agency the Contractor may request the United States to enter into such litigation to protect the interests of the United States.

29. CLEAN AIR ACT AND FEDERAL WATER POLLUTION CONTROL ACT

The Contractor must comply with all applicable standards, orders, or regulations issued pursuant to the Clean Air Act (42 U.S.C. §7401-7671(q) and the Federal Water Pollution Control Act as amended (33 U.S.C. §1251-1387).

The Contractor will report each violation to the City, Federal Emergency Management Agency (FEMA) and the appropriate Environmental Protection Agency Regional Office (EPA).

The Contractor agrees to include these requirements in each sub-contract exceeding twenty-five thousand dollars ($25,000.00) financed in whole or in part with federal assistance provided by FEMA.

30. USE OF RECOVERED MATERIALS

The Contractor shall comply with Section 6002 of the Solid Waste Disposal Act as amended by the Resource Conversation and Recovery Act (2 C.F.R. §200.322). In performance of the Agreement, the Contractor shall make maximum use of products containing recovered materials that are EPA designated items unless the product cannot be acquired.

31. OVERSIGHT 2CFR 200.318(b)

The City will maintain oversight to ensure the Contractor performs in accordance with terms, conditions and specifications per (2 C.F.R. §200.318(b) (General Procurement Standards) and 44 C.F.R. §13.36 (Procurement).

32. SYSTEM FOR AWARD MANAGEMENT (SAM)

Unless exempted by an addendum to this contract, the Contractor is responsible during performance and through final payment of any contract for the accuracy and completeness of the data within the SAM database, and for any liability resulting from the Government's reliance on inaccurate or incomplete data. To remain registered in the SAM database after the initial registration, the Contractor is required to review and update on an annual basis from the date of initial registration or subsequent updates its information in the SAM database to ensure it is current, accurate and complete.

Updating information in the SAM does not alter the terms and conditions of this contract and is not a substitute for a properly executed contractual document.

If a Contractor has legally changed its business name, "doing business as" name, or division name (whichever is shown on the contract), or has transferred the assets used in performing the contract, but has not completed the necessary requirements regarding novation and change-of-name agreements, the Contractor shall provide the responsible Contracting Officer a minimum of one business day's written notification of its intention to:

Incorporation by reference. The Contractor's representations and certifications, including those completed electronically via the System for Award Management (SAM), are incorporated by reference into the contract.

33. DHS SEAL, LOGO, AND FLAGS

The contractor shall not use the DHS seal(s), logos, crests, or reproductions of flags or likenesses of DHS agency officials without specific FEMA pre-approval.

Federal Labor Standards Provisions

U.S. Department of Housing and Urban Development
Office of Labor Relations

Applicability

The Project or Program to which the construction work covered by this contract pertains is being assisted by the United States of America and the following Federal Labor Standards Provisions are included in this Contract pursuant to the provisions applicable to such Federal assistance.

A. 1. (i) Minimum Wages. All laborers and mechanics employed or working upon the site of the work , will be paid unconditionally and not less often than once a week, and without subsequent deduction or rebate on any account (except such payroll deductions as are permitted by regulations issued by the Secretary of Labor under the Copeland Act (29 CFR Part 3), the full amount of wages and bona fide fringe benefits (or cash equivalents thereof) due at time of payment computed at rates not less than those contained in the wage determination of the Secretary of Labor which is attached hereto and made a part hereof, regardless of any contractual relationship which may be alleged to exist between the contractor and such laborers and mechanics. Contributions made or costs reasonably anticipated for bona fide fringe benefits under Section l(b)(2) of the Davis-Bacon Act on behalf of laborers or mechanics are considered wages paid to such laborers or mechanics, subject to the provisions of 29 CFR 5.5(a)(1)(iv); also, regular contributions made or costs incurred for more than a weekly period (but not less often than quarterly) under plans, funds, or programs, which cover the particular weekly period, are deemed to be constructively made or incurred during such weekly period.

Such laborers and mechanics shall be paid the appropriate wage rate and fringe benefits on the wage determination for the classification of work actually performed, without regard to skill, except as provided in 29 CFR 5.5(a)(4). Laborers or mechanics performing work in more than one classification may be compensated at the rate specified for each classification for the lime actually worked therein: Provided, That the employer's payroll records accurately set forth the time spent in each classification in which work is performed. The wage determination (including any additional classification and wage rates conformed under 29 CFR 5 . 5 (a)(1)(ii) and the Davis-Bacon poster (WH-1321) shall be posted at all limes by the contractor and its subcontractors at the site of the work in a prominent and accessible, place where it can be easily seen by the workers.

(ii) (a) Any class of laborers or mechanics which is not listed in the wage determination and which is to be employed under the contract shall be classified in conformance with the wage determination. HUD shall approve an additional classification and wage rate and fringe benefits therefor only when the following criteria have been met:

(1) The work to be performed by the classification requested is not performed by a classification in the wage determination; and

(2) The classification is utilized in the area by the construction industry; and

(3) The proposed wage rate, including any bona fide fringe benefits, bears a reasonable relationship to the wage rates contained in the wage determination.

(a) If the contractor and the laborers and mechanics to be employed in the classification (if known), or their representatives, and HUD or its designee agree on the classification and wage rate (including the amount designated for fringe benefits where appropriate), a report of the action taken shall be sent by HUD or its designee to the Administrator of the Wage and Hour Division, Employment Standards Administration, U.S. Department of Labor, Washington, D.C. 20210. The Administrator, or an authorized representative, will approve, modify, or disapprove every additional classification action within 30 days of receipt and so advise HUD or its designee or will notify HUD or its designee within the 30-day period that additional time is necessary. (Approved by the Office of Management and Budget under 0MB control number 1215-0140.)

(b) In the event the contractor, the laborers or mechanics to be employed in the classification or their representatives, and HUD or its designee do not agree on the proposed classification and wage rate (incl u din g the amount designated for fringe benefits, where appropriate), HUD or its designee shall refer the questions, including the views of all interested parties and the recommendation of HUD or its designee, to the Administrator for determination. The Administrator, or an authorized representative, will issue a determination within 30 days of receipt and so advise HUD or its designee or will notify HUD or its designee within the 30-day period that additional time is necessary. (Approved by the Office of Management and Budget under 0MB Control Number 1215-0140.)

(c) The wage rate (including fringe benefits where appropriate) determined pursuant to subparagraphs (1)(ii)(b) or (c) of this paragraph, shall be paid to all workers performing work in the classification under this contract from the first day on which work is performed in the classification.

(iii) Whenever the minimum wage rate prescribed in the contract for a class of laborers or mechanics includes a fringe benefit which is not expressed as an hourly r ate, the contractor shall either pay the benefit as staled in the wage determination or shall pay another bona fide fringe benefit or an hourly cash equivalent thereof.

(iv) If the contractor does not make payments to a trustee or other third person, the contractor may consider as part

of the wages of any laborer or mechanic the amount of any costs reasonably anticipated in providing bona fide fringe benefits under a plan or program, Provided, That the Secretary of Labor has found, upon the written request of the contractor, that the applicable standards of the Davis- Bacon Act have been met. The Secretary of Labor may require the contractor to set aside in a separate account asset for the meeting of obligations under the plan or program. (Approved by the Office of Management and Budget under 0MB Control Number 1215-0140.)

2. Withholding. HUD or its designee shall upon its own action or upon written request of an authorized representative of the Department of Labor withhold or cause to be withheld from the contractor under this contract or any other Federal contract with the same prime contractor, or any other Federally-assisted contract subject to Davis-Bacon prevailing wage requirements, which is held by the same prime contractor so much of the accrued payments or advances as may be considered necessary to pay laborers and mechanics, including apprentices, trainees and helpers, employed by the contractor or any subcontractor the full amount of wages required by the contract In the event of failure to pay any laborer or mechanic, including any apprentice, trainee or helper, employed or working on the site of the work, all or part of the wages required by the contract, HUD or its designee may, after written notice to the contract or , sponsor, applicant , or owner, take such action as may be necessary to cause the suspension of any further payment, advance, or guarantee of funds until such violations have ceased. HUD or its designee may, after written notice to the contractor, disburse such amounts withheld for and on account of the contractor or subcontractor to the respective employees to whom they are due. Th e Comptroller General shall make such disbursements in the case of direct Davis-Bacon Act contracts.

3. (i) **Payrolls and basic records.** Payrolls and basic records relating thereto shall be maintained by the contractor during the course of the work preserved for a period of three years thereafter for all laborers and mechanics working at the site of the work. Such records shall contain the name, address, and social security number of each such worker , his or her correct classification, hourly rates of wages paid (including rates of contributions or costs anticipated for bona fide fringe benefits or cash equivalents thereof of the types described in Section l (b)(2)(B) of the Davis-bacon Act), daily and weekly number of h ours worked , deductions made and actual wages paid. Whenever the Secretary of Labor has found under 29 CFR 5.5 (a)(1)(iv) that the wages of any laborer or mechanic include the amount of any costs reasonably anticipated in providing benefit s under a plan or program described in Section l(b)(2)(B) of the Davis- Bacon Act, the contractor shall maintain records which show that the ccommitment to provide such benefits is enforceable, that the plan or program is financially responsible , and that the plan or program has been communicated in writing to the laborers or mechanics affected, and records which show the costs anticipated or the actual cost incurred in providing such benefits. Contractors employing apprentices or trainees under approved programs shall maintain written evidence of the registration of apprenticeship programs and certification of trainee programs, the registration of the apprentices and trainees, and the ratios and wage rates prescribed in the applicable programs. (Approved by the Office of Management and Budget under 0MB Control Numbers 1215-0140 and 1215-0017.)

(ii) (a) The contractor shall submit weekly for each week in which any contract work is performed a copy of all payrolls to HUD or its designee if the agency is a party to the contract, but if the agency is not such a party, the contractor will submit the payrolls to the applicant sponsor , or owner, as the case may be, for transmission to HUD or its designee. The payrolls submitted shall set out accurately and completely all of the information required to be maintained under 29 CFR 5.5 (a)(3) (i) except that full social security numbers and home addresses shall not be included on weekly transmittals. Instead the payrolls shall only need to include an individually identifying number for each employee (e.g.., the last four digits of the employee's social security number). The required weekly payroll information may be submitted in any form desired. Optional Form WH- 347 is available for this purpose from the Wage and Hour Division Web site at http://l www.dol.gov/esa/whd/forms/wh347ins_tr.htm or its successor site. The prime con tr act or is responsible for the submission of copies of payrolls by all subcontractors. Contractors and subcontractors shall maintain the full social security number and current add res s of each covered worker, and shall provide them upon request to HUD or its designee if the agency is a party to the contract , but if the agency is not such a party, the contractor will submit the payrolls to the applicant sponsor, or owner, as the case may be, for transmission to HUD or its designee, the contractor, or thee Wage and Hour Division of the Department of Labor for purposes of an investigation or audit of compliance with prevailing wage requirement s. It is not a violation of this subparagraph for a prime contractor to require a subcontractor to provide addresses and social security number s t o the prime contractor for its own records, without weekly submission to HUD or its designee. (Approved by the Office of Management and Budget under 0MB Control Number 1215-0149.)

(b) Each payroll submitted shall be accompanied by a "Statement of Compliance," sign ed by the contractor or subcontract or his or her agent who pays or supervises the payment of the persons employed under the contract and shall certify the following :

(1) That the payroll f or the payroll period contains the information required to be provided under 29 CFR 5. 5 (a)(3) (ii), the appropriate information is being maintain ed under 29 CFR 5. 5(a)(3) (i), and that such information is correct and complete;

(2) That each laborer or mechanic (including each helper, apprentice, and trainee) employed on the contract during the payroll period has been paid the full weekly wages earned, without rebate, either directly or indirectly, and that no deductions have been made either directly or indirectly from the full wages earned, other than permissible deductions as set forth in 29 CFR Part 3;

(3) That each laborer or mechanic has been paid not less than the applicable wage rates and fringe benefits or cash equivalents for the classification of work performed, as specified in the applicable wage determination incorporated into the contract.

(c) The weekly submission of a properly executed certification set forth on the reverse side of Optional Form WH-347 shall satisfy the requirement for submission of the "Statement of Compliance" required by subparagraph A.3.(ii)(b).

(d) The falsification of any of the above certifications may subject the contractor or subcontractor to civil or criminal prosecution under Section 1001 of Title 18 and Section 231 of Title 31 of the United States Code.

(iii) The contractor or subcontractor shall make the records required under subparagraph A.3.(i) available for inspection, copying, or transcription by authorized representatives of HUD or its designee or the Department of Labor, and shall permit such representatives to interview employees during working hours on the job. If the contractor or subcontractor fails to submit the required records or to make them available, HUD or its designee may, after written notice to the contractor, sponsor, applicant or owner, take such action as may be necessary to cause the suspension of any further payment, advance, or guarantee of funds. Furthermore, failure to submit the required records upon request or to make such records available may be grounds for debarment action pursuant to 29 CFR 5.12.

4. Apprentices and Trainees.

(I) **Apprentices.** Apprentices will be permitted to work at less than the predetermined rate for the work they performed when they are employed pursuant to and individually registered in a bona fide apprenticeship program registered with the U.S. Department of Labor, Employment and Training Administration, Office of Apprenticeship Training, Employer and Labor Services, or with a State Apprenticeship Agency recognized by the Office, or if a person is employed in his or her first 90 days of probationary employment as an apprentice in such an apprenticeship program, who is not individually registered in the program, but who has been certified by the Office of Apprenticeship Training, Employer and Labor Services or a State Apprenticeship Agency (where appropriate) to be eligible for probationary employment as an apprentice. The allowable ratio of apprentices to journeymen on the job site in any craft classification shall not be greater than the ratio permitted to the contractor as to the entire work force under the registered program. Any worker listed on a payroll at an apprentice wage rate, who is not registered or otherwise employed as staled above, shall be paid not less than the applicable wage rate on the wage determination for the classification of work actually performed. In addition, any apprentice performing work on the job site in excess of the ratio permitted under the registered program shall be paid not less than the applicable wage rate on the wage determination for the work actually performed. Where a contractor is performing construction on a project in a locality other than that in which its program is register ed, the ratios and wage rates (expressed in percentages of the journeyman's hourly rate) specified in the contractor's or subcontractor's registered program shall be observed. Every apprentice must be paid at not less than the rate specified in the registered program for the apprentice's level of progress, expressed as a percentage of the journeymen hourly rate specified in the applicable wage determination. Apprentices shall be paid fringe benefits in accordance with the provisions of the apprenticeship program. If the apprenticeship program does not specify fringe benefits, apprentices must be paid the full amount of fringe benefits listed on the wage determination for the applicable classification. If the Administrator determines that a different practice prevails for the applicable apprentice classification, fringes shall be paid in accordance with that determination. In the event the Office of Apprenticeship Training , Employer and Labor Services, or a State Apprenticeship Agency recognized by the Office, withdraws approval of an apprenticeship program, the contractor will no longer be permitted to utilize apprentices at less than the applicable predetermined rate for the work performed until an acceptable program is approved.

(ii) Trainees. Except as provided in 29 CFR 5.16, trainees will not be permitted to work at less than the predetermined rate for the work performed unless they are employed pursuant ', to and individually registered in a program which has received prior approval, evidenced by formal certification by the U.S. Department of Labor, Employment a n d Training Administration. The ratio of trainees to journeymen on the job site shall not be greater than permitted under the plan approved by the Employment and Training Administration. Every trainee must be paid at not less than the rate specified in the approved program for the trainee's level of progress, expressed as a percentage of the journeyman hourly rate specified in the applicable wage determination. Trainees shall be paid fringe benefits in accordance with the provisions of the trainee program. If the trainee program does not mention fringe benefits, trainees shall be paid the full amount of fringe benefits listed on the wage determination unless the Administrator of the Wage and Hour Division determines that there is an apprenticeship program associated with the corresponding journeyman wage rate on the wage determination which provides for less than full fringe benefits for apprentices.Any employee listed on the payroll at a trainee rate who is not registered and participating in a training plan approved by

the Employment and Training Administration shall be paid not less than the applicable wage rate on the wage determination for the work actually performed. In addition, any trainee performing work on the job site in excess of the ratio permitted under the registered program shall be paid not less than the applicable wage rate on the wage determination for the work actually performed. In the event the Employment and Training Administration withdraws approval of a training program, the contractor will no longer be permitted to utilize trainees at less than the applicable predetermined rate for the work performed until an acceptable program **is** approved.

(iii) Equal employment opportunity. The utilization of apprentices, trainees and journeymen under 29 CFR Part 5 shall be in conformity with the equal employment opportunity requirements of Executive Order 11246, as amended, and 29 CFR Part 30.

5. Compliance with Copeland Act requirements. The contractor shall comply with the requirements of 29 CFR Part 3 which are incorporated by reference in this contract

6. Subcontracts. The contractor or subcontractor will insert in any subcontracts the clauses contained in subparagraphs 1 through 11 in this paragraph A and such other clauses as HUD or its designee may by appropriate instructions require, and a copy of the applicable prevailing wage decision, and also a clause requiring the subcontractors to include these clauses in any lower tier subcontracts. The prime contractor shall be responsible for the compliance by any subcontractor or lower tier subcontractor with all the contract clauses in this paragraph.

7. Contract termination; debarment. A breach of the contract clauses in 29 CFR 5.5 may be grounds for termination of the contract and for debarment as a contractor and a subcontractor as provided in 29 CFR 5.12.

8. Compliance with Davis-Bacon and Related Act Requirements. All rulings and interpretations of the Davis-Bacon and Related Acts contained in 29 CFR Parts 1, 3, and 5 are herein incorporated by reference in this contract

9. Disputes concerning labor standards. Disputes arising out of the labor standards provisions of this contract shall not be subject to the general dispute's clause of this contract. Such disputes shall be resolved in accordance with the procedures of the Department of Labor set forth in 29 CFR Parts 5, 6, and 7. Disputes within the meaning of this clause include disputes between the contractor (or any of its subcontractors) and HUD or its designee, the U.S. Department of Labor, or the employees or their representatives.

10. (i) **Certification** of **Eligibility.** By entering into this contract the contractor certifies that neither it (nor he or she) nor any person or firm who has an interest in the contractor's firm is a person or firm ineligible to be awarded Government contracts by virtue of Section 3(a) of the Davis-Bacon Act or 29 CFR 5.12 (a)(1) or to be awarded HUD contracts or participate in HUD programs pursuant to 24 CFR Part 24.

(ii) No part of this contract shall be subcontracted to any person or firm ineligible for award of a Government contract by virtue of Section 3(a) of the Davis-Bacon Act or 29 CFR 5.12(a)(1) or to be awarded HUD contracts or participate in HUD programs pursuant to 24 CFR Part 24.

(iii) The penalty for making false statements is prescribed in the U.S. Criminal Code, 18 U.S.C. 1001. Additionally, U.S. Criminal Code, Section 1 01 0, Title 18, U.S.C., "Federal Housing Administration transactions ", provides in part: "Whoever, for the purpose of. influencing in any way the action of such Administration. makes, utters or publishes any statement knowing the same to be false....
shall be fined not more than $5,000 or imprisoned not more than two years, or both."

11. Complaints, Proceedings, or Testimony by Employees. No laborer or mechanic to whom the wage , salary, or other labor standards provisions of this Contract are applicable shall be discharged or in any other manner discriminated against by the Contractor or any subcontractor because such employee has filed any complaint or instituted or caused to be instituted any proceeding or has testified or is about to testify in any proceeding under or relating to the labor standards applicable under this Contract to his employer.

B. Contract Work Hours and Safety Standards Act. The provisions of this paragraph B are applicable where the amount of the prime contract exceeds $100,000. As used in this paragraph, the terms "laborers" and "mechanics" include watchmen and guards.

(1) Overtime requirements. No contractor or subcontractor contracting for any part of the contract work which may require or involve the employment of laborers or mechanics shall require or permit any such laborer or mechanic in any workweek in which the individual is employed on such work to work in excess of 40 hours in such workweek unless such laborer or mechanic receives compensation at a rate not less than one and one-half times the basic rate of pay for all hours worked in excess of 40 hours in such workweek.

(2) Violation; liability for **unpaid wages; liquidated damages.** In the event of any violation of the clause set forth in subparagraph (1) of this paragraph, the contractor and any subcontractor responsible therefor shall be liable for the unpaid wages. In addition, such contractor and subcontractor shall be liable to the United States (in the case of work done under contract for the District of Columbia or a territory, to such District or to such territory), for liquidated damages. Such liquidated damages shall be computed with respect to each individual laborer or mechanic, including watchmen and guards, employed in violation of the clause set forth in subparagraph (1) of this paragraph, in the sum of $10 for each calendar day on which such individual was required or permitted to work in excess of the standard workweek of 40 hours without payment of the overtime wages required by the clause set forth in sub paragraph (1) of this paragraph.

(3) Withholding for unpaid wages and liquidated damages. HUD or its designee shall upon its own action or upon written request of an authorized representative of the Department of Labor withhold or cause to be withheld, from any moneys payable on account of work performed by the contractor or subcontractor under any such contract or any other Federal contract with the same prime contract, or any other Federally-assisted contract subject to the Contract Work Hours and Safety Standards Act which is held by the same prime contractor such sums as may be determined to be necessary to satisfy any liabilities of such contractor or subcontractor for unpaid wages and liquidated damages as provided in the clause set forth in subparagraph (2) of this paragraph.

(4) Subcontracts. The contractor or subcontractor shall insert in any subcontracts the clauses set forth in subparagraph (1) through (4) of this paragraph and also a clause requiring the subcontractors to include these clauses in any lower tier subcontracts. The prime contractor shall be responsible for compliance by any subcontractor or lower tier subcontractor with the clauses set forth in subparagraphs (1) through (4) of this paragraph.

C. Health and Safety. The provisions of this paragraph C are applicable where the amount of the prime contract exceeds $100,000.

(1) No laborer or mechanic shall be required to work in surroundings or under working conditions which are unsanitary, hazardous, or dangerous to his health and safety as determined under construction safety and health standards promulgated by the Secretary of Labor by regulation.

(2) The Contractor shall comply with all regulations issued by the Secretary of Labor pursuant to Title 29 Part 1926 and failure to comply may result in imposition of sanctions pursuant to the Contract Work Hours and Safety Standards Act, (Public Law 91-54, 83 Stat 96). 40 USC 3701 et seq.

(3) The contractor shall include the provisions of this paragraph in every subcontract so that such provisions will be binding on each subcontractor. The contractor shall take such action with respect to any subcontractor as the Secretary of Housing and Urban Development or the Secretary of Labor shall direct as a means of enforcing such provisions.

We Are Columbia

MEETING DATE:	**February 21, 2023**
DEPARTMENT:	**Procurement and Contracts**
FROM:	***Shannon Lizewski, Interim Director***
SUBJECT:	**Council is asked to approve a new Contract to Purchase a Western Star 47X Set Back Axle Truck for the Public Works Department, as requested by the Fleet Services Division on January 31, 2023. Award to Virginia Truck Center Inc., doing business as Excel Truck Center using the SC State Contract in the amount of $361,088.00. This vendor is located in Roanoke, VA.**
REQUISITION NO.:	**R220647**
FUNDING SOURCE & ORIGINAL BUDGET:	**Funding Source: Capital Replacement - Auto, Trucks, Heavy Equipment-Capital (6308972-658500). The original budget amount is $361,088.00.**

We respectfully request Council's approval for this purchase using the SC State Contract #4400029872 and #4400027118, Vendor, Virginia Truck Center Inc., DBA Excel Truck Center.

Sec. 2-204. Competitive sealed bidding required; exceptions. All city contracts shall be awarded by competitive sealed bidding except the following as determined pursuant to definitions and standards set by regulations, or except as otherwise provided in this article:
(9) When purchasing through a state contract.

ATTACHMENTS:

- **#a:** Virginia Truck Center Quote (PDF)

Prepared for:
SOUTH CAROLINA STATE OF
PO BOX 101103
COLUMBIA, SC 29211
Phone: 803-737-9816

Prepared by:
Bill Fuller
Excel Truck Group
2790 Shop Road
COLUMBIA, SC 29209
Phone: 803-376-4455

A proposal for

State of South Carolina Western Star State Contract

City of Columbia

Revision:

22' Forestry Body with Rear 2124 Prentice Loader / Grapple

Prepared by

Excel Truck Group

Bill Fuller

Jan 30, 2023

Western Star 47X

Prepared for:
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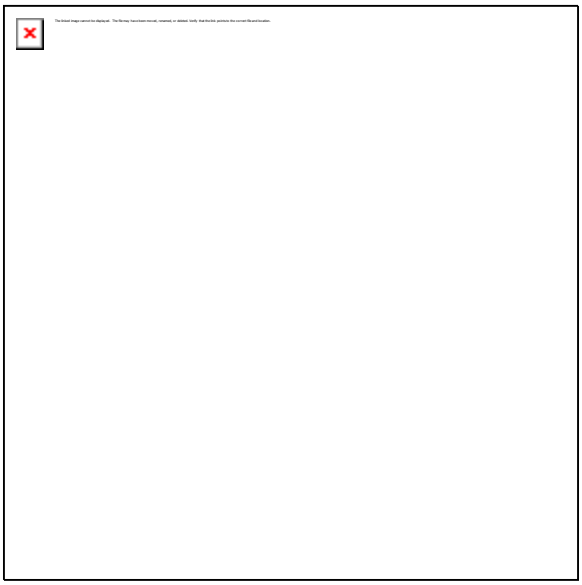

Components shown may not reflect all spec'd options and are not to scale

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T A B L E O F C O N T E N T S

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S P E C I F I C A T I O N P R O P O S A L

Data Code	Description	Weight Front	Weight Rear	Retail Price
Price Level				
PRL-27X	WST 47X/49X PRL-27X (EFF:MY24 ORDERS)			STD
Data Version				
DRL-027	SPECPRO21 DATA RELEASE VER 027			N/C
Vehicle Configuration				
001-470	WESTERN STAR 47X	9,050	6,525	$224,378.00
004-224	2024 MODEL YEAR SPECIFIED			STD
002-004	SET BACK AXLE - TRUCK			STD
019-004	STRAIGHT TRUCK PROVISION, NON-TOWING			STD
003-001	LH PRIMARY STEERING LOCATION			STD
General Service				
AA1-002	TRUCK CONFIGURATION			STD
AA6-001	DOMICILED, USA 50 STATES (INCLUDING CALIFORNIA AND CARB OPT-IN STATES)			STD
A85-001	REFUSE SERVICE			N/C
A84-1GM	GOVERNMENT BUSINESS SEGMENT			N/C
AA4-003	DRY BULK COMMODITY			N/C
AA5-002	TERRAIN/DUTY: 100% (ALL) OF THE TIME, IN TRANSIT, IS SPENT ON PAVED ROADS			STD
AB1-008	MAXIMUM 8% EXPECTED GRADE			STD
AB5-001	SMOOTH CONCRETE OR ASPHALT PAVEMENT - MOST SEVERE IN-TRANSIT (BETWEEN SITES) ROAD SURFACE			STD
995-1A5	WESTERN STAR VOCATIONAL WARRANTY			STD
A66-99D	EXPECTED FRONT AXLE(S) LOAD : 20000.0 lbs			
A68-99D	EXPECTED REAR DRIVE AXLE(S) LOAD : 46000.0 lbs			
A63-99D	EXPECTED GROSS VEHICLE WEIGHT CAPACITY : 66000.0 lbs			
Truck Service				
AA3-005	FLATBED/PLATFORM/STAKE BODY			N/C

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Data Code	Description	Weight Front	Weight Rear	Retail Price
AF3-1V4	GODWIN MANUFACTURING COMPANY			N/C
Engine				
101-3CV	DETROIT DD13 GEN 5 12.8L 370 HP @ 1625 RPM, 1900 GOV RPM, 1250 LB/FT @ 975 RPM			($570.00)
Electronic Parameters				
79A-065	65 MPH ROAD SPEED LIMIT			N/C
79F-013	FLEET MANAGEMENT - DAILY ENGINE USAGE ENABLED			N/C
79G-006	5 MINUTES IDLE SHUTDOWN WITH CLUTCH AND SERVICE BRAKE OVERRIDE			N/C
79K-006	PTO MODE ENGINE RPM LIMIT - 1000 RPM			N/C
79L-022	PTO MODE PTO 1 THROTTLE OVERRIDE ENABLED			N/C
79P-032	PTO RPM CONTROL WITH STEERING WHEEL SWITCHES			N/C
79R-001	PTO MODE COOLING FAN ENABLE			N/C
79T-001	PTO MODE RPM INCREMENT - 25 RPM			N/C
79U-007	PTO GOVERNOR RAMP RATE - 250 RPM PER SECOND			N/C
79V-001	FUEL DOSING OF AFTERTREATMENT ENABLED IN PTO MODE-CLEANS HYDROCARBONS AT HIGH TEMPERATURES ONLY			N/C
79W-008	ONE DASH MOUNTED PTO SPEED WITH PTO SWITCH ENGAGEMENT			N/C
79X-023	PTO SPEED 1 SETTING - 600 RPM			N/C
80D-001	SOFT CRUISE CONTROL ENABLED			N/C
80G-001	PTO MINIMUM RPM - 600			N/C
80L-003	ENABLE DPF REGEN ZONE 1 WITH AUTO ENGINE RPM ELEVATE FOR EXTENDED IDLE			N/C
80W-001	MAINTENANCE SYSTEM WITH NO POP-UPS AND NO MENU IN CLUSTER			STD
80S-001	PTO 1, DASH SWITCH, STATIONARY OPERATION			STD
Engine Equipment				
99C-021	2010 EPA/CARB/GHG21 CONFIGURATION			STD
99D-011	2008 CARB EMISSION CERTIFICATION - CLEAN IDLE (INCLUDES 6X4 INCH LABEL ON LOWER FORWARD CORNER OF DRIVER DOOR)			STD
RNZ-001	OPTIONAL SELECTION OF CARB BASE WARRANTY/CERTIFICATION. DEALER CONFIRMS REGISTRATION IN OTHER THAN CALIFORNIA OR CARB OPT-IN STATES			N/C
13E-001	STANDARD OIL PAN			N/C

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Data Code	Description	Weight Front	Weight Rear	Retail Price
105-001	ENGINE MOUNTED OIL CHECK AND FILL			STD
014-115	SIDE OF HOOD AIR INTAKE WITH ENGINE MOUNTED HIGH CAPACITY AIR CLEANER AND PASSIVE PRECLEANER	10		$165.00
124-1D7	DR 12V 160 AMP 28-SI QUADRAMOUNT PAD ALTERNATOR WITH REMOTE BATTERY VOLT SENSE	-10		($51.00)
292-222	(3) DTNA GENUINE, HIGH TEMP AGM STARTING AND CYCLING, MIN 2775CCA, 570RC, THREADED STUD BATTERIES			STD
290-1AC	PASSENGER SEAT BATTERY BOX VENTED TO OUTSIDE OF CAB			STD
282-013	BATTERY BOX MOUNTED UNDER PASSENGER SEAT			STD
291-017	WIRE GROUND RETURN FOR BATTERY CABLES WITH ADDITIONAL FRAME GROUND RETURN			STD
289-006	PLASTIC BATTERY BOX COVER			STD
33M-001	AUXILIARY POWER NET DISTRIBUTION BLOCK FOR BODY BUILDER USE	5		$354.00
293-058	POSITIVE LOAD DISCONNECT WITH CAB MOUNTED CONTROL SWITCH MOUNTED OUTBOARD DRIVER SEAT	2		$261.00
107-046	BW MODEL FE-921 19.0 CFM SINGLE CYLINDER AIR COMPRESSOR WITH SAFETY VALVE			STD
152-041	ELECTRONIC ENGINE INTEGRAL SHUTDOWN PROTECTION SYSTEM			STD
128-002	JACOBS COMPRESSION BRAKE			STD
016-1C3	RH OUTBOARD UNDER STEP MOUNTED HORIZONTAL AFTERTREATMENT SYSTEM ASSEMBLY WITH RH HORIZONTAL TAILPIPE	-30	-20	($831.00)
28F-014	ENGINE AFTERTREATMENT DEVICE, AUTOMATIC OVER THE ROAD REGENERATION AND VIRTUAL REGENERATION REQUEST SWITCH IN CLUSTER			($20.00)
239-001	STANDARD EXHAUST SYSTEM LENGTH			N/C
237-052	RH STANDARD HORIZONTAL TAILPIPE			N/C
23U-027	8 GALLON DIESEL EXHAUST FLUID TANK			STD
23Z-005	UNPOLISHED ALUMINUM WST DIESEL EXHAUST FLUID TANK COVER			STD
43X-001	LH HEAVY DUTY STANDARD DIESEL EXHAUST FLUID TANK LOCATION			STD
43Y-001	STANDARD DIESEL EXHAUST FLUID TANK CAP			STD
273-059	ELECTRONICALLY CONTROLLED VARIABLE SPEED VISCOUS FAN DRIVE			STD

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Data Code	Description	Weight Front	Weight Rear	Retail Price
276-002	AUTOMATIC FAN CONTROL WITH DASH SWITCH AND INDICATOR LIGHT, NON ENGINE MOUNTED			$10.00
122-1H1	DETROIT FUEL/WATER SEPARATOR WITH BYPASS	10		$381.00
110-068	DDC SUPPLIED ENGINE MOUNTED FUEL FILTER/FUEL WATER SEPARATOR WITH WATER-IN-FUEL INDICATOR			STD
118-001	FULL FLOW OIL FILTER			STD
266-109	1400 SQUARE INCH VOCATIONAL RADIATOR WITH PROTECTION PACKAGE	20		$337.00
103-039	ANTIFREEZE TO -34F, OAT (NITRITE AND SILICATE FREE) EXTENDED LIFE COOLANT			STD
171-007	GATES BLUE STRIPE COOLANT HOSES OR EQUIVALENT			STD
261-001	STANDARD CHARGE AIR COOLER PLUMBING			STD
270-023	HDEP FIXED RATIO COOLANT PUMP AND RADIATOR DRAIN VALVE			STD
168-002	LOWER RADIATOR GUARD			STD
138-005	PHILLIPS-TEMRO 1500 WATT/115 VOLT BLOCK HEATER	4		$30.00
166-005	PHILLIPS-TEMRO 300 WATT/115 VOLT OIL PREHEATER	4		$46.00
140-022	CHROME ENGINE HEATER RECEPTACLE MOUNTED UNDER LH DOOR			$80.00
155-075	MITSUBISHI 12V MOD 3.175-DP60 STARTER WITH INTEGRATED MAGNETIC SWITCH			STD
Transmission				
342-1M3	ALLISON 4500 RDS AUTOMATIC TRANSMISSION WITH PTO PROVISION			STD
Transmission Equipment				
343-312	ALLISON VOCATIONAL PACKAGE 142 - AVAILABLE ON 3000/4000 PRODUCT FAMILIES WITH VOCATIONAL MODEL RDS			N/C
84B-013	ALLISON VOCATIONAL RATING FOR REFUSE APPLICATIONS AVAILABLE WITH ALL PRODUCT FAMILIES			N/C
84C-023	PRIMARY MODE GEARS, LOWEST GEAR 1, START GEAR 1, HIGHEST GEAR 6, AVAILABLE FOR 3000/4000 PRODUCT FAMILIES ONLY			STD
84D-023	SECONDARY MODE GEARS, LOWEST GEAR 1, START GEAR 1, HIGHEST GEAR 6, AVAILABLE FOR 3000/4000 PRODUCT FAMILIES ONLY			STD

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Data Code	Description	Weight Front	Weight Rear	Retail Price
84E-000	PRIMARY SHIFT SCHEDULE RECOMMENDED BY DTNA AND ALLISON, THIS DEFINED BY ENGINE AND VOCATIONAL USAGE			STD
84F-000	SECONDARY SHIFT SCHEDULE RECOMMENDED BY DTNA AND ALLISON, THIS DEFINED BY ENGINE AND VOCATIONAL USAGE			STD
84G-000	PRIMARY SHIFT SPEED RECOMMENDED BY DTNA AND ALLISON, THIS DEFINED BY ENGINE AND VOCATIONAL USAGE			STD
84H-000	SECONDARY SHIFT SPEED RECOMMENDED BY DTNA AND ALLISON, THIS DEFINED BY ENGINE AND VOCATIONAL USAGE			STD
84V-001	DIRECTION CHANGE ENABLED WITH MULTIPLEXED SERVICE BRAKES - ALLISON 5TH GEN TRANSMISSIONS			N/C
353-073	QUICKFIT BODY LIGHTING CONNECTOR UNDER CAB, WITH CAP			$125.00
34C-011	ELECTRONIC TRANSMISSION WIRING TO CUSTOMER INTERFACE CONNECTOR			$84.00
362-823	CUSTOMER INSTALLED CHELSEA 280 SERIES PTO			STD
363-001	PTO MOUNTING, LH SIDE OF MAIN TRANSMISSION ALLISON			STD
341-018	MAGNETIC PLUGS, ENGINE DRAIN, TRANSMISSION DRAIN, AXLE(S) FILL AND DRAIN			STD
345-078	HEAVY DUTY ELECTRONIC TRANSMISSION SHIFT CONTROL, COLUMN MOUNTED			STD
370-006	WATER TO OIL TRANSMISSION COOLER			STD
346-003	TRANSMISSION OIL CHECK AND FILL WITH ELECTRONIC OIL LEVEL CHECK			STD
35T-001	SYNTHETIC TRANSMISSION FLUID (TES-295 COMPLIANT)			STD
Front Axle and Equipment				
400-1AC	MFS-20-133A 20,000# FL1 71.0 INCH KPI/3.74 INCH DROP SINGLE FRONT AXLE	240		$945.00
418-060	CONMET PRESET PLUS PREMIUM IRON FRONT HUBS	20		($640.00)
402-030	MERITOR 16.5X6 Q+ CAST SPIDER CAM FRONT BRAKES, DOUBLE ANCHOR, FABRICATED SHOES	10		($278.00)
403-002	NON-ASBESTOS FRONT BRAKE LINING			STD
419-021	GUNITE CAST IRON FRONT BRAKE DRUMS	5		$409.00
427-998	NO FRONT BRAKE DUST SHIELDS			($75.00)
409-006	FRONT OIL SEALS			STD

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408-001	VENTED FRONT HUB CAPS WITH WINDOW, CENTER AND SIDE PLUGS - OIL			STD
405-031	HALDEX AUTOMATIC FRONT SLACK ADJUSTERS WITH STAINLESS STEEL CLEVIS PINS			$184.00
536-104	DUAL POWER STEERING GEARS, BENDIX 16-20K	80		$1,542.00
534-003	4 QUART POWER STEERING RESERVOIR	5		N/C
533-001	OIL/AIR POWER STEERING COOLER	5		N/C
40T-003	SYNTHETIC 40/50W FRONT AXLE LUBE			$8.00
Front Suspension				
620-025	20,000# TAPERLEAF FRONT SUSPENSION	145		$748.00
619-005	MAINTENANCE FREE RUBBER BUSHINGS - FRONT SUSPENSION			STD
410-001	FRONT SHOCK ABSORBERS			STD
Rear Axle and Equipment				
420-103	RT-46-160 46,000# R-SERIES TANDEM REAR AXLE		470	$3,061.00
450-060	CONMET PRESET PLUS PREMIUM IRON REAR HUBS		60	($1,448.00)
421-489	4.89 REAR AXLE RATIO			N/C
424-001	IRON REAR AXLE CARRIER WITH STANDARD AXLE HOUSING			STD
386-074	MXL 176T MERITOR EXTENDED LUBE MAIN DRIVELINE WITH HALF ROUND YOKES	30	30	$364.00
388-073	MXL 17T MERITOR EXTENDED LUBE INTERAXLE DRIVELINE WITH HALF ROUND YOKES			STD
452-006	DRIVER CONTROLLED TRACTION DIFFERENTIAL - BOTH TANDEM REAR AXLES		30	$1,317.00
878-023	(1) INTERAXLE LOCK VALVE, (1) DRIVER CONTROLLED DIFFERENTIAL LOCK FORWARD-REAR AND REAR-REAR AXLE VALVE			N/C
87A-005	INDICATOR LIGHT FOR EACH INTERAXLE LOCKOUT SWITCH			N/C
87B-009	INDICATOR LIGHT AND BUZZER FOR EACH DIFFERENTIAL LOCKOUT SWITCH			N/C
423-020	MERITOR 16.5X7 Q+ CAST SPIDER CAM REAR BRAKES, DOUBLE ANCHOR, FABRICATED SHOES			($937.00)
433-002	NON-ASBESTOS REAR BRAKE LINING			STD
434-011	BRAKE CAMS AND CHAMBERS ON FORWARD SIDE OF DRIVE AXLE(S)			N/C
451-023	CONMET CAST IRON REAR BRAKE DRUMS			$646.00

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Prepared by:
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Excel Truck Group
2790 Shop Road
COLUMBIA, SC 29209
Phone: 803-376-4455

Data Code	Description	Weight Front	Weight Rear	Retail Price
425-998	NO REAR BRAKE DUST SHIELDS			($138.00)
440-006	REAR OIL SEALS			STD
426-112	WABCO TRISTOP-D LONGSTROKE 30/36 2-DRIVE AXLE SPRING PARKING CHAMBERS			($35.00)
428-031	HALDEX AUTOMATIC REAR SLACK ADJUSTERS WITH STAINLESS STEEL CLEVIS PINS			$362.00
41T-002	CURRENT AVAILABLE SYNTHETIC 75W-90 REAR AXLE LUBE			N/C
42T-001	STANDARD REAR AXLE BREATHER(S)			STD
Rear Suspension				
622-298	TUFTRAC GEN2 46,000# REAR SPRING SUSPENSION		560	$3,230.00
621-108	9.5 INCH NOMINAL RIDE HEIGHT (460MM GLOBAL REFERENCE HEIGHT)			N/C
431-003	AXLE CLAMPING GROUP			N/C
624-025	55 INCH AXLE SPACING			N/C
623-006	FORE/AFT AND TRANSVERSE CONTROL RODS			N/C
439-002	REAR SHOCK ABSORBERS - TWO AXLES (TANDEM)		40	$194.00
Brake System				
490-1AU	WABCO 4S/4M ABS WITH TRACTION CONTROL WITH ATC SHUT OFF SWITCH			($383.00)
871-001	REINFORCED NYLON, FABRIC BRAID AND WIRE BRAID CHASSIS AIR LINES			STD
432-003	RELAY VALVE WITH 5-8 PSI CRACK PRESSURE, NO REAR PROPORTIONING VALVE			STD
480-040	WABCO SYSTEM SAVER 1200 HEATED AIR DRYER WITH PRESSURE CONTROL VALVE			STD
483-004	WABCO OIL COALESCING FILTER FOR AIR DRYER			STD
479-012	AIR DRYER MOUNTED UNDER HOOD			STD
460-001	STEEL AIR BRAKE RESERVOIRS			STD
477-001	PULL CABLE ON WET TANK, PETCOCK DRAIN VALVES ON ALL OTHER AIR TANKS			($10.00)
Wheelbase & Frame				
545-692	6925MM (273 INCH) WHEELBASE			N/C
546-106	13.0MM X 87.0MM X 311.0MM STEEL FRAME (0.51X3.43X12.24 INCH) 120 KSI	810	360	$2,249.00
547-037	0.236 INCH (6.00MM) C-CHANNEL INNER FRAME REINFORCEMENT	250	575	$2,879.00
552-043	1975MM (78 INCH) REAR FRAME OVERHANG			N/C

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Data Code	Description	Weight Front	Weight Rear	Retail Price
55W-007	FRAME OVERHANG RANGE: 71 INCH TO 80 INCH	-60	220	N/C
AC8-99D	CALC'D BACK OF CAB TO REAR SUSP C/L (CA) : 207.48 in			
AE4-99D	CALC'D FRAME LENGTH - OVERALL : 396.44 in			
ZF1-99D	FRAME HEIGHT TOP FRONT UNLADEN : 43.91 in			
ZF2-99D	FRAME HEIGHT TOP FRONT LADEN : 40.7 in			
ZF3-99D	FRAME HEIGHT TOP REAR UNLADEN : 43.59 in			
ZF4-99D	FRAME HEIGHT TOP REAR LADEN : 41.08 in			
553-001	SQUARE END OF FRAME			STD
559-001	STANDARD WEIGHT ENGINE CROSSMEMBER			STD
561-001	STANDARD CROSSMEMBER BACK OF TRANSMISSION			$250.00
562-001	STANDARD MIDSHIP #1 CROSSMEMBER(S)	10	10	$95.00
572-036	HEAVY DUTY REAR CROSSMEMBER		70	$93.00
565-001	STANDARD SUSPENSION CROSSMEMBER		20	N/C
568-001	STANDARD WEIGHT REAR SUSPENSION CROSSMEMBER			$465.00
Chassis Equipment				
025-001	UNPOLISHED ALUMINUM WST EQUIPMENT COVERS			STD
556-145	PAINTED STEEL 3/8 INCH SEVERE DUTY BUMPER	115		$360.00
557-002	LOOP STEP MOUNTED BELOW BUMPER	10		$60.00
558-066	REMOVABLE PROUD CENTERED FRONT TOW PIN	50		N/C
574-001	BUMPER MOUNTING FOR SINGLE LICENSE PLATE			STD
551-034	CLASS 10.9 THREADED METRIC FASTENERS			($78.00)
44Z-002	EXTERIOR HARNESSES WRAPPED IN ABRASION TAPE			STD
924-007	LEFT HAND SIDE HEAVY DUTY BRACKETS REQUIRED			$21.00
928-007	RIGHT HAND SIDE HEAVY DUTY BRACKETS REQUIRED			$21.00
601-019	3D PARASOLID VEHICLE MODEL			$300.00
Fuel Tanks				
204-151	60 GALLON/227 LITER ALUMINUM FUEL TANK - LH	-5		($86.00)
218-006	25 INCH DIAMETER FUEL TANK(S)			STD

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	Data Code	Description	Weight Front	Weight Rear	Retail Price
	215-005	PLAIN ALUMINUM/PAINTED STEEL FUEL/HYDRAULIC TANK(S) WITH PAINTED BANDS			STD
	212-007	FUEL TANK(S) FORWARD			STD
	664-001	PLAIN STEP FINISH			STD
	205-001	FUEL TANK CAP(S)			STD
	216-020	EQUIFLO INBOARD FUEL SYSTEM			STD
	202-016	HIGH TEMPERATURE REINFORCED NYLON FUEL LINE			STD
	221-001	FUEL COOLER			$242.00
Tires					
	093-2CC	MICHELIN XZU-S2 315/80R22.5 20 PLY RADIAL FRONT TIRES	100		$736.00
	094-1RJ	MICHELIN X WORKS Z 315/80R22.5 20 PLY RADIAL REAR TIRES		400	$1,896.00
Wheels					
	502-433	ACCURIDE 29039 22.5X9.00 10-HUB PILOT 5.25 INSET 5-HAND STEEL DISC FRONT WHEELS	66		($10.00)
	505-445	ACCURIDE 29300 22.5X9.00 10-HUB PILOT 5-HAND STEEL DISC REAR WHEELS		328	$56.00
	496-011	FRONT WHEEL MOUNTING NUTS			STD
	497-011	REAR WHEEL MOUNTING NUTS			STD
Cab Exterior					
	829-053	111.6 INCH BBC CONVENTIONAL ALUMINUM CAB			STD
	82A-028	STAINLESS STEEL CAB ACCENT MOLDING			STD
	667-001	FRONT FENDERS			STD
	754-017	BOLT-ON MOLDED FLEXIBLE FENDER EXTENSIONS	10		$115.00
	678-066	INTERIOR GRAB HANDLES WITH ADDED LOWER LH AND RH A PILLAR GRAB HANDLES AND LH AND RH EXTERIOR NON-SLIP GRAB HANDLES			STD
	65X-010	BRIGHT HOOD MOUNTED AIR INTAKE GRILLE, BLACK SCREEN, WITH LED ACCENT LIGHTS			STD
	640-016	X-SERIES STEEL REINFORCED ALUMINUM CAB			STD
	644-048	X-SERIES VOCATIONAL HOOD			STD
	67U-001	HOOD OPENING ASSIST WITH LOCKING STRUT			STD
	652-016	WESTERN STAR NAMEPLATES			STD
	727-012	DUAL HADLEY SD-978 26 INCH RECTANGULAR AIR HORNS			STD
	726-001	SINGLE ELECTRIC HORN			STD

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Data Code	Description	Weight Front	Weight Rear	Retail Price
575-001	REAR LICENSE PLATE MOUNT END OF FRAME			STD
327-012	SWITCH, INDICATOR LIGHT AND WIRING FOR (2) CUSTOMER FURNISHED BEACONS	2		$69.00
312-095	DUAL STAGE INTELLIGENT LED HEADLIGHTS WITH HEATED LENS SYSTEM			STD
302-073	VISOR MOUNTED LED MARKER LIGHTS			N/C
311-001	DAYTIME RUNNING LIGHTS			STD
294-1AY	INTEGRAL LED STOP/TAIL/BACKUP LIGHTS			STD
300-061	LED REAR FACING TURN SIGNAL LAMPS IN CONVEX MIRROR LENS IN ADDITION TO STANDARD	2		N/C
744-107	C-BAR MIRROR SYSTEM WITH DUAL HEATED MIRRORS WITH INTEGRAL HEATED CONVEX, DUAL REMOTE, TURN SIGNAL, STAINLESS STEEL BACK COVER, AND BLACK C-BAR	20		$166.00
796-001	102 INCH EQUIPMENT WIDTH			STD
743-209	LH AND RH CONVEX MIRRORS INTEGRAL WITH PRIMARY MIRRORS			STD
74A-001	RH DOWN VIEW MIRROR			STD
729-001	STANDARD SIDE/REAR REFLECTORS			STD
677-098	UNPOLISHED ALUMINUM WST AFTERTREATMENT SYSTEM COVER			STD
764-020	STAINLESS STEEL EXTERIOR SUN VISOR WITH INTEGRAL MARKER LIGHTS	16		$538.00
768-064	SINGLE SOLAR TINTED REAR WINDOW, (1) 31 INCH X 20 INCH			STD
663-019	1-PIECE ROPED-IN SOLAR GREEN GLASS WINDSHIELD			STD
659-006	8 LITER (2 GAL) WINDSHIELD WASHER RESERVOIR, CAB MOUNTED, WITH FLUID LEVEL INDICATOR			STD
Cab Interior				
055-015	X-SERIES BASE INTERIOR TRIM LEVEL PACKAGE			STD
707-1C3	CHARCOAL BLACK VINYL BASE LEVEL INTERIOR			STD
70K-016	CARBON WITH BASE BLACK ACCENT			STD
772-035	BLACK MATS WITH ADDED FLOOR HEAT AND NOISE INSULATION			$126.00
785-015	(1) DASH MOUNTED POWER OUTLET, LIGHTER AND ASH TRAY			$15.00
691-001	FORWARD ROOF MOUNTED CONSOLE			STD
693-019	LH AND RH DOOR STORAGE POCKETS INTEGRATED INTO MOLDED DOOR PANELS			STD

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Data Code	Description	Weight Front	Weight Rear	Retail Price
741-015	(2) COAT HOOKS ON BACKWALL OF CAB			STD
738-021	DIGITAL ALARM CLOCK IN DRIVER DISPLAY			STD
720-035	2-1/2 LB. FIRE EXTINGUISHER MOUNTED INBOARD OF DRIVER SEAT	5		$35.00
170-015	STANDARD HEATER PLUMBING			STD
698-001	RADIATOR MOUNTED AIR CONDITIONER CONDENSER			STD
739-034	PREMIUM INSULATION			$83.00
324-1B3	STANDARD LED CAB LIGHTING			STD
787-998	NO SECURITY DEVICE			($15.00)
657-001	DOOR LOCKS AND IGNITION SWITCH KEYED THE SAME			STD
78G-004	KEY QUANTITY OF 4			$18.00
655-028	LH AND RH ELECTRIC DOOR LOCKS WITH AUTO UNLOCK FEATURE WHEN DOOR IS SET FROM OPEN TO CLOSED POSITION			STD
64C-003	BLACK DOOR HANDLES			STD
722-028	TRIANGULAR REFLECTORS KIT WITHOUT FLARES SHIPPED LOOSE IN CAB	10		$24.00
756-1J5	BASIC 2.0 HIGH BACK AIR SUSPENSION DRIVER SEAT WITH 1 CHAMBER AIR LUMBAR, INTEGRATED CUSHION EXTENSION AND TILT			STD
760-294	BATTERY BOX MID BACK NON SUSPENSION PASSENGER SEAT			STD
759-998	NO SEAT ARMREST			($64.00)
758-135	BLACK MORDURA CLOTH DRIVER SEAT COVER WITH EMBROIDERED LOGO			STD
761-138	BLACK MORDURA CLOTH PASSENGER SEAT COVER WITH NO LOGO			STD
763-1AB	3 POINT HIGH VISIBILITY ORANGE ADJUSTABE D-RING RETRACTOR DRIVER AND FIXED D-RNG RETRACTOR PASSENGER SEAT BELTS			$17.00
532-002	ADJUSTABLE TILT AND TELESCOPING STEERING COLUMN			STD
540-044	4-SPOKE 18 INCH (450MM) BLACK STEERING WHEEL WITH SWITCHES			STD
765-002	DRIVER AND PASSENGER INTERIOR SUN VISORS			STD
Instruments & Controls				
015-006	STOCK TRUCK/UPFIT PACKAGE LVL 1			N/C
185-004	STANDARD FOOT PEDAL SYSTEM			STD
106-002	ELECTRONIC ACCELERATOR CONTROL			STD
870-001	BLACK GAUGE BEZELS			STD

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Data Code	Description	Weight Front	Weight Rear	Retail Price
734-018	STANDARD CENTER INSTRUMENT PANEL			STD
840-001	DUAL NEEDLE PRIMARY AND SECONDARY AIR PRESSURE GAUGE			STD
198-002	INTAKE MOUNTED AIR RESTRICTION INDICATOR WITH GRADUATIONS			$12.00
721-001	97 DB BACKUP ALARM		3	$34.00
149-015	ELECTRONIC CRUISE CONTROL WITH CONTROLS ON STEERING WHEEL SPOKES			STD
156-007	KEY OPERATED IGNITION SWITCH AND INTEGRAL START POSITION; 4 POSITION OFF/RUN/START/ACCESSORY			STD
339-007	AUXILIARY POWER DISTRIBUTION MODULE FOR TEM USE, AUXILIARY EVAULT MOUNTED, CIRCUIT BREAKER PROTECTED			$205.00
811-044	PREMIUM INSTRUMENT CLUSTER WITH 5.0 INCH TFT COLOR DISPLAY			STD
81B-003	DIGITAL PANEL LAMP DIMMER SWITCH IN DRIVER DISPLAY			STD
160-045	HEAVY DUTY ONBOARD DIAGNOSTICS INTERFACE CONNECTOR WITH DUST CAP LOCATED BELOW LH DASH			STD
844-001	2 INCH ELECTRIC FUEL GAUGE			STD
845-011	FUEL FILTER RESTRICTION INDICATOR			STD
148-072	ENGINE REMOTE INTERFACE WITH MULTIPLE SET SPEEDS			$49.00
856-001	ELECTRICAL ENGINE COOLANT TEMPERATURE GAUGE			STD
854-001	ENGINE OIL TEMPERATURE GAUGE			STD
852-002	ELECTRIC ENGINE OIL PRESSURE GAUGE			STD
864-001	2 INCH TRANSMISSION OIL TEMPERATURE GAUGE			STD
867-004	ELECTRONIC OUTSIDE TEMPERATURE SENSOR DISPLAY IN DRIVER MESSAGE CENTER			STD
830-031	ENGINE, TRIP AND PTO HOUR METERS INTEGRAL WITHIN DRIVER DISPLAY			STD
372-123	PTO CONTROLS FOR ENHANCED VEHICLE ELECTRIC/ELECTRONIC ARCHITECTURE			STD
736-998	NO OBSTACLE DETECTION SYSTEM			($4,324.00)
49B-004	ELECTRONIC STABILITY CONTROL			STD
73B-998	NO LANE DEPARTURE WARNING SYSTEM			($1,080.00)
35M-011	QUICKFIT PROGRAMMABLE INTERFACE MODULE + (4) 20 AMP FUSED RELAYS	10		$173.00

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Data Code	Description	Weight Front	Weight Rear	Retail Price
6TS-005	TMC RP1226 ACCESSORY CONNECTOR LOCATED BEHIND PASSENGER SIDE REMOVEABLE DASH PANEL			STD
1U1-002	TOP OF DASH RAM MOUNT WITHOUT POWER OR GROUND, FOR CUSTOMER FURNISHED DEVICE			$32.00
746-135	AM/FM/WB WORLD TUNER RADIO WITH SIRIUSXM, BLUETOOTH, IPOD INTERFACE, USB AND AUXILIARY INPUTS, J1939			($75.00)
747-001	DASH MOUNTED RADIO			STD
750-041	STANDARD SPEAKER SYSTEM			STD
753-045	AM/FM/WB ANTENNA RH SIDE OF CAB	2		$41.00
748-006	POWER AND GROUND WIRING PROVISION OVERHEAD			STD
749-001	ROOF/OVERHEAD CONSOLE CB RADIO PROVISION			STD
751-001	SINGLE REMOTE SPEAKER WITH LEAD FOR 2-WAY RADIO			STD
752-043	SINGLE LH SIDE OF CAB MOUNTED CB ANTENNA WITH HEAVY DUTY (RG8) COAX CABLES	2		$43.00
78C-003	INTEROPERABLE SDAR ANTENNA			$91.00
810-027	ELECTRONIC MPH SPEEDOMETER WITH SECONDARY KPH SCALE, WITHOUT ODOMETER			STD
812-032	ELECTRONIC 2500 RPM TACHOMETER			STD
813-1C8	DETROIT CONNECT PLATFORM HARDWARE			STD
8D1-205	5 YEARS DETROIT CONNECT BASE PACKAGE (FEATURES VARY BY MODEL) DETROIT CONNECT PLATFORM			STD
162-002	IGNITION SWITCH CONTROLLED ENGINE STOP			STD
329-115	TWO EXTRA HARDWIRED SWITCHES IN DASH, ROUTE TO BETWEEN SEATS, CAPPED			$80.00
4C1-011	HARDWIRE SWITCH #1,ON/OFF LATCHING, 30 AMPS IGNITION POWER			$30.00
4C2-011	HARDWIRE SWITCH #2,ON/OFF LATCHING, 30 AMPS IGNITION POWER			$30.00
81Y-005	PRE-TRIP INSPECTION FEATURE FOR EXTERIOR LAMPS ONLY			STD
842-001	2 INCH TURBO AIR PRESSURE GAUGE			STD
836-015	DIGITAL VOLTAGE DISPLAY INTEGRAL WITH DRIVER DISPLAY			STD
304-030	ROTARY HEADLAMP SWITCH, MARKER LIGHTS/HEADLIGHTS SWITCH WITH PULL OUT FOR OPTIONAL FOG/ROAD LAMPS			N/C

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	Data Code	Description	Weight Front	Weight Rear	Retail Price
	882-018	ONE VALVE PARKING BRAKE SYSTEM WITH DASH VALVE CONTROL AUTONEUTRAL AND WARNING INDICATOR			$45.00
	299-020	SELF CANCELING TURN SIGNAL SWITCH WITH DIMMER, HEADLAMP FLASH, WASH/WIPE/INTERMITTENT			STD
	48H-002	QUICKFIT POWERTRAIN INTERFACE CONNECTOR LOCATED BETWEEN SEATS WITH BLUNTCUTS			$96.00
	48C-002	QUICKFIT PROGRAMMABLE INTERFACE CONNECTOR(S) BETWEEN SEATS WITH BLUNTCUTS			$40.00
Design					
	065-000	PAINT: ONE SOLID COLOR			STD
Color					
	980-5F6	CAB COLOR A: L0006EY WHITE ELITE EY			STD
	986-020	BLACK, HIGH SOLIDS POLYURETHANE CHASSIS PAINT			STD
	962-972	POWDER WHITE (N0006EA) FRONT WHEELS/RIMS (PKWHT21, TKWHT21, W, TW)			N/C
	966-972	POWDER WHITE (N0006EA) REAR WHEELS/RIMS (PKWHT21, TKWHT21, W, TW)			N/C
	964-5A1	BUMPER PAINT: L0001EY BLACK ELITE EY			$132.00
Certification / Compliance					
	996-001	U.S. FMVSS CERTIFICATION, EXCEPT SALES CABS AND GLIDER KITS			STD
Sales Programs					
		NO SALES PROGRAMS HAVE BEEN SELECTED			

T O T A L V E H I C L E S U M M A R Y

Adjusted List Price

Adjusted List Price ** $240,175.00

Weight Summary

Weight Front	Weight Rear	Total Weight

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Factory Weight+	11030 lbs	9681 lbs	20711 lbs
Dealer Installed Options	0 lbs	0 lbs	0 lbs
Total Weight+	11030 lbs	9681 lbs	20711 lbs

ITEMS NOT INCLUDED IN ADJUSTED LIST PRICE

Other Factory Charges

PNZ-003	CARB22 BASE WARRANTY SURCHARGE DD13 / X12	$1,350.00
RD1-205	5 YRS DETROIT CONNECT BASE PKG (FEATURES VARY BY MODEL) DETROIT CONNECT PLATFORM	STD
RFY-022	FRONT TIRE SURCHARGE	$50.00
RFU-022	REAR TIRE SURCHARGE	$200.00
RFZ-024	MY24/CY23 PRICING SURCHARGE	$5,250.00
P73-2WS	STANDARD DESTINATION CHARGE	$3,375.00

Extended Warranty

WAI-6V0	EW4: DD13 CARB22 VOC 5 YEARS/200,000 MILES/322,000 KM. EXTENDED ENGINE COVERAGE. FEX APPLIES	$2,410.00
WBB-217	TC4: US HD EXTREME VOCATIONAL 5 YEARS/200,000 MILES/322,000 KM EXTENDED TRUCK COVERAGE	$5,280.00
WAK-126	ALLISON 4500 RDS TRANSMISSION FOR REFUSE EXTENDED WARRANTY, 5 YEARS/UNLIMITED MILEAGE FEX	$1,203.00
WAG-078	TOWING: 5 YEARS/UNLIMITED MILES/KM EXTENDED TOWING COVERAGE $750 CAP FEX APPLIES	$920.00

Currency Exchange Rate	1.0000
Total Extended Warranty (Local Currency)	$9,813.00

Dealer Installed Options

		Weight Front	Weight Rear	Price
99998	FORESTRY GRAPPLE LOADER FROM LEE TRANSPORT PROPOSAL GS01242023C DATED 1-24-2023	0	0	$189,985.00
	Total Dealer Installed Options	0 lbs	0 lbs	$189,985.00

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(+) Weights shown are estimates only.
If weight is critical, contact Customer Application Engineering.
(**) Prices shown do not include taxes, fees, etc… “Net Equipment Selling Price” is located on the Quotation Details Proposal Report.

(***) All cost increases for major components (Engines, Transmissions, Axles, Front and Rear Tires) and government mandated requirements, tariffs, and raw material surcharges will be passed through and added to factory invoices.

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D I M E N S I O N S

VEHICLE SPECIFICATIONS SUMMARY - DIMENSIONS

Model 47X
Wheelbase (545) .....6925MM (273 INCH) WHEELBASE
Rear Frame Overhang (552)..... 1975MM (78 INCH) REAR FRAME OVERHANG
Fifth Wheel (578) ..... NO FIFTH WHEEL
Mounting Location (577) ..... NO FIFTH WHEEL LOCATION
Maximum Forward Position (in).....0
Maximum Rearward Position (in) 0
Amount of Slide Travel (in).....0
Slide Increment (in).....0
Desired Slide Position (in).....0.0
Cab Size (829).....111.6 INCH BBC CONVENTIONAL ALUMINUM CAB
Sleeper (682).....NO SLEEPER BOX/SLEEPERCAB
Exhaust System (016) .....RH OUTBOARD UNDER STEP MOUNTED HORIZONTAL AFTERTREATMENT SYSTEM ASSEMBLY WITH RH HORIZONTAL TAILPIPE

TABLE SUMMARY - DIMENSIONS

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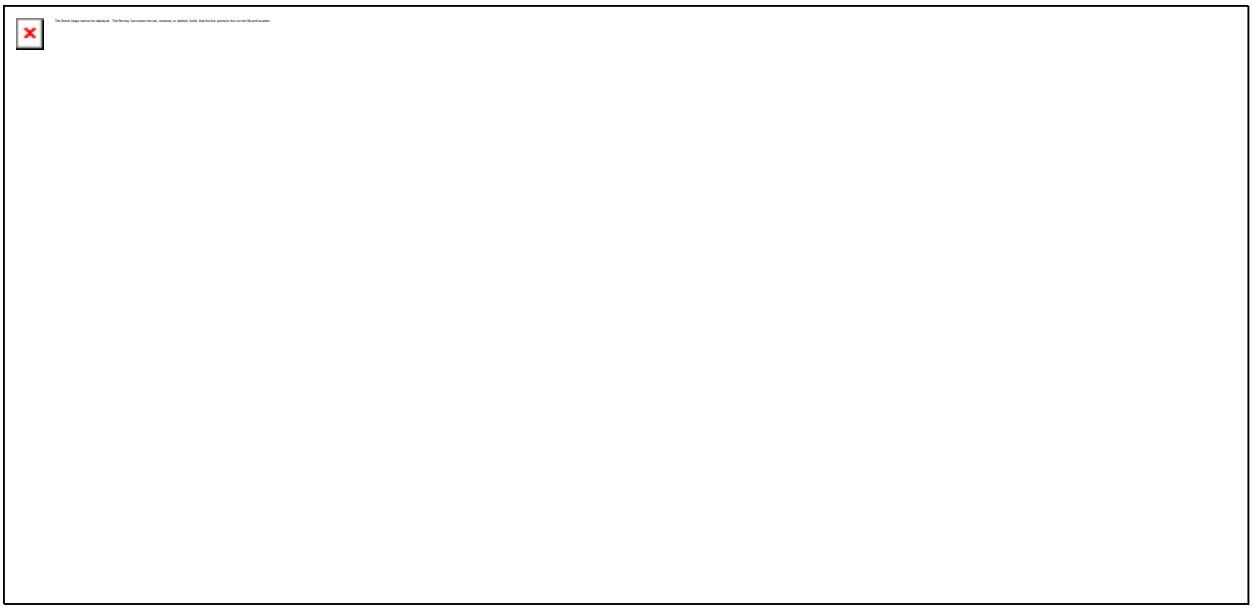

Performance calculations are estimates only. If performance calculations are critical, please contact Customer Application Engineering.

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Q U O T A T I O N

WESTERN STAR 47X

SET BACK AXLE - TRUCK
DETROIT DD13 GEN 5 12.8L 370 HP @ 1625 RPM, 1900 GOV RPM, 1250 LB/FT @ 975 RPM
ALLISON 4500 RDS AUTOMATIC TRANSMISSION WITH PTO PROVISION
RT-46-160 46,000# R-SERIES TANDEM REAR AXLE
TUFTRAC GEN2 46,000# REAR SPRING SUSPENSION
MFS-20-133A 20,000# FL1 71.0 INCH KPI/3.74 INCH DROP SINGLE FRONT AXLE
20,000# TAPERLEAF FRONT SUSPENSION
111.6 INCH BBC CONVENTIONAL ALUMINUM CAB
6925MM (273 INCH) WHEELBASE
13.0MM X 87.0MM X 311.0MM STEEL FRAME (0.51X3.43X12.24 INCH) 120 KSI
1975MM (78 INCH) REAR FRAME OVERHANG
0.236 INCH (6.00MM) C-CHANNEL INNER FRAME REINFORCEMENT

			PER UNIT		TOTAL
VEHICLE PRICE	**TOTAL # OF UNITS (1)**	$	161,336	$	161,336
EXTENDED WARRANTY		$	9,813	$	9,813
DEALER INSTALLED OPTIONS		$	189,985	$	189,985
CUSTOMER PRICE BEFORE TAX		**$**	***361,134***	**$**	***361,134***

TAXES AND FEES

FEDERAL EXCISE TAX (FET)		$	(546)	$	(546)
TAXES AND FEES		$	0	$	0
OTHER CHARGES		$	0	$	0

TRADE-IN

TRADE-IN ALLOWANCE		$	(0)	$	(0)
BALANCE DUE	**(LOCAL CURRENCY)**	**$**	**360,588**	**$**	**360,588**

COMMENTS:

SUBJECT TO FREIGHT, RAW MATERIAL, DAIMLER, 3RD PARTY UPFITTING AND EPA MANDATED SURCHARGES

Projected delivery on ___ / ___ / ___ provided the order is received before ___ / ___ / ___.

APPROVAL:
Please indicate your acceptance of this quotation by signing below:

Customer: X_____ Date: ___ / ___ / ___.

Prepared for:
SOUTH CAROLINA STATE OF
PO BOX 101103
COLUMBIA, SC 29211
Phone: 803-737-9816

Prepared by:
Bill Fuller
Excel Truck Group
2790 Shop Road
COLUMBIA, SC 29209
Phone: 803-376-4455

Financing that works for you.

See your local dealer for a competitive quote from Daimler Truck Financial, or contact us at Information@dtfoffers.com.

Daimler Truck Financial offers a variety of finance, lease and insurance solutions to fit your business needs. For more information about our products and services, visit our website at www.daimler-truckfinancial.com.

We Are Columbia

MEETING DATE:	**February 21, 2023**
DEPARTMENT:	**Procurement and Contracts**
FROM:	***Sandra Middleton, Purchasing Agent***
SUBJECT:	**Council is asked to approve the Purchase of Chemicals for the Water & Wastewater Treatment Plants, as requested by Columbia Water on October 3, 2022. Award to multiple vendors, in an amount not to exceed $5,699,345.00. The term of the contracts is 18 months, with the option to extend for one (1) additional year.**
REQUISITION NO.:	**R220489, R220490, R220491, R220553, R220556, R220557, R220560, R220561, R220562, R220568, R220569, R220575**
FUNDING SOURCE & ORIGINAL BUDGET:	**Funding Source: Utilities Columbia Canal Water Treatment Plant-Chemicals (5516206-624800); Utilities Lake Murray Water Treatment Plant-Chemicals (5516207-624800); Utilities Metro Wastewater Plant - Chemicals (5516208-624800). The original budget amount is $5,699,345.00.**

We respectfully request Council's approval for the Purchase of Chemicals for the Columbia Canal Water Plant, Lake Murray Water Plant, and Metro Wastewater Plant using BID016-22-23-ASH.

ATTACHMENTS:

- **#a:** Chemicals by Plant Chart (PDF)
- #b: Official Bid Tabulation (XLSX)

Chemicals by Plant

Columbia Canal Water Treatment Plant Chemicals

Vendor	Location	Description	Estimated Usage	Unit Price	Award Amount
JCI Jones Chemicals	Sarasota, FL	Lot 1: Chlorine (Liquid)	551.5 tons	$ 1,850.00	$ 946,275.00
Univar	Morrisville, PA	Lot 2: Fluoride/Fluorosilicic Acid (Liquid)	285 tons	$ 500.00	$ 142,500.00
Tanner Industries, Inc.	Southampton, PA	Lot 3: Anhydrous Ammonia (Liquid)	90 tons	$ 2,100.00	$ 189,000.00
Chemtrade Chemicals US LLC	Parsippany, NJ	Lot 4: Aluminum Sulfate (Alum)	2,137.5 tons	$ 397.00	$. 848,587.50
Univar Solutions USA Inc.	Morrisville, PA	Lot 5: Sodium Hydroxide (Caustic Soda)	75 tons	$ 1,062.00	$ 79,650.00
Polytec, Inc.	Morrisville, PA	Lot 6: Liquid Lime (Calcium Hydroxide)	795 tons	$ 367.00	$ 291.765.00
International Dioxcide, Inc.	North Kingstown, IL	Lot 7: Sodium Chlorite (Liquid)	562.5 tons	$ 1,414.00	$ 795,375.00
Carus Corporation	Peru, IL	Lot 8: Blended Phosphate/Corrosion Inhibitor	195 tons	$ 1,920.00	$ 382.200.00
CarbPure Technologies, Inc.	Greenwood Village, CO	Lot 9: Activated Carbon (Powdered)	300 tons	$ 2,500.00	$ 750,000.00
Polydyne Inc.	Riceboro, GA	Lot 10: Liquid Polymer/250 gal tote	18 tons	$ 2,460.00	$ 44,280.00
Univar Solutions USA Inc.	Morrisville, PA	Lot 12: Sodium Hypochlorite 12.5%	6,000 gallon	$ 5.14	$ 30,840.00
Univar Solutions USA Inc.	Morrisville, PA	Lot 13: Liquid Ammonium Sulfate 40% (10%NH3)	7,500 Pounds	$ .514	$ 3,855.00

Lake Murray Water Treatment Plant Chemicals

Vendor	Location	Description	Estimated Usage	Unit Price	Award Amount
JCI Jones Chemicals	Sarasota, FL	Lot 1: Chlorine (Liquid)	450 tons	$ 1,850.00	$ 832,500.00
Univar Solutions	Morrisville, PA	Lot 2: Fluoride/Fluorosilicic Acid (Liquid)	300 tons	$ 500.00	$ 150,000.00

Tanner Industries, Inc.	Southampton, PA	Lot 3: Adhydrous Ammonia (Liquid)	78 tons	$ 2,100.00	$ 163,800.00
Chemtrade Chemicals US LLC	Parsippany, NJ	Lot 4: Aluminum Sulfate (Alum)	2,595 tons	$ 397.00	$ 1,030,215.00
Univar Solutions USA Inc.	Morrisville, PA	Lot 5: Sodium Hydroxide (Caustic Soda)	337.5 tons	$ 1,062.00	$ 358,425.00
Polytec, Inc.	Morrisville, PA	Lot 6: Liquid Lime (Calcium Hydroxide)	1,050 tons	$ 367.00	$ 385,350.00
Carus Corporation	Peru, IL	Lot 8: Blended Phosphate/Corrosion Inhibitor	234 tons	$ 1,960.00	$ 458,640.00
CarbPure Technologies, Inc.	Greenwood Village, CO	Lot 9: Activated Carbon (Powdered)	900 tons	$ 2,500	$ 2,250.00.00
Polydyne Inc.	Riceboro, GA	Lot 10: Liquid Polymer/250 gal tote	22.5 tons	$ 2,460.00	$ 55,350.00
Southern States Chemical	Savannah, GA	Lot 11: Sulfuric Acid 78% (Liquid)	480 tons	$ 286.40	$ 137,472.00

Metro Wastewater Treatment Plant Chemicals

Vendor	Location	Description	Estimated Usage	Unit Price	Award Amount
JCI Jones Chemicals Inc.	Sarasota, FL	Lot 14: Sodium Hypochlorite, 12%	832,500 gallons	$ 2.05	$ 1,706.625.00
JCI Jones Chemicals Inc.	Sarasota, FL	Lot 14: Sodium Hypochlorite, 15%	832,500 gallons	$ 2.08	$ 1,731,600.00
Southern Ionics	West Point, MS	Lot 15: Sodium Bisulfite	3,675,000 pounds	$ .2378	$ 873,915.00
Polydyne Inc.	Riceboro, GA	Liquid Polymer	975,000 pounds	$ 1.23	$ 1,199,250.00

Event Numbe	BID016-22-23-ASH Addendum 2
Event Title	Chemicals for Water & Wastewater Treatment Plants
Event Descrip	
Event Type	IFBs
Issue Date	12/30/2022 04:00:01 PM (ET)
Close Date	1/19/2023 03:00:00 PM (ET)

Organization	City of Columbia, SC
Workgroup	Purchasing
Event Owner	Anita Higgins
Email	anita.higgins@columbiasc.gov
Phone	
Fax	

					George S. Coyne Chemical Co., Inc.		Southern Ionics Incorporated		Southern States Chemical		Polytec, Inc		CHEMTRADE CHEMICALS US LLC		International Dioxcide, Inc.		CarbPure Technologies, LLC		UNIVAR SOLUTIONS USA Inc.		Carus Corporation		Tanner Industries, Inc.		Polydyne Inc.		Norit Americas INc		Carbon Activated Corp		JCI Jones Chemicals Inc	
					Total Price	$0.00	Total Price	$0.24	Total Price	$286.40	Total Price	$734.00	Total Price	$795.00	Total Price	$1,414.00	Total Price	$2,500.00	Total Price	$3,129.65	Total Price	$3,920.00	Total Price	$4,200.00	Total Price	$4,921.23	Total Price	$5,760.00	Total Price	$5,800.00	Total Price	$6,024.37		
Line #	Description	QTY	UOM	Estimated	Unit	Extended	Unit	Extended	Unit	Extended	Unit	Extended	Unit	Extended	Unit	Extended	Unit	Extended	Unit	Extended	Unit	Extended	Unit	Extended	Unit	Extended	Unit	Extended	Unit	Extended	Unit	Extended
1	Columbia Canal Water Treatment Plant Lot 1 - Chlorine (Liquid)	1	Ton		No Bid		No Bid						No Bid				No Bid		No Bid		No Bid		No Bid		No Bid		No Bid		No Bid		**$1,850.00**	$1,850.00
2	Columbia Canal Water Treatment Plant Lot 2 - Fluoride/Fluorosilicic Acid (Liquid)	1	Ton		No Bid		No Bid						No Bid				No Bid		**$500.00**	$500.00	No Bid		No Bid		No Bid		No Bid		No Bid		No Bid	
3	Columbia Canal Water Treatment Plant Lot 3 - Anhydrous Ammonia (Liquid)	1	Ton		No Bid		No Bid						No Bid				No Bid		No Bid		No Bid		**$2,100.00**	$2,100.00	No Bid		No Bid		No Bid		No Bid	
4	Columbia Canal Water Treatment Plant Lot 4 - Aluminum Sulfate (Alum)	1	Ton		No Bid		No Bid						**$397.00**	$397.00			No Bid		No Bid		No Bid		No Bid		No Bid		No Bid		No Bid		No Bid	
5	Columbia Canal Water Treatment Plant Lot 5 - Sodium Hydroxide (Caustic Soda)	1	Ton		No Bid		No Bid						No Bid				No Bid		**$1,062.00**	$1,062.00	No Bid		No Bid		No Bid		No Bid		No Bid		$1,160.00	$1,160.00
6	Columbia Canal Water Treatment Plant Lot 6 - Liquid Lime (Calcium Hydroxide)	1	Ton		No Bid		No Bid				**$367.00**	$367.00	No Bid				No Bid		No Bid		No Bid		No Bid		No Bid		No Bid		No Bid		No Bid	
7	Columbia Canal Water Treatment Plant Lot 7 - Sodium Chlorite (Liquid)	1	Ton		No Bid		No Bid						No Bid		**$1,414.00**	$1,414.00	No Bid		No Bid		No Bid		No Bid		No Bid		No Bid		No Bid		No Bid	
8	Columbia Canal Water Treatment Plant Lot 8 - Blended Phosphate/Corrosion Inhibitor	1	Ton		No Bid		No Bid						No Bid				No Bid		No Bid		**$1,960.00**	$1,960.00	No Bid		No Bid		No Bid		No Bid		No Bid	
9	Columbia Canal Water Treatment Plant Lot 9 - Activated Carbon (Powdered)	1	Ton		No Bid		No Bid						No Bid				**$2,500.00**	$2,500.00	No Bid		No Bid		No Bid		No Bid		$2,880.00	$2,880.00	$2,900.00	$2,900.00	No Bid	
10	Columbia Canal Water Treatment Plant Lot 10 - Liquid Polymer/250 gal tote	1	Ton		No Bid		No Bid						No Bid				No Bid		No Bid		No Bid		No Bid		**$2,460.00**	$2,460.00	No Bid		No Bid		No Bid	
11	Columbia Canal Water Treatment Plant Lot 12 - Sodium Hypochlorite 12.5%	1	Gallon		No Bid		No Bid						No Bid				No Bid		**$5.14**	$5.14	No Bid		No Bid		No Bid		No Bid		No Bid		No Bid	
12	Columbia Canal Water Treatment Plant Lot 13 - Liquid Ammonium Sulfate 40% (10%NH3)	1	Pounds		No Bid		No Bid						$1.00	$1.00			No Bid		**$0.51**	$0.51	No Bid		No Bid		No Bid		No Bid		No Bid		No Bid	
13	Lake Murray Water Treatment Plant Lot 1 - Chlorine (Liquid)	1	Ton		No Bid		No Bid						No Bid				No Bid		No Bid		No Bid		No Bid		No Bid		No Bid		No Bid		**$1,850.00**	$1,850.00
14	Lake Murray Water Treatment Plant Lot 2 - Fluoride/Fluorosilicic Acid/Liquid	1	Ton		No Bid		No Bid						No Bid				No Bid		**$500.00**	$500.00	No Bid		No Bid		No Bid		No Bid		No Bid		No Bid	
15	Lake Murray Water Treatment Plant Lot 3 - Anhydrous Ammonia (Liquid)	1	Ton		No Bid		No Bid						No Bid				No Bid		No Bid		No Bid		**$2,100.00**	$2,100.00	No Bid		No Bid		No Bid		No Bid	
16	Lake Murray Water Treatment Plant Lot 4 - Aluminum Sulfate (Alum)	1	Ton		No Bid		No Bid						**$397.00**	$397.00			No Bid		No Bid		No Bid		No Bid		No Bid		No Bid		No Bid		No Bid	
17	Lake Murray Water Treatment Plant Lot 5 - Sodium Hydroxide (Caustic Soda)	1	Ton		No Bid		No Bid						No Bid				No Bid		**$1,062.00**	$1,062.00	No Bid		No Bid		No Bid		No Bid		No Bid		$1,160.00	$1,160.00
18	Lake Murray Water Treatment Plant Lot 6 - Liquid Lime (Calcium Hydroxide)	1	Ton		No Bid		No Bid				**$367.00**	$367.00	No Bid				No Bid		No Bid		No Bid		No Bid		No Bid		No Bid		No Bid		No Bid	
19	Lake Murray Water Treatment Plant Lot 8 - Blended Phosphate/Corrosion Inhibitor	1	Ton		No Bid		No Bid						No Bid				No Bid		No Bid		**$1,960.00**	$1,960.00	No Bid		No Bid		No Bid		No Bid		No Bid	
20	Lake Murray Water Treatment Plant Lot 9 - Activated Carbon (Powdered)	1	Ton		No Bid		No Bid						No Bid				**2,500.00**	2,500.00	No Bid		No Bid		No Bid		No Bid		$2,880.00	$2,880.00	$2,900.00	$2,900.00	No Bid	
21	Lake Murray Water Treatment Plant Lot 10 - Liquid Polymer/250 gal tote	1	Ton		No Bid		No Bid						No Bid				No Bid		No Bid		No Bid		No Bid		**$2,460.00**	$2,460.00	No Bid		No Bid		No Bid	
22	Lake Murray Water Treatment Plant Lot 11 - Sulfuric Acid 78% (Liquid)	1	Ton		No Bid		No Bid		**$286.40**	$286.40			No Bid				No Bid		No Bid		No Bid		No Bid		No Bid		No Bid		No Bid		No Bid	
23	Metro Wastewater Treatment Plant Lot 14 - Sodium Hypochlorite, 12%	1	Galloln		No Bid		No Bid						No Bid				No Bid		No Bid		No Bid		No Bid		No Bid		No Bid		No Bid		**$2.05**	$2.05
24	Metro Wastewater Treatment Plant Lot 14 - Sodium Hypochlorite, 15%	1	Gallon		No Bid		No Bid						No Bid				No Bid		No Bid		No Bid		No Bid		No Bid		No Bid		No Bid		**$2.08**	$2.08
25	Metro Wastewater Treatment Plant Lot 15 - Sodium Bisulfite	1	Pound		No Bid		**$0.2378**	$0.2378					No Bid				No Bid		No Bid		No Bid		No Bid		No Bid		No Bid		No Bid		**$0.24**	$0.24
26	Metro Wastewater Treatment Plant Lot 16 - Liquid Polymer	1	Pound		No Bid		No Bid						No Bid				No Bid		No Bid		No Bid		No Bid		**$1.23**	$1.23	No Bid		No Bid		No Bid	

OFFICIAL BID TABULATION

We Are Columbia

MEETING DATE: **February 21, 2023**

DEPARTMENT: **Legal Department**

FROM: ***Teresa Knox, City Attorney***

SUBJECT: **Ordinance 2023-024 - Authorizing the City Manager to execute Amendment No. 8 to Amended and Restated Agreement of Sale and Purchase between the City of Columbia and Baker and Baker Real Estate Developers, LLC for the Sale of Parcel "A" containing approximately 27, 664 square feet (0.64 acre) and Parcel "B" containing approximately 25, 444 (0.58 acre) square feet located on the eastern side of Gist Street between Laurel Street and Blanding Street and known as Richland County TMS No.: 09005-02-44 and TMS No.: 09005-02-23**

FUNDING SOURCE & ORIGINAL BUDGET:

FOCUS AREAS: **Planning Together**

PURPOSE:

First reading approval was given on February 7, 2023.

ATTACHMENTS:

- **#a:** Little Red School House memo (PDF)
- #b: 2023-024 - Eighth Amendment to Baker and Baker Agreement (PDF)
- #c: APPROVED_Amendment_No_8_to_Amended_and_Restated_Agreement_of_Sale_and_Purchase (PDF)

HISTORY:

02/07/23	**Columbia City Council**	**APPROVED ON FIRST READING.**

We Are Columbia

TO: Teresa Wilson, City Manager

FROM: Melissa Smith Gentry, PE, Assistant City Manager

SUBJECT: Amendment # 8 Amendment #8 to the Amended and Restated Agreement of Sale and Purchase between the City and Columbia and Baker and Baker Real Estate Developers, LLC. / Little Red School House Obligation

DATE: 2/1/23

Council approval is recommended for Amendment #8 to the Amended and Restated Agreement of Sale and Purchase between the City and Columbia and Baker and Baker Real Estate Developers, LLC.

This agreement dates back to 2013, at which time Baker and Baker purchased the property that formerly housed the Little Red Schoolhouse. As part of the transaction, they relocated the Little Red School House to its current site at the entrance of Riverfront Park. The former site was restricted as a result of a designation from the Department of Interior, thus the transaction also included an obligation of Baker and Baker to satisfy the requirement to provide another space with defined criteria to the City.

The City identified a property to be purchased by Baker and Baker to satisfy this obligation and has been working with Baker and Baker as well as State Parks to navigate the process by which formal approval can be secured for the purchase of the property. The current site being evaluated is a portion of the 17 acre track off of Beltline Blvd, currently owned by TNDC but leased to the City. The site is adjacent to All Star Field, which is owned by the City.

Recommend approval of Amendment #8 in order to allow the City and Baker and Baker to continue making progress towards securing approval for the purchase of property (by Baker and Baker) that satisfies this obligation.

ORDINANCE NO.: 2023-024

Authorizing the City Manager to execute Amendment No. 8 to Amended and Restated Agreement of Sale and Purchase between the City of Columbia and Baker and Baker Real Estate Developers, LLC for the Sale of Parcel "A" containing approximately 27, 664 square feet (0.64 acre) and Parcel "B" containing approximately 25, 444 (0.58 acre) square feet located on the eastern side of Gist Street between Laurel Street and Blanding Street and known as Richland County TMS No.: 09005-02-44 and TMS No.: 09005-02-23

BE IT ORDAINED by the Mayor and Council this _____ day of _____, 2023, that the City Manager is authorized to execute the attached Amendment No. 8 to Amended and Restated Agreement of Sale and Purchase, or in a form to be approved by the City Attorney, between the City of Columbia and Baker and Baker Real Estate Development, LLC for the sale of Parcel "A" containing approximately 27,664 square feet (0.64 acre) and Parcel "B" containing approximately 25, 444 (0.58 acre) square feet located on the eastern side of Gist Street between Laurel Street and Blanding Street and known as Richland County TMS No.: 09005-02-44 and 09005-02-03

Requested by:

Assistant City Manager Gentry

_____
Mayor

Approved by:

_____
City Manager

Approved as to form:

_____
Deputy City Attorney

ATTEST:

_____
City Clerk

Introduced: _____
Final Reading: _____

LEGAL DEPARTMENT DRAFT

AMENDMENT NO. 8 TO AMENDED AND RESTATED AGREEMENT OF SALE AND PURCHASE

THIS AMENDMENT NO. 8 TO AGREEMENT OF SALE AND PURCHASE (this "Amendment No. 8") is made and effective as of the date of the last signature hereinbelow (the "Amendment No. 8 Effective Date"), by and among **THE CITY OF COLUMBIA** ("Seller") and **BAKER AND BAKER REAL ESTATE DEVELOPERS, LLC**, a South Carolina limited liability company ("Purchaser").

WITNESSETH:

WHEREAS, Seller and Purchaser previously entered into that certain Agreement of Sale and Purchase with an Effective Date of February 22, 2011 relating to the real property that is the subject of this Third Amendment;

WHEREAS, Seller and Purchaser entered into that certain Amended and Restated Agreement of Sale and Purchase fully executed on February 20, 2013 (the "Amended and Restated Agreement") for the sale and purchase of Parcel A and Parcel B;

WHEREAS, the Amended and Restated Agreement was amended by way of that certain Amendment No. 1 to Amended and Restated Agreement of Sale and Purchase dated April 19, 2013; by way of that certain Amendment No. 2 to Amended and Restated Agreement of Sale and Purchase dated May 22, 2013; by way of that certain Amendment No. 3 to Amended and Restated Agreement of Sale and Purchase dated July 25, 2013; by way of that certain Amendment No. 4 to Amended and Restated Agreement of Sale and Purchase dated August 6, 2013; by way of that certain Amendment No. 5 to Amended and Restated Agreement of Sale and Purchase dated January 10, 2014; by way of that certain Amendment No. 6 to Amended and Restated Agreement of Sale and Purchase dated July 27, 2020; and by way of that certain Amendment No. 7 to Amended and Restated Agreement of Sale and Purchase dated August 5, 2021.

WHEREAS, the closing of the sale and purchase of Parcel A was consummated by the parties, as evidenced by the delivery of a deed from Seller to Purchaser recorded in the Richland County Register of Deeds in Book 1928 at Page 1239; and

WHEREAS, Seller and Purchaser now wish to further amend the Amended and Restated Agreement as set forth below.

NOW, THEREFORE, for Ten and No/100 Dollars ($10.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties hereby agree as follows:

1. Capitalized Terms. Any capitalized term not defined herein shall have the definition ascribed to such term in the Amended and Restated Agreement.

2. Ratification of Parcel B Purchase Price. Seller and Purchaser hereby agree and ratify the Parcel B Purchase Price, which is Two Hundred Ninety-Nine Thousand Four Hundred

Thirty-Seven and No/100 ($299,437.00) Dollars, to be paid by Purchaser to Seller in immediately available funds at the time of the Parcel B Closing.

3. Approval Period. Seller hereby acknowledges and agrees that Purchaser has pursued and continues to diligently pursue the Requisite Approvals and the Approval Period is hereby extended for a period of 730 days from and after the Amendment No. 8 Effective Date and the Approval Period may continue to be extended from time to time in the manner provided in Paragraph 7 of the Amended and Restated Agreement.

4. Closing Date. The Parcel B Closing Date shall continue to be subject to the provisions of, and calculated as set forth in, Paragraph 11 of the Amended and Restated Agreement.

5. Effect. The Amended and Restated Agreement, as amended hereby, is in full force and effect and is hereby ratified by Seller and Purchaser.

6. Counterparts. This Amendment No. 8 may be executed in multiple counterparts, each of which shall constitute an original and all of which together shall constitute one and the same instrument.

[SIGNATURES ON FOLLOWING PAGE]

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]

IN TESTIMONY WHEREOF, Seller and Purchaser have each executed this Amendment No. 8 as of the date of execution set forth below its signature, with the last of such dates being the Amendment No. 8 Effective Date.

SELLER:

CITY OF COLUMBIA

APPROVED AS TO FORM
Legal Department City of Columbia, SC
1/13/2023

By:_____
Name: Teresa Wilson
Title: City Manager

Date: _____, 2023

PURCHASER:

BAKER AND BAKER REAL ESTATE DEVELOPERS, LLC

By: _____
Name: Steven M. Anastasion
Title: Manager

Date: _____, 2023

We Are Columbia

MEETING DATE: **February 21, 2023**

DEPARTMENT: **Planning and Development Services**

FROM: ***Krista Hampton, Director***

SUBJECT: **ANNEXATION, FUTURE LAND USE MAP AMENDMENT, AND ZONING MAP AMENDMENT for 1709 Smith Street; TMS# 16301-02-06**

FUNDING SOURCE & ORIGINAL BUDGET:

CLEAN WATER 2020?: **No**

PURPOSE:

Ordinance No.: 2023-010 - Annexing 1709 Smith Street, Richland County TMS #16301-02-06 into the City of Columbia, South Carolina, and Incorporating said property into Columbia Compass: Envision 2036 and the Official Zoning Map

Council District: 3

Proposal: Request to annex the property and assign a land use classification of Industrial (IND) and assign zoning of Light Industrial District (LI) at the time of annexation. The property is currently classified as Economic Development Center/Corridor and zoned M-1 by Richland County.

Applicant: I-77 Atlas, LLC

Staff Recommendation: Approval

PC Recommendation: 12/08/2022; Approval (7-0)

First reading approval was given on February 7, 2023.

ATTACHMENTS:

- **#a:** ANNEX-2022-0030_Smith1709_ZPH (PDF)
- #b: 2023-010- Annex and Incorporate 1709 Smith Street (PDF)
- #c: Offer_Notice_Smith1709 (PDF)
- #d: Smith1709_Petition (PDF)

HISTORY:

02/07/23	**Columbia City Council**	**APPROVED ON FIRST READING.**

CITY COUNCIL

February 7, 2023 at 4:00pm
City Hall, 3rd floor Council Chambers, 1737 Main Street, Columbia, SC 29201

ANNEXATION, FUTURE LAND USE MAP AMENDMENT, AND ZONING MAP AMENDMENT CASE SUMMARY
1709 Smith Street; TMS# 16301-02-06

Council District: 3

Proposal: Request to annex the property and assign a land use classification of Industrial (IND) and assign zoning of Light Industrial District (LI) at the time of annexation. The property is currently classified as Economic Development Center/Corridor and zoned M-1 by Richland County.

Applicant: I-77 Atlas, LLC

Staff Recommendation: Approval

PC Recommendation: 12/08/2022; Approval (7-0)

ZPH, 1st Reading: 02/07/2023; Pending

2nd Reading: 02/21/2023; Pending

CURRENT PARCEL CHARACTERISTICS/CONDITIONS

Acreage: 6.37 acres
Current Use: Undeveloped
Proposed Use: Light Industrial
Reason for Annexation: Municipal Services
Urban Service Area: Secondary
Current County Land Use Classification: Economic Development Center/Corridor
Proposed City Land Use Classification: Industrial (IND)
Current County Zoning: Light Industrial (M-1)
Proposed City Zoning: Light Industrial District (LI)
Census Tract: 117.02

DETERMINATION FOR CITY SERVICES

The following determination is an estimate of the benefits and costs associated with the annexation of the subject property:

Police
The Columbia Police Department does not object to this proposed annexation. As with most annexations, we find that the proposed annexation may result in an increased number of calls for service. The estimated cost to serve this property would be **approximately $2,200 per year,** based on calls to similar commercial properties within the City limits.

Fire
The proposed annexation will not result in significant additional costs or impact services being provided by this department. Annexation would lower the ISO rating of this property to a Class 1 from a Class 2.

Solid Waste
The Solid Waste Division does not typically provide service to this type of development.

Engineering
Because water and sewer lines currently exist in this area, Utilities and Engineering **will not incur any costs** associated with this annexation.

Water Customer Care
The customer on the property will pay water and sewer rates approximately **40% lower** than out-of-city customers.

Planning & Development Services
We recommend approval of the annexation of this property, which is located within a Secondary area as designated in the Urban Service Area plan. A light industrial use is expected for the property (along with the adjacent 6.1-acre TMS# 16301-02-12; already within the City and zoned LI), and the estimated real estate tax revenue generated for the City would be **approximately $2,400 per year** based on the estimated taxable value of this property.

* Estimated City Tax Revenue is based on **2022 millage** for real property and calculated as: ((Taxable Value × Tax Rate) × City Millage Rate (.0938)). The actual additional taxes paid by the property owner will generally be substantially lower as some millage items do not apply to in-City properties, and an increased Local Option Sales Tax credit factor applies to in-City properties (an additional .002321 for the 2022 tax year).

PLANS, POLICIES, AND LAND USE

Urban Service Area

Subject property is in a "Secondary Area" as identified in the Urban Service Area Map

Principles and Goals of the Urban Service Area
The Urban Service Area identifies those areas the City of Columbia wishes to provide with urban services. Primary emphasis will be given to annexing developed areas adjoining the City limits and "islands" of unincorporated territory surrounded by the City. Primary, secondary, and long-range annexation priorities for specific areas may be identified. Secondary areas may include higher value properties which assist the City in achieving a more balanced economic base.

Secondary Areas are those areas where it may be logical or advantageous to provide City services, but where the ability to provide all services and/or the condition of existing infrastructure may not be at optimal levels for annexation. For instance, it may be that the property is outside of the generally accepted fire response area, or the storm drainage and/or road system is substandard. These areas may include "higher value" properties where annexation could prove beneficial to revenues.

Annexation within *Secondary Areas* should be considered, but an assessment of the impact on the City's revenue and ability to serve the property/area in question should occur prior to consideration of and action upon annexation petitions.

Comprehensive Plan Land Use Classification

The proposed future land use classification for the subject property is Industrial (IND) in the *Columbia Compass: Envision 2036* Future Land Use Map. The property is currently designated as Economic Development Center/Corridor by Richland County.

Industrial areas are located throughout the City and include a range of building types and uses dedicated to the processing, mining, manufacturing, warehousing, outdoor storage, and distribution of materials or goods. These areas are appropriate for uses that have heavy freight traffic and which may generate noise, odors, or other impacts. These areas should be adequately large to accommodate these uses, and should provide buffers and sufficient street infrastructure to accommodate the needs of the businesses.

Primary Types

- Office/Services Medium to High-rise
- Flex Small to Extra Large

Secondary Types

- Power Utilities
- Water & Wastewater Treatment

Tertiary Types

- Commercial Small to Extra Large
- Parking Structures & Lots

Existing Neighborhood, Small Area, Community, and/or Corridor Plans

The subject property is not located within the study area of a neighborhood, small area, community, or corridor plan recently adopted by the City of Columbia or Richland County.

PROPOSED ZONING DISTRICT SUMMARY

The parcel is currently zoned M-1 by Richland County. Surrounding parcels within the City of Columbia are currently zoned Light Industrial District (LI) to the North and East. Surrounding parcels in unincorporated Richland County are currently zoned M-1 to the East and South and RS-HD to the South and West.

The proposed City of Columbia zoning district is Light Industrial District (LI).

Light Industrial District (LI)

The purpose of the Light Industrial (LI) District is to provide lands that allow light industrial development. Development allowed in the LI District includes wholesaling, distribution, storage, processing, research and development, light manufacturing, and related development. The district also accommodates support uses such as office and limited commercial uses that primarily serve the principal industrial uses.

STAFF RECOMMENDATION

Staff recommends the assignment of a future land use classification of Industrial (IND) and zoning of Light Industrial District (LI) at the time of annexation.

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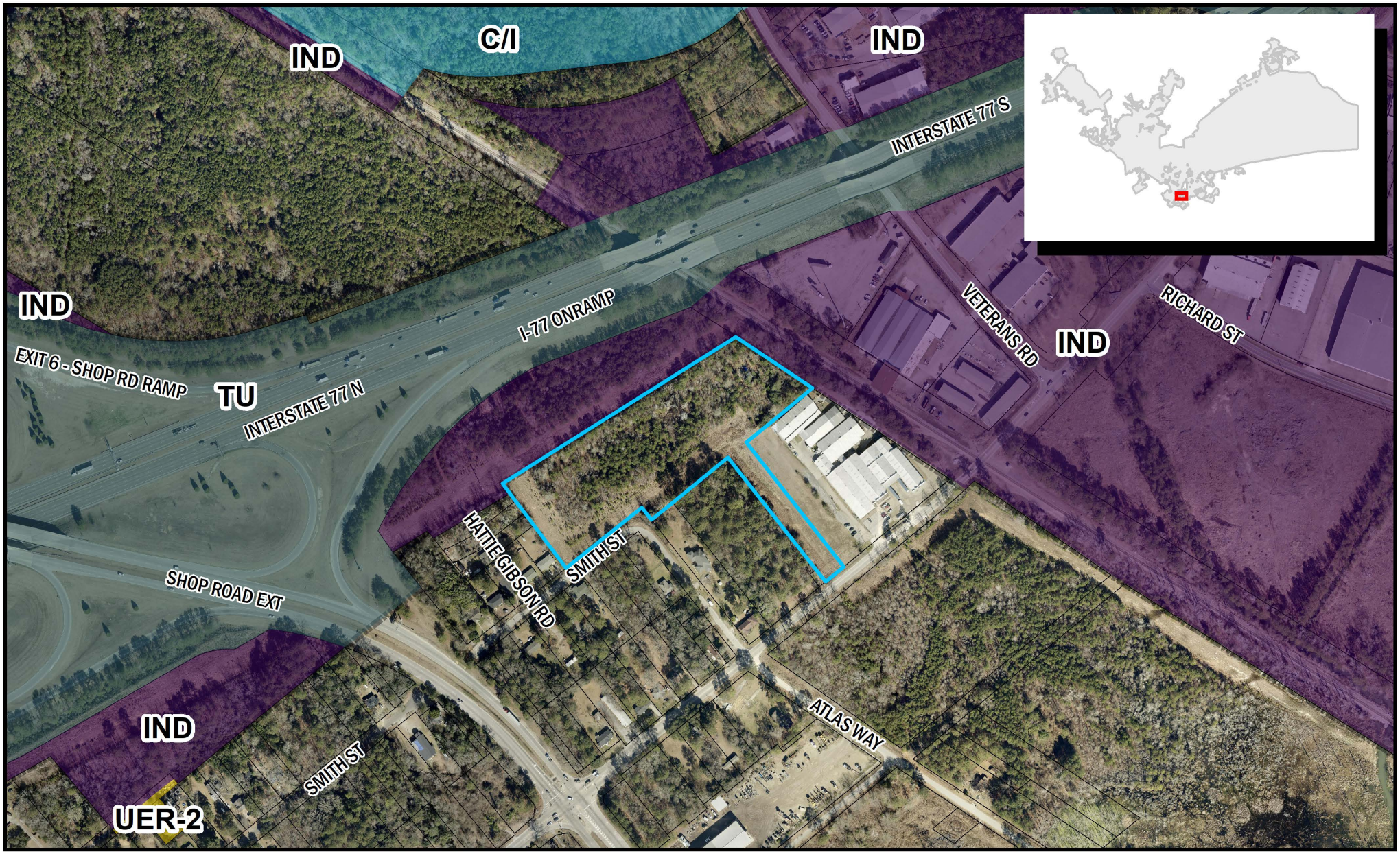
Future Land Use Map

1709 Smith Street, TMS# 16301-02-06;
Current Rich. Co. FLU: Economic Development Center/Corridor, Proposed City FLU: IND



Department of Planning & Development Services

ORIGINAL PREPARATION/DATE:
This map was prepared by:

Shane Shaughnessy
Date: 11/17/2022

We Are Columbia

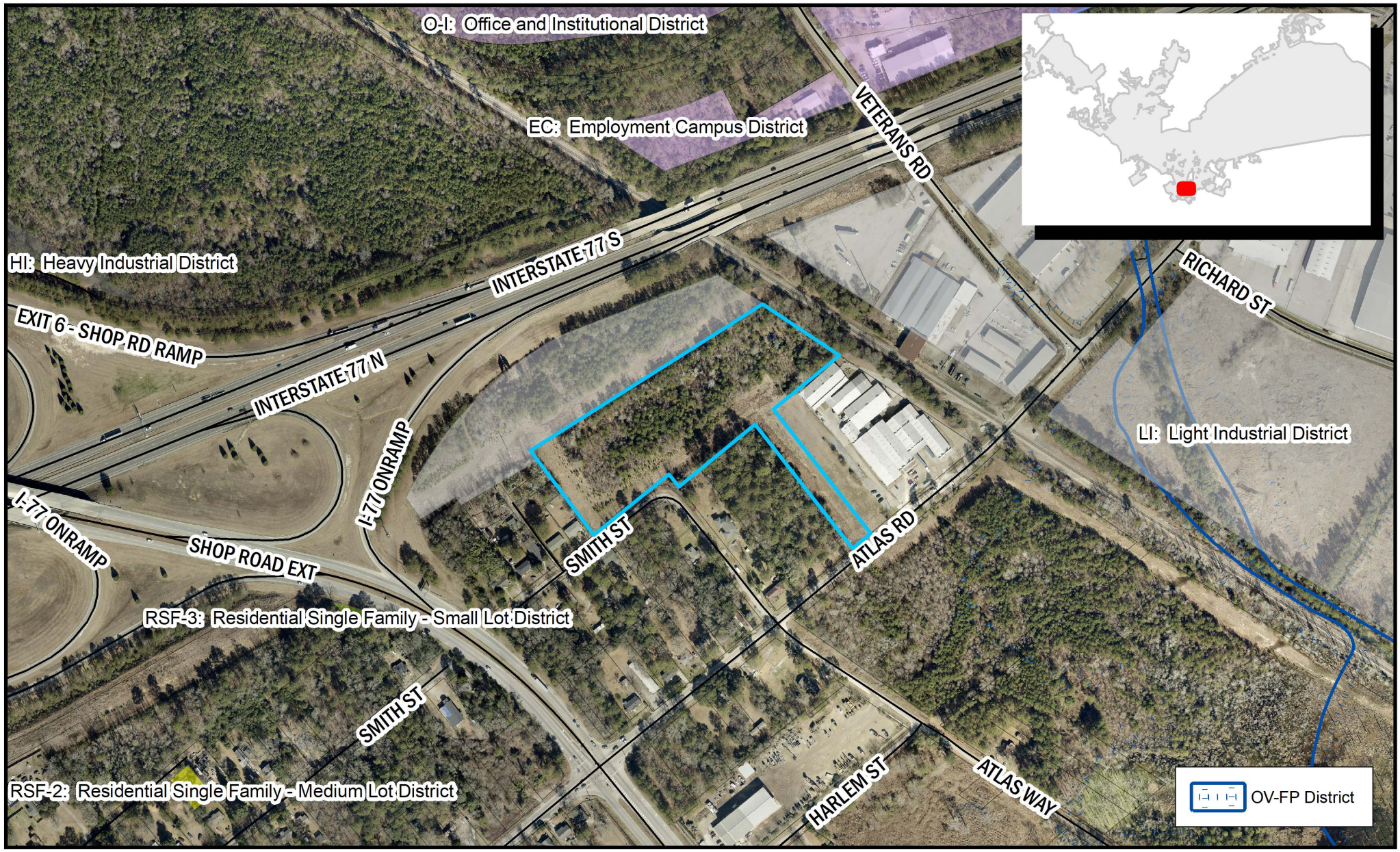
0 100 200 400 Feet

CITY OF COLUMBIA PLANNING DEPARTMENT
THIS MAP IS THE PRODUCT OF COMPILATION, OR WAS PRODUCED BY OTHERS. IT IS FOR INFORMATION ONLY AND THE CITY OF COLUMBIA MAKES NO REPRESENTATIONS AS TO ITS ACCURACY OR USE WITHOUT FIELD VERIFICATION. IS A

*** DATA SOURCE - CITY OF COLUMBIA, GIS DIVISION*

Zoning Map

1709 Smith Street, TMS# 16301-02-06;
Current Rich. Co. Zoning: M-1, Proposed City Zoning: LI



Department of Planning & Development Services

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We Are Columbia

0 125 250 500 Feet

DISCLAIMER:
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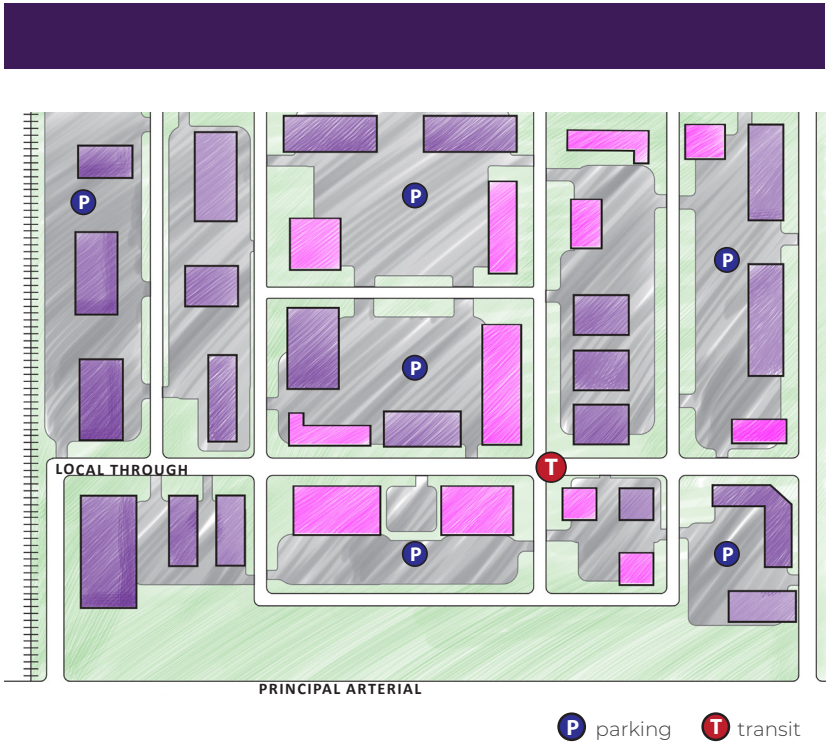
*** DATA SOURCE - CITY OF COLUMBIA, GIS DIVISION*

Proposed Future Land Use Classification

Development Types

INDUSTRIAL (IND)

Industrial areas are located throughout the City and include a range of building types and uses dedicated to the processing, mining, manufacturing, warehousing, outdoor storage, and distribution of materials or goods. These areas are appropriate for uses that have heavy freight traffic and which may generate noise, odors, or other impacts. These areas should be adequately large to accommodate these uses, and should provide buffers and sufficient street infrastructure to accommodate the needs of the businesses.



IND BUILDING TYPES/LAND USES

PRIMARY TYPES

- Office/Services Medium to High-rise
- Flex Small to Extra Large

SECONDARY TYPES

- Power Utilities
- Water & Wastewater Treatment

TERTIARY TYPES

- Commercial Small to Extra Large
- Parking Structures & Lots

See matrix for appropriate park/open space types.

Development Types

IND DEVELOPMENT PATTERN/CONTEXT

- Industrial areas are typically near rail lines or highways, and include warehouses, manufacturing and production facilities, laboratories, and high-tech uses.
- Most industrial areas require significant land area to accommodate large and very large format buildings as well as sufficient buffers from adjacent, non-compatible uses.
- Streets need to be designed to adequately accommodate semi-truck and trailer traffic.
- Sites are typically configured to meet the specific needs of the developer, but large format sites maintain significant flexibility for reuse.

Proposed Zoning District

(c) LI: Light Industrial District

(1) Purpose

The purpose of the Light Industrial (LI) District is to provide lands that allow light industrial development. Development allowed in the LI District includes wholesaling, distribution, storage, processing, research and development, light manufacturing, and related development. The district also accommodates support uses such as office and limited commercial uses that primarily serve the principal industrial uses.

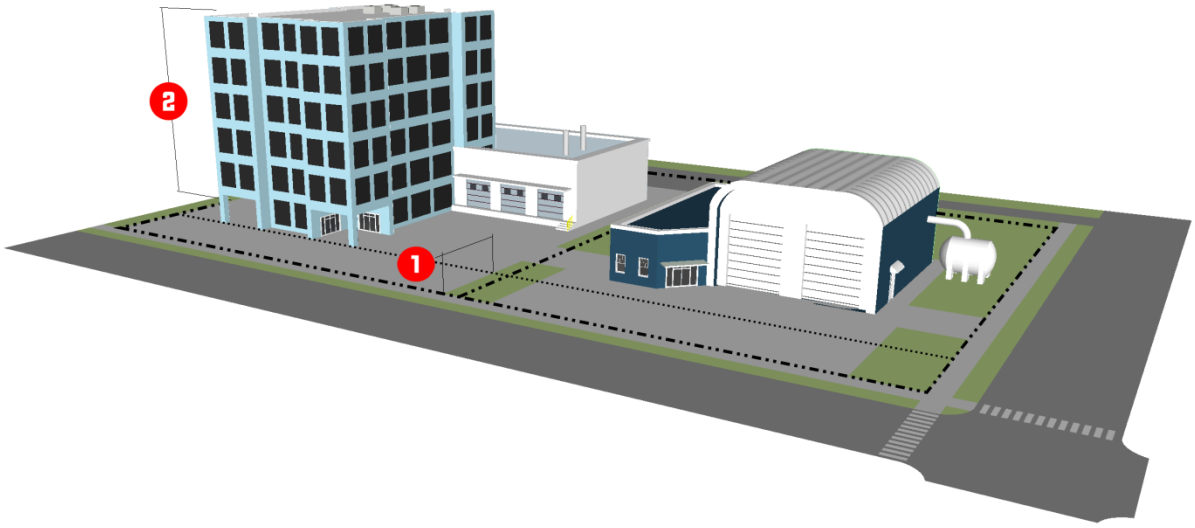
(2) Use Standards

Allowed uses and use-specific standards for principal, accessory, and temporary uses are established in Article 4: Use Regulations.

(3) Intensity and Dimensional Standards

Standard	All Uses
Lot Area, min. (sf.)	N/A
Lot Width, min. (ft.)	N/A
Lot Coverage, max. (% of site area)	N/A
Density, max. (du/acre)	N/A
1 Front Yard Setback, min. (ft.)	25
Side Yard Setback, min. (ft.)	N/A
Rear Yard Setback, min. (ft.)	N/A
2 Building Height, max. (ft.)	75

Notes: ft. = feet sf. = square feet du. = dwelling unit



(4) Reference to Other Standards			
Sec. 17-5.1	Access, Mobility, and Circulation	Sec. 17-5.8	Fences and Walls
Sec. 17-5.2	Off-Street Parking, Bicycle Parking	0	Exterior Lighting
Sec. 17-5.3	Landscaping	0	Signs
Sec. 17-5.4	Tree Protection	Sec. 17-5.11	Green Building Standards
Sec. 17-5.5	Open Space	Sec. 17-6.2	Minimum Design Standards
Sec. 17-5.6	Neighborhood Compatibility	0	Improvements and Sureties
Sec. 17-5.7	Form and Design Standards	Article 9	Definitions and Rules of Measurement

ORDINANCE NO.: 2023-010

Annexing 1709 Smith Street, Richland County TMS #16301-02-06 into the City of Columbia, South Carolina, and Incorporating said property into Columbia Compass: Envision 2036 and the Official Zoning Map

WHEREAS, a proper petition has been filed with the City Council by one hundred (100%) percent of the property owners of the within described property under the provisions of South Carolina Code Ann. § 5-3-150; and,

WHEREAS, it appears to City Council that the annexation of the property would be in the best interest of the property owners and the City of Columbia; and,

WHEREAS, City Council adopted Columbia Compass: Envision 2036 as the City of Columbia Comprehensive Plan by Ordinance No.: 2020-028 along with all the maps and policies contained therein, and amended from time to time, in accordance with the South Carolina Comprehensive Planning Act of 1994 (§6-29 of the SC Code); and,

WHEREAS, the City of Columbia has adopted the Unified Development Ordinance (UDO) by Ordinance No.: 2019-013 and Official Zoning Map of the City of Columbia, S.C. by Ordinance No.: 2021-001, both amended from time to time, in accordance with the authority in Title VI of the SC Code; and

WHEREAS, pursuant to Sec. 17-1.7(c) of the UDO, annexation may be considered concurrent with amendments to the Comprehensive Plan and the Zoning Map; and

WHEREAS, the City of Columbia Planning Commission has reviewed the proposed future land use and zoning classifications of the property, and made a recommendation to City Council in accordance with §6-29 of the SC Code and §17-2.5 of the UDO; and

WHEREAS, the Columbia City Council has held a public hearing in accordance with §17-2.4(f) of the UDO and §6-29-760 of the SC Code; and

WHEREAS, the Columbia City Council has determined that the proposed land use classification is appropriate for the property, and the proposed zoning district meets one or more of the criteria set forth by §17-2.5(c)(4), Zoning Map Amendment Decision Standards, of the UDO; NOW THEREFORE,

BE IT ORDAINED by the Mayor and City Council of the City of Columbia, South Carolina this _____ day of _____, 2023, that:

1. The above recitals and findings are incorporated herein by reference and made a part of this Ordinance.

2. The property identified as 1709 Smith Street and TMS# 16301-02-06 containing 6.37 acres, further identified in Attachment A, is hereby annexed to and becomes a part of the City of Columbia, and is incorporated into Columbia Compass: Envision 2036 and the Official Zoning Map, effective immediately.

3. This property shall be apportioned to City Council District #3, Census Tract 117.02, and assigned a future land use classification of Industrial (IND) and zoning of Light Industrial District (LI).

LEGAL DEPARTMENT DRAFT

PROPERTY DESCRIPTION: See Attached Exhibit "A"

Richland County TMS NOS.: 16301-02-06

Also included in the territory hereby annexed are all contiguous portions of all public rights of way, streets and highways.

Requested by:

Assistant City Manager Gentry

Approved by:

City Manager

Approved as to form:

Deputy City Attorney

Introduced:
Final Reading:

Mayor

ATTEST:

City Clerk

LEGAL DEPARTMENT DRAFT

Last revised: 12/15/2022
22015065

ORDINANCE NO.: 2023-010
EXHIBIT "A"
PROPERTY DESCRIPTION

All that certain piece, parcel or lot of land, with the improvements thereon, situate, lying and being near the City of Columbia, in the County of Richland, State of South Carolina, and being more fully shown and delineated as Tract "B", 6.37, acres, more or less, on a Boundary Survey prepared for 1-77 ATLAS, LLC by Jay S. Joshi, PLS# 14811, dated September 26, 2022 and recorded October 3, 2022 in the Office of the Register of Deeds for Richland County in Book 2784 at Page 3236. Reference is made to said plat for a more complete and accurate description. All measurements being a little

LEGAL DEPARTMENT DRAFT

MEMORANDUM

Office of the City Manager

TO: Department Heads

FROM: Teresa Wilson, City Manager

DATE: November 17, 2022

RE: **Property Address:** 1709 Smith Street
Richland County TMS#: 16301-02-06
Owner(s): I-77 Atlas, LLC
Current Use: Undeveloped
Proposed Use: Light Industrial
Current County Land Use: Economic Development Center/Corridor
Proposed City Land Use: Industrial (IND)
Current County Zoning: Light Industrial (M-1)
Proposed City Zoning: Light Industrial (LI)
Reason for Annexation: Municipal Services; Secondary Area
City Council District: 3
Census Tract: 117.02

The Planning & Development Services advises that the above referenced property has been offered for annexation. Attached, please find a map or drawing reflecting the property. You are directed to forward your comments and/or recommendations regarding the issue of whether to annex or not to Planning & Development Services. Planning & Development Services will compile your comments for City Council consideration.

Planning & Development Services staff will see to it that this matter is placed on the **December 8, 2022** Planning Commission agenda. Planning & Development Services staff will notify the City Attorney of the Planning Commission's zoning recommendation by forwarding a copy of this form, completed, as soon as the Planning Commission has met.

/atl
Attachments

cc:

Clint Shealy, Assistant City Manager
Jeff Palen, Assistant City Manager/CFO
Dana Higgins, Director, Engineering
Frank Eskridge, Director, Utilities
Robert Anderson, Public Works Director
Krista Hampton, Planning & Development Services
Kelly Smith, Business License Administrator
Greg Williams, Business Liasion
Tiffany Latimer, Customer Care Administrator
Todd Beiers, Building Official
Michelle Brazell, Engineering
Police Planning & Research
Alfreda Tindal, Richland Co. 911 Addressing Coordinator
Missy Gentry, Assistant City Manager
Henry M. Simons, Assistant City Manager
Teresa Knox, City Attorney
William Holbrook, Police Chief
Aubrey Jenkins, Fire Chief
Gloria Saaed, Community Development Director
George Adams, Fire Marshal
Hope Hasty, Zoning Administrator
Jacquelyn Richburg, Columbia-Richland 911
David Hatcher, Housing Official
Richland County Solid Waste Collection
Lucinda Statler, Planning Administrator
Brandon Burnette, Development Center Administrator

Planning Commission Land Use Recommendation: IND (Land Use classification) by 7 - 0.
on 12/8/22 (mm/dd/yyyy).

Planning Commission Zoning Recommendation: LI (Zoning classification) by 7 - 0.
on 12/8/22 (mm/dd/yyyy).

(Signature of Annexation Coordinator)

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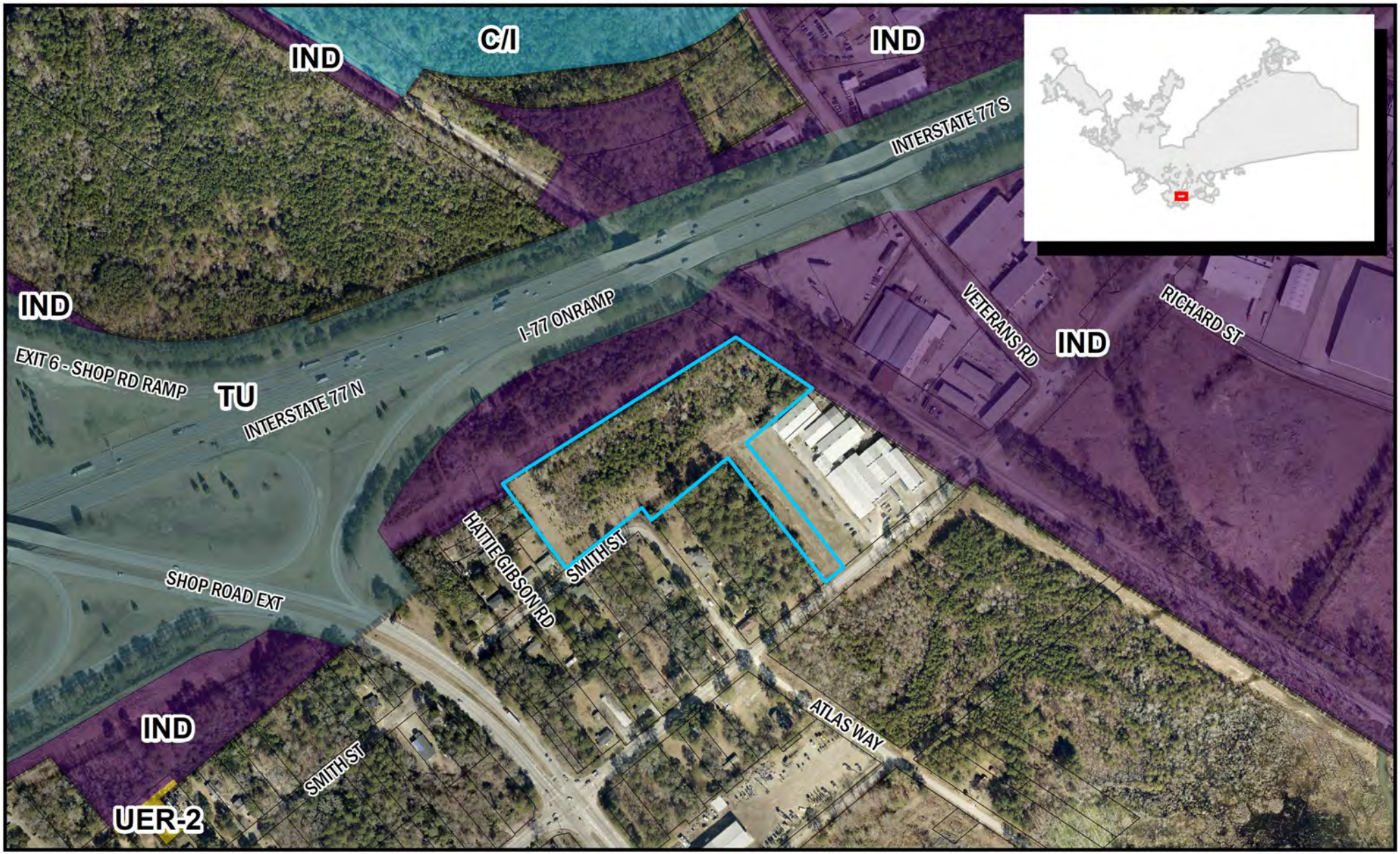
Future Land Use Map

1709 Smith Street, TMS# 16301-02-06;
Current Rich. Co. FLU: Economic Development Center/Corridor, Proposed City FLU: IND



Department of Planning & Development Services

ORIGINAL PREPARATION/DATE:
This map was prepared by:

Shane Shaughnessy
Date: 11/17/2022

We Are Columbia

0 100 200 400 Feet

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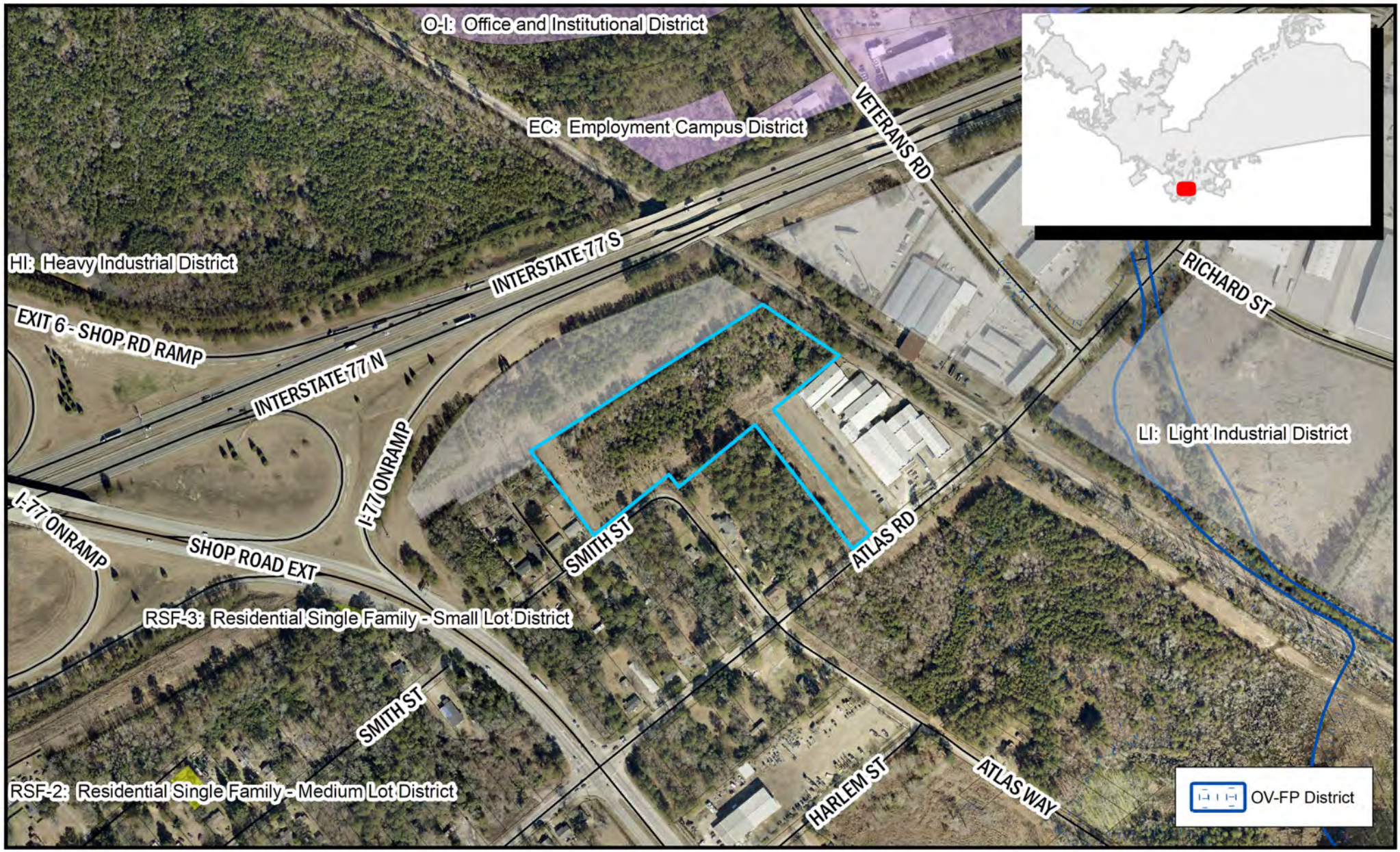
*** DATA SOURCE - CITY OF COLUMBIA, GIS DIVISION*

Zoning Map

1709 Smith Street, TMS# 16301-02-06;
Current Rich. Co. Zoning: M-1, Proposed City Zoning: LI



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*** DATA SOURCE - CITY OF COLUMBIA, GIS DIVISION*

STATE OF SOUTH CAROLINA)
)
COUNTY OF RICHLAND)

PETITION FOR ANNEXATION

The undersigned, being the owner(s) of the properties described below hereby petition(s) the Mayor and City Council for annexation to the City of Columbia, South Carolina pursuant to S.C. Code Ann. Section 5-3-150, 1976, as amended.

Property Description: All that certain piece, parcel or lot of land, with the improvements thereon, situate, lying and being near the City of Columbia, in the County of Richland, State of South Carolina, and being more fully shown and delineated as Tract "B", 6.37, acres, more or less, on a Boundary Survey prepared for 1-77 ATLAS, LLC by Jay S. Joshi, PLS# 14811, dated September 26, 2022 and recorded October 3, 2022 in the Office of the Register of Deeds for Richland County in Book 2784 at Page 3236. Reference is made to said plat for a more complete and accurate description. All measurements being a little more or less.

Richland County TMS: 16301-02-06

Property Addresses: 1709 Smith Street

I-77 Atlas, LLC

BY: _____ Date: 10/28/22
(Signature)

GEORGE McCUTCHEN ITS: MANAGING MEMBER
(Print or Type Name) (Print or Type Title)

LINE	BEARING	DISTANCE
L1	S50°40'08"W	99.87'
L2	S51°02'24"W	74.84'
L3	N39°36'37"W	50.02'
L4	S50°38'38"W	87.00'
L5	N39°21'22"W	50.00'
L6	S50°46'21"W	306.42'
L7	N39°17'33"W	303.23'
L8	N59°18'59"W	111.66'
L9	N27°16'00"E	108.57'
L10	N66°50'46"E	79.09'

LINE	CHORD BEARING	CHORD	RADIUS
C1	N46°55'20"E	567.65'	838.32'

N

W E

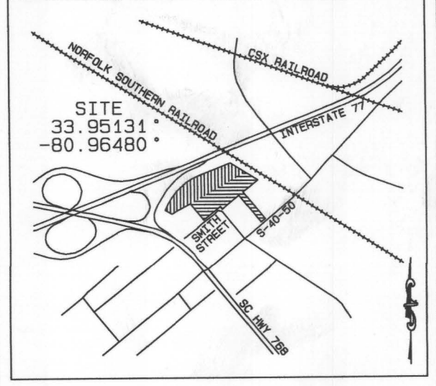
S

SC STATE PLANE
COORDINATE SYSTEM
NAD 83 (2007)
GRID NORTH

LEGEND AND ABBREVIATIONS:

- ⊙ = IRON PIN FOUND WITH DESCRIPTION
- ⊠ = CONCRETE R/W MARKER FOUND
- ● = IRON PIN SET (#5 REBAR)
- PP = POWER POLE
- SMH = SEWER MANHOLE
- = SURVEYED PROPERTY LINE
- = UNSURVEYED PROPERTY LINE
- = TIE LINE
- = RIGHT-OF-WAY
- = CITY OF COLUMBIA LIMITS
- = RAILROAD C/L RAILS
- = UTILITY EASEMENT
- = FENCE LINE
- = OVERHEAD POWER LINE
- OT = OPEN TOP IRON
- PT = PINCH TOP IRON
- ROD = SOLID ROUND BAR

SITE MAP N.T.S.



GRAPHIC SCALE 1"=100'

0 100 200 300

Book 2784-3236
2022055478 10/03/2022 12:21:13:847 Plat Oversized
Fee: $25.00 County Tax: $0.00 State Tax: $0.00
2022055478 John T. Hopkins II Richland County R.O.D.

INTERSTATE 77
VARIABLE R/W
SCDOT FILE 40.277A

EAST RICHLAND COUNTY PUBLIC SERVICE DISTRICT SEWER FORCE MAIN WITHIN SCDOT R/W

N68°12'44"E 439.54'

SCDOT CONTROLLED ACCESS FENCE ALONG PROPERTY LINE

99.8'

IPF-#5RB

S57°48'03"E 253.02'

99.6'

IPF-.5"OT

S57°48'03"E 211.97'

99.3'

IPF-1"OT

171.53'

S51°04'15"W

IPF-1"OT

IPF-#4RB

NORFOLK SOUTHERN RAILROAD
(200' R/W CORRIDOR)

CMF-R/W

L10

TRACT "A"
R16301-02-12

IN THE
CITY LIMITS

6.84 ACRES

BILLBOARD SIGN

10' OVERHEAD POWER LINE MAINTENANCE EASEMENT EACH SIDE OF LINE PER RECORD BOOK 892-2155

C1

CITY OF COLUMBIA LIMITS N60°23'15"E 910.66'

S60°23'15"W 910.66'

UNINCORPORATED RICHLAND COUNTY

TRACT "B"
R16301-02-06

NOT INCLUDED IN
THE CITY LIMITS

6.37 ACRES

50' CITY OF COLUMBIA SANITARY SEWER EASEMENT
CIP# SS7076-02, CF# 220-434

APPROXIMATE LOCATION 48" WATERLINE WITH 15' (7.5' EACH SIDE) EASEMENT

L9

CMF-R/W

IPF-1"PT

S60°59'19"W 310.56'

L8

IPS

L7

25'

L6

L5

L4

IPS

IPF-#4RB

S50°38'11"W 225.06'

S39°13'27"E 500.45'

N39°12'30"W 449.91'

R16301-02-04
N/F
1703 ATLAS, LLC
D R2217-568
P R2217-567

R16204-03-02
N/F
SWEET HOME
BAPTIST CHURCH
D R625-2296
P R625-2299

L1

L2

L3

IPF-1/2"SQ OT

IPF-1"OT

IPF-#4RB

ATLAS ROAD (S-50)

40.299 (1967) 33' R/W PER SCDOT FILES: 40.495 (1959) & 40.499A (1996)

TIE LINE N53°41'35"E 553.69'
TO INTERSECTION OF ATLAS ROAD AND
NORFOLK SOUTHERN RAILROAD CROSSING.

R13516-05-02
N/F
WOLFE
D R587-264
P 2-425

R16204-02-01
N/F
EDWARDS
D 343-531
P V-70

R16204-01-01
N/F
EDWARDS
D 354-375
P V-70

R16204-02-02
N/F
BOOTH
D R2323-1048
P V-70

R16204-02-03
N/F
THOMAS
D R2525-3300
P V-70

HOUSE
2.4' FROM
PROPERTY
LINE

SMITH STREET (S-2192)
50' R/W

R16204-02-04
N/F
THOMAS
D R2465-3416
P 20-230

R16204-03-03
N/F
WOLFE
D R1210-1477
P 0-132

R16204-03-04
N/F
CITY OF COLUMBIA
D D888-447
P D888-450

UTILITY REFERENCES:
AS-BUILT OF PLANS PREPARED FOR THE CITY OF COLUMBIA SHOWING WATER AND SEWER RELOCATION FOR I-77 DATED JANUARY 1987 AND LAST REVISED 5-31-1988. AVAILABLE FROM THE CITY ENGINEERS OFFICE UNDER FILE 160-40.
AN EASEMENT TO SCE&G (NOW DOMINION) DOCUMENTING A 10' MAINTENANCE EASEMENT EITHER SIDE OF DISTRIBUTION LINES RECORDED IN THE ROD OFFICE OF RICHLAND COUNTY RECORD BOOK 892 ON PAGE 2155.
AS-BUILT DRAWINGS OF A SANITARY SEWER RELOCATION PROJECT BY POWER ENGINEERING DATED 11-25-2014. AVAILABLE FROM THE CITY ENGINEERS OFFICE UNDER FILE CF# 220-434.

PROPERTY REFERENCES:
SHEET 31 OF SCDOT PLANS IN FILE# 40.277A DATED 2-5-1988 WHICH SHOWS A QUITCLAIM OF ACREAGE TO TILLMAN WILLIAMS ON 5-8-1996.
A QUITCLAIM DEED FROM SCDOT TO TILLMAN WILLIAMS FOR 7 (+/-) ACRES DATED 5-8-1996 RECORDED IN THE ROD OFFICE OF RICHLAND COUNTY IN RECORD BOOK 603 ON PAGE 1722.
A TITLE TO REAL ESTATE OF TWO PARCELS TOTALING 6.68 ACRES MORE OR LESS IN THE NAME OF CHARLES L. DOWEY, DATED 2-6-2004 RECORDED IN THE ROD OFFICE OF RICHLAND COUNTY IN RECORD BOOK 901 ON PAGE 3602.
A TITLE TO REAL ESTATE IN THE NAME OF CHARLES L. DOWEY TRANSFERRING 0.86 ACRES FROM TMS# 16204-03-01 TO TMS#16301-02-06 DATED 11-15-2012, RECORDED IN THE ROD OFFICE OF RICHLAND COUNTY IN RECORD BOOK 1812 ON PAGE 2904.
A TITLE TO REAL ESTATE IN THE NAME OF "THE MARWIN COMPANY" TRANSFERRING 1.15 ACRES FROM TMS# 16301-02-06 TO TMS#16301-02-04 DATED 11-15-2012, RECORDED IN THE ROD OFFICE OF RICHLAND COUNTY IN RECORD BOOK 1812 ON PAGE 2910.
A PLAT OF PROPERTY SURVEYED FOR JESSE E. DAVIS & MARION T. DAVIS SHOWING 5.53 ACRES BY B.P. BARBER DATED AUGUST 27, 1959 RECORDED IN THE ROD OFFICE OF RICHLAND COUNTY IN BOOK 15 ON PAGE 33.
A PLAT PREPARED FOR J. EDWIN DAVIS & MARION H. DAVIS SHOWING 0.86 ACRES BY COX & DINKINS DATED NOVEMBER 12, 2012, RECORDED IN THE ROD OFFICE OF RICHLAND COUNTY IN RECORD BOOK 1812 ON PAGE 2700.
A PLAT PREPARED FOR THE MARWIN COMPANY, INC. SHOWING 1.15 ACRES BY COX & DINKINS DATED NOVEMBER 7, 2012, RECORDED IN THE ROD OFFICE OF RICHLAND COUNTY IN RECORD BOOK 1812 ON PAGE 658.
SHEET 15 OF SCDOT ROADWAY PLANS IN FILE 40.299, SHEET 8 OF SCDOT ROADWAY PLANS IN FILE 40.495, & SHEET 7 OF SCDOT ROADWAY PLANS IN FILE 40.499A SHOWING S-40-50 ALSO KNOWN AS ATLAS ROAD

SOUTH CAROLINA
REGISTERED LAND SURVEYOR
No. 14811
JAY S. JOSHI

SOUTH CAROLINA
CONSTRUCTION SUPPORT SERVICES
No. C02425
CERTIFICATE OF AUTHORIZATION

EXEMPTION FROM REVIEW PROCESS
THIS PLAT IS A SURVEY OF EXISTING LOTS OF RECORD WITH NO CHANGES TO EXISTING LOT LINES.

JAY S. JOSHI PLS# 14811

FLOOD STATEMENT

I HEREBY CERTIFY THAT I HAVE CONSULTED THE FEDERAL INSURANCE ADMINISTRATION FLOOD HAZARD BOUNDARY MAPS AND FOUND THAT THE PROPERTY DESCRIBED AND SHOWN HEREON IS NOT LOCATED IN A SPECIAL FLOOD HAZARD AREA AS SHOWN ON MAP NUMBER 45079C0379L, LAST REVISED 12-21-2017.

BOUNDARY SURVEY
PREPARED FOR:

I-77 ATLAS, LLC

OF:

TRACT "A"

LOCATED WITHIN THE CITY LIMITS OF COLUMBIA
TMS# R16301-02-12 (6.84 AC)

&

TRACT "B"

LOCATED ADJACENT TO THE CITY OF COLUMBIA
TMS# R16302-02-06 (6.37 AC)

RICHLAND COUNTY, SC

THIS PARCEL MAY BE SUBJECT TO EASEMENT AND/OR RIGHT-OF-WAYS NOT SHOWN. FINAL RESULTS, CONCLUSIVE OF TITLE SEARCH

I HEREBY CERTIFY THAT TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF, THE SURVEY SHOWN HEREIN WAS MADE IN ACCORDANCE WITH THE REQUIREMENTS OF THE MINIMUM STANDARDS MANUAL FOR THE PRACTICE OF LAND SURVEYING IN SOUTH CAROLINA, AND MEETS OR EXCEEDS THE REQUIREMENTS FOR A CLASS "A" SURVEY AS SPECIFIED THEREIN; ALSO THERE ARE NO VISIBLE ENCROACHMENTS OR PROJECTIONS OTHER THAN SHOWN.

JAY S. JOSHI PLS # 14811
P.O. BOX 90408, COLUMBIA, SC, 29290 803-776-9909

DATE: SEPTEMBER 28, 2022 JOB #083022S

We Are Columbia

MEETING DATE: **February 21, 2023**

DEPARTMENT: **Planning and Development Services**

FROM: ***Krista Hampton, Director***

SUBJECT: **ANNEXATION, FUTURE LAND USE MAP AMENDMENT, AND ZONING MAP AMENDMENT for 2601 Two Notch Road and 1608 Germany Street; TMS# 11512-01-11**

FUNDING SOURCE & ORIGINAL BUDGET:

CLEAN WATER 2020?: **No**

PURPOSE:

Ordinance No.: 2023-005 - Annexing 2601 Two Notch Road and 1608 Germany Street, Richland County TMS #11512-01-11 into the City of Columbia, South Carolina, and Incorporating said property into Columbia Compass: Envision 2036 and the Official Zoning Map

Council District: 2

Proposal: Request to annex the property and assign a land use classification of Urban Edge Multi-family (UEMF) and assign zoning of Community Activity Center/Corridor District (CAC) at the time of annexation. The property is currently classified as Mixed Residential (High Density) and zoned GC by Richland County.

Applicant: Laurie E. Flowers and Tammy M. Flowers / Jacqueline Bowman

Staff Recommendation: Approval

PC Recommendation: 12/08/2022; Approval (7-0)

First reading approval was given on February 7, 2023.

ATTACHMENTS:

- **#a:** ANNEX-2022-0032_TwoNotch2601_ZPH (PDF)
- #b: 2023-005 - Annex and Incorporate 2601 Two Notch Road and 1608 Germany Street (PDF)
- #c: Offer_Notice_TwoNotch2601Germany (PDF)

- #d: TwoNotch2601Germany_Petition - Revised (PDF)

HISTORY:

02/07/23	**Columbia City Council**	**APPROVED ON FIRST READING.**

CITY COUNCIL

February 7, 2023 at 4:00pm
City Hall, 3rd floor Council Chambers, 1737 Main Street, Columbia, SC 29201

ANNEXATION, FUTURE LAND USE MAP AMENDMENT, AND ZONING MAP AMENDMENT CASE SUMMARY
2601 Two Notch Road and 1608 Germany Street; TMS# 11512-01-11

Council District: 2

Proposal: Request to annex the property and assign a land use classification of Urban Edge Multi-family (UEMF) and assign zoning of Community Activity Center/Corridor District (CAC) at the time of annexation. The property is currently classified as Mixed Residential (High Density) and zoned GC by Richland County.

Applicant: Laurie E. Flowers and Tammy M. Flowers / Jaqueline Bowman

Staff Recommendation: Approval

PC Recommendation: 12/08/2022; Approval (7-0)

ZPH, 1st Reading: 02/07/2023; Pending

2nd Reading: 02/21/2023; Pending

CURRENT PARCEL CHARACTERISTICS/CONDITIONS

Acreage: 0.12 acres
Current Use: Commerical
Proposed Use: Commercial
Reason for Annexation: Municipal Ordinances
Urban Service Area: Donut Hole- Primary
Current County Land Use Classification: Mixed Residential (High Density)
Proposed City Land Use Classification: Urban Edge Multi-family (UEMF)
Current County Zoning: General Commercial (GC)
Proposed City Zoning: Community Activity Center/Corridor District (CAC)
Census Tract: 9

DETERMINATION FOR CITY SERVICES

The following determination is an estimate of the benefits and costs associated with the annexation of the subject property:

Police
The Columbia Police Department does not object to this proposed annexation. As with most annexations, we find that the proposed annexation may result in an increased number of calls for service. The estimated cost to serve this proposed business would be **approximately $1,100 per year,** based on calls to similar commercial properties within the City limits.

Fire
The proposed annexation will not result in significant additional costs or impact services being provided by this department. Annexation would lower the ISO rating of this property to a Class 1 from a Class 2.

Solid Waste
The Solid Waste Division does not typically provide service to commercial properties. Some low-volume commercial establishments may be eligible for roll cart service.

Engineering
Because water and sewer lines currently exist in this area, Utilities and Engineering **will not incur any costs** associated with this annexation.

Water Customer Care
The customer on the property will pay water and sewer rates approximately **40% lower** than out-of-city customers.

Planning & Development Services
We recommend approval of the annexation of this property, which is within an area designated as Donut Hole – Primary within the Urban Service Area plan. The proposed use of the property is pet grooming and services, and the estimated real estate tax revenue generated for the City would be **approximately $850 per year** based on the estimated taxable value of this property.

* Estimated City Tax Revenue is based on **2022 millage** for real property and calculated as: ((Taxable Value × Tax Rate) × City Millage Rate (.0938)). The actual additional taxes paid by the property owner will generally be substantially lower as some millage items do not apply to in-City properties, and an increased Local Option Sales Tax credit factor applies to in-City properties (an additional .002321 for the 2022 tax year).

PLANS, POLICIES, AND LAND USE

Urban Service Area

Subject property is in a "Donut Hole- Primary" as identified in the Urban Service Area Map

Principles and Goals of the Urban Service Area
The Urban Service Area identifies those areas the City of Columbia wishes to provide with urban services. Primary emphasis will be given to annexing developed areas adjoining the City limits and "islands" of unincorporated territory surrounded by the City. Primary, secondary, and long-range annexation priorities for specific areas may be identified. Secondary areas may include higher value properties which assist the City in achieving a more balanced economic base.

Donut Holes - Primary are the donut holes where services are readily available and the infrastructure is generally good. These services include fire, police, sanitation, and utilities.

Annexation within an area classified as *Donut Hole - Primary* is the highest priority. Barring unanticipated circumstances, annexation of these areas is recommended, and staff should work with individual property owners or neighborhoods/developments to encourage and expedite annexation.

Donut Holes are unincorporated areas that are completely surrounded by the City of Columbia and/or another municipality, or areas surrounded by the City of Columbia and a major geographical feature, such as a river. These areas pose a number of challenges to the City that can be addressed through annexation. Often, these are areas that were developed before the City or any municipality became adjacent, and may lack easy access to City utilities or other services.

Donut Holes can often cause inefficiencies in the delivery of services due to confusion about jurisdiction, and if the land is in a jurisdiction with a different approach to code enforcement, these areas can negatively impact the quality of life for adjacent City residents. Such inefficiencies can impact property owners and residents, both within and outside of the municipal boundaries, through confusion over services as well as added operational costs to local government. This results in a greater financial impact to City residents, who pay both City and County taxes

Comprehensive Plan Land Use Classification

The proposed future land use classification for the subject property is Urban Edge Multi-family (UEMF) in the *Columbia Compass: Envision 2036* Future Land Use Map. The property is currently designated as Mixed Residential (High Density) by Richland County.

Urban Edge Multi-family is primarily a single-use development type consisting of multi-family subdivisions in the outer areas of the City. The development is most common after the 1960s and is also a component in the Urban Edge Mixed Residential Development Type. Urban Edge Multi-family developments are characterized by an internal street network of loops and circles with significant surface parking. Often, these developments focus internally and include shared community facilities like pools, clubhouses, and recreation centers.

Primary Types

- Multi-family Small to High-rise

Secondary Types

- Single-family Attached
- Multi-family Mixed-use small to High-rise

Tertiary Types

- Civic/Institutional Small
- Business/Employment Small (excl. Flex)
- Parking Structures & Lots

Existing Neighborhood, Small Area, Community, and/or Corridor Plans

The subject property is located within the study area of *A Plan for the Redevelopment of East Central City* (2004), within Cluster Three. The Plan's site analysis identified the property as an area for potential redevelopment (Section 3A, Page 12). The Plan suggests a land use of Institutional for the subject property (Section 4A, Page 1). The plan does not identify any catalyst projects on or adjacent to the subject property.

PROPOSED ZONING DISTRICT SUMMARY

The parcel is currently zoned GC by Richland County. Surrounding parcels within the City of Columbia are currently zoned Residential Single Family- Small Lot District (RSF-3) to the North and West, Community Activity Center/Corridor District (CAC) to the East and South, and Residential Mixed District (RM-1) to the South.

The proposed City of Columbia zoning district is Community Activity Center/Corridor District (CAC).

Community Activity Center/Corridor District (CAC)

The purpose of the Community Activity Center/Corridor (CAC) District is to provide lands that accommodate moderate-density, walkable, and medium-scale mixed-use development, and commercial development that serves multiple neighborhoods. Some auto-oriented uses are allowed, but the design and location of those uses must be compatible with and support pedestrian-oriented development Allowed uses include live/work and multi-family dwellings, mixed-use, offices, recreation/entertainment, cultural facilities, restaurants, and drinking establishments.

STAFF RECOMMENDATION

Staff recommends the assignment of a future land use classification of Urban Edge Multi-Family (UEMF) and zoning of Community Activity Center/Corridor District (CAC) at the time of annexation.

02/08/2021

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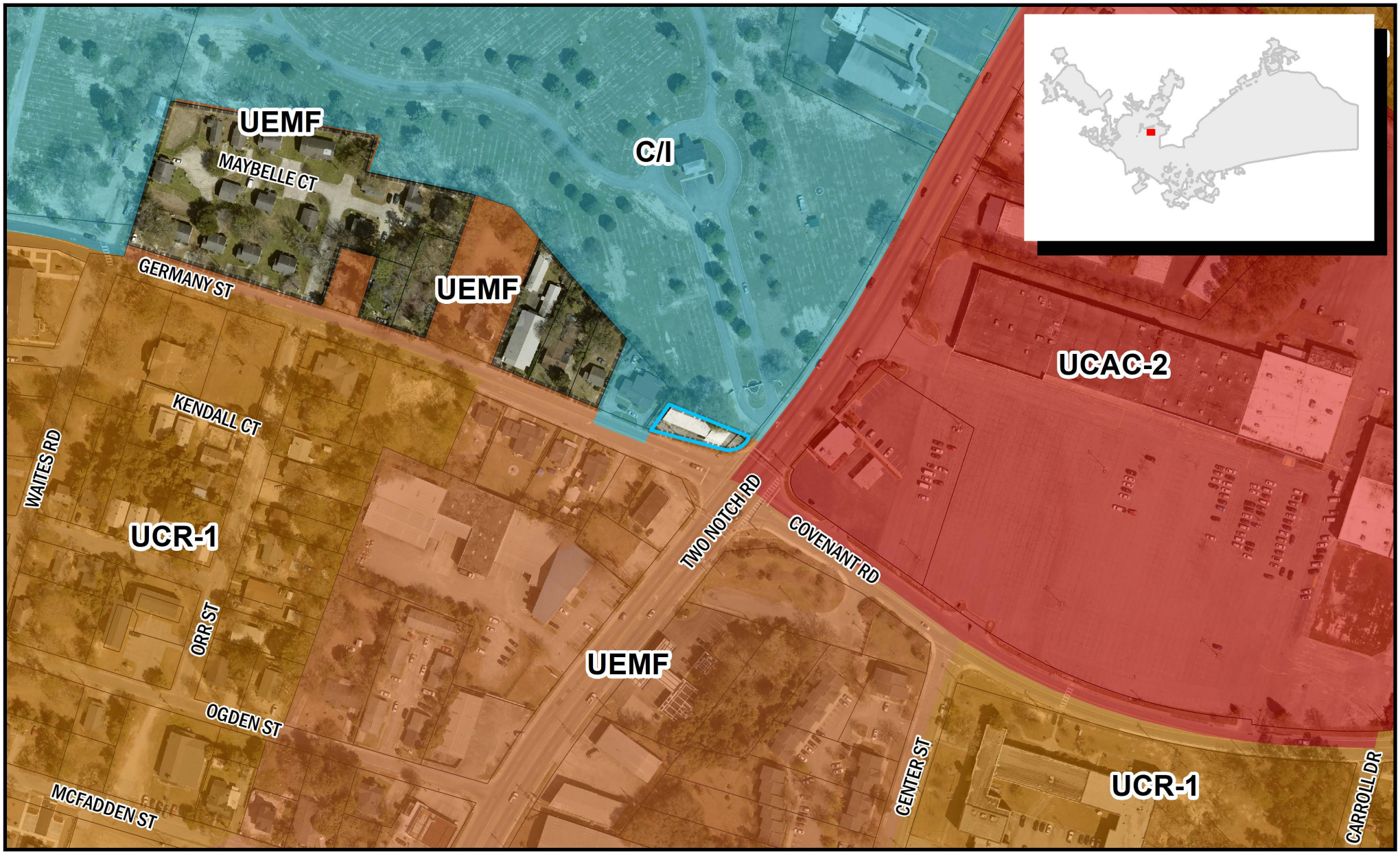
Future Land Use Map

2601 Two Notch Rd. and 1608 Germany St, TMS# 11512-01-11;
Current Rich. Co. FLU: Mixed Residential (High Density), Proposed City FLU: UEMF



Department of Planning & Development Services

ORIGINAL PREPARATION/DATE:
This map was prepared by:

Shane Shaughnessy
Date: 11/17/2022

We Are Columbia

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CITY OF COLUMBIA PLANNING DEPARTMENT
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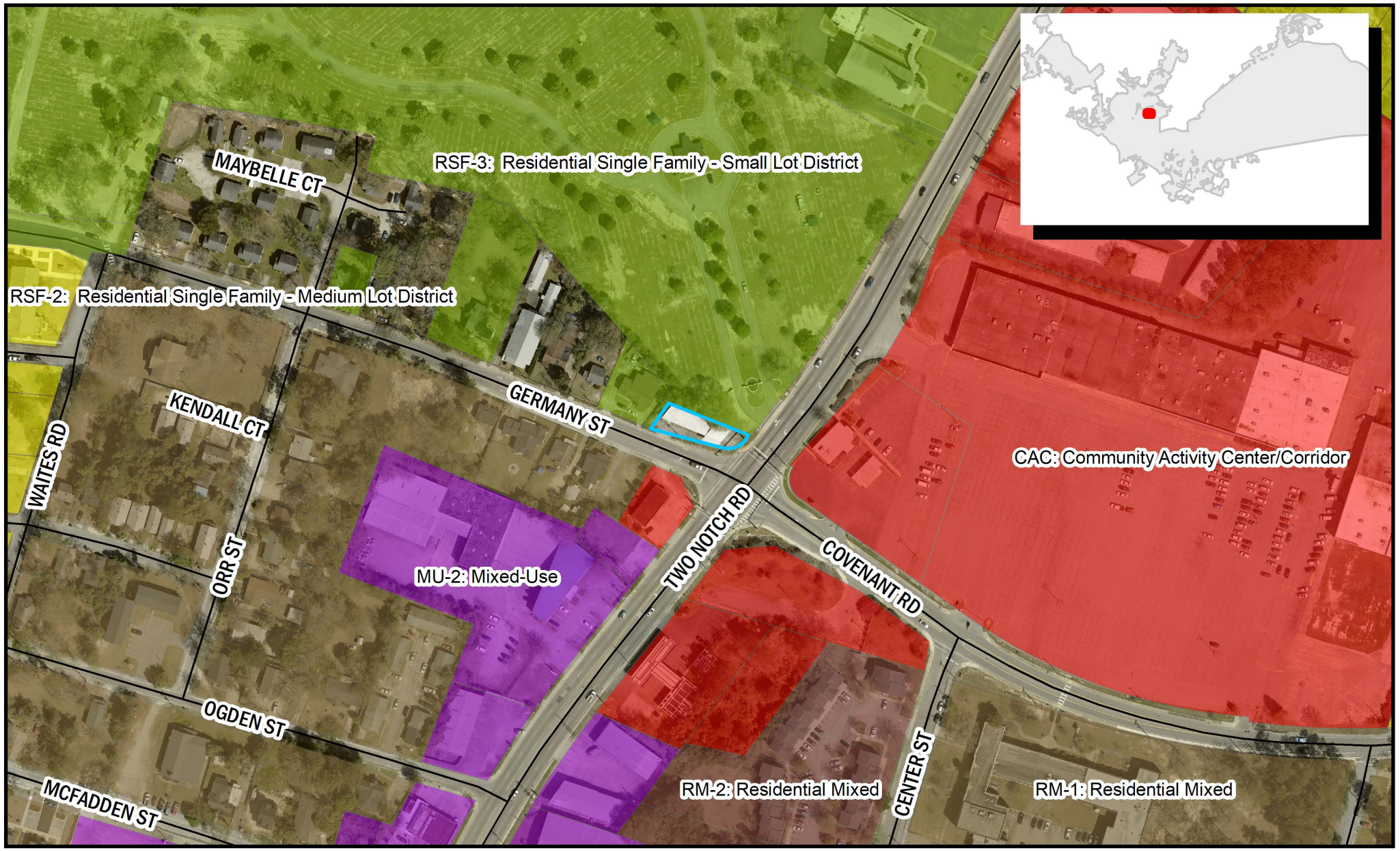
*** DATA SOURCE - CITY OF COLUMBIA, GIS DIVISION*

Zoning Map

2601 Two Notch Rd. and 1608 Germany St, TMS# 115
Current Rich. Co. Zoning: GC, Proposed City Zoning: CAC



Department of Planning & Development Services

ORIGINAL PREPARATION/DATE:
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Date: 11/17/2022

We Are Columbia

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DISCLAIMER:
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*** DATA SOURCE - CITY OF COLUMBIA, GIS DIVISION*

Proposed Future Land Use Classification

Development Types

URBAN EDGE MULTI-FAMILY (UEMF)

Urban Edge Multi-family is primarily a single-use development type consisting of multi-family subdivisions in the outer areas of the City. The development is most common after the 1960s and is also a component in the Urban Edge Mixed Residential Development Type. Urban Edge Multi-family developments are characterized by an internal street network of loops and circles with significant surface parking. Often, these developments focus internally and include shared community facilities like pools, clubhouses, and recreation centers.

UEMF BUILDING TYPES/LAND USES

PRIMARY TYPES

- Multi-family Small to High-rise

SECONDARY TYPES

- Single-family Attached
- Multi-family Mixed-use Small to High-rise

TERTIARY TYPES

- Civic/Institutional Small
- Business/Employment Small (excl. Flex)
- Parking Structures & Lots

See matrix for appropriate park/open space types.

Development Types

UEMF DEVELOPMENT PATTERN/CONTEXT

- An interconnected network of streets and small blocks, typically in a rectilinear or grid pattern with a secondary network of alleys, form walkable, pedestrian-oriented neighborhoods with sidewalks and on-street parking.
- Transit access in or at the perimeter of the development is encouraged.
- Buildings face the street and are located close to the street or lot line.
- Buildings may include interior courtyards.
- Structures typically have dedicated parking areas in garages adjacent to or underneath the building, in on-street parking, or in parking lots.
- Open spaces may be in the form of retention lakes and ponds. Clubhouses, pools, tennis courts, and recreation areas may also be part of the open or park spaces in a multi-family development.
- Architectural styles may be varied, but buildings will typically have vertical emphasis and front entrances on the street; front porches, stoops, and/or balconies are common.

Proposed Zoning District

(f) CAC: Community Activity Center/Corridor District

(1) Purpose

The purpose of the Community Activity Center/Corridor (CAC) District is to provide lands that accommodate moderate-density, walkable, and medium-scale mixed-use development, and commercial development that serves multiple neighborhoods. Some auto-oriented uses are allowed, but the design and location of those uses must be compatible with and support pedestrian-oriented development

Allowed uses include live/work and multi-family dwellings, mixed-use, offices, recreation/entertainment, cultural facilities, restaurants, and drinking establishments.

(2) Use Standards

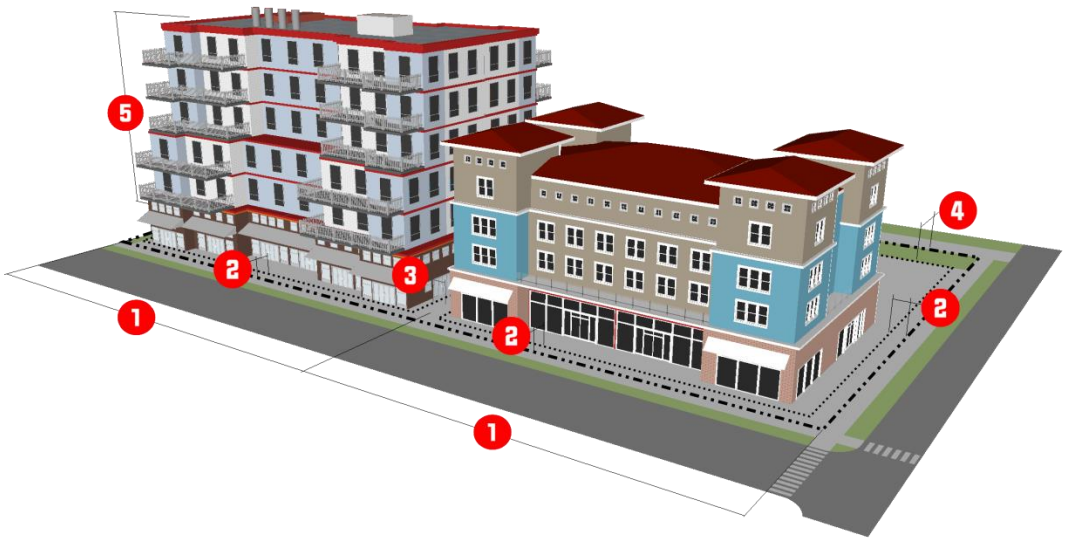
Allowed uses and use-specific standards for principal, accessory, and temporary uses are established in Article 4: Use Regulations.

(3) Intensity and Dimensional Standards

	Standard		Multi-family and Mixed-Use	All Other Uses
	Lot Area, min. (sf.)		10,000	5,000
1	Lot Width, min. (ft.)		75	50
	Lot Coverage, max. (% of site area)		N/A	
	Density, max. (du/acre)		N/A	
2	Front Yard Setback, (ft.)	Min.	5 [1]	
		Max.	15 [1]	
3	Side Yard Setback, min. (ft.)		0 to 5	
4	Rear Yard Setback, min. (ft.)		20	
5	Building Height, max. (ft.)		75	

Notes: ft. = feet sf. = square feet du. = dwelling unit

[1] In lieu of this standard, the Zoning Administrator may approve a front yard setback that is within 90 percent and 110 percent of the average front yard setback for properties on the same block face, if more than 50 percent of the lots on the block face have buildings.



(1) Reference to Other Standards			
Sec. 17-5.1	Access, Mobility, and Circulation	Sec. 17-5.8	Fences and Walls
Sec. 17-5.2	Off-Street Parking, Bicycle Parking	0	Exterior Lighting
Sec. 17-5.3	Landscaping	0	Signs
Sec. 17-5.4	Tree Protection	Sec. 17-5.11	Green Building Standards
Sec. 17-5.5	Open Space	Sec. 17-6.2	Minimum Design Standards
Sec. 17-5.6	Neighborhood Compatibility	0	Improvements and Sureties
Sec. 17-5.7	Form and Design Standards	Article 9	Definitions and Rules of Measurement

ORDINANCE NO.: 2023-005

Annexing 2601 Two Notch Road and 1608 Germany Street, Richland County TMS #11512-01-11 into the City of Columbia, South Carolina, and Incorporating said property into Columbia Compass: Envision 2036 and the Official Zoning Map

WHEREAS, a proper petition has been filed with the City Council by one hundred (100%) percent of the property owners of the within described property under the provisions of South Carolina Code Ann. § 5-3-150; and,

WHEREAS, it appears to City Council that the annexation of the property would be in the best interest of the property owners and the City of Columbia; and,

WHEREAS, City Council adopted Columbia Compass: Envision 2036 as the City of Columbia Comprehensive Plan by Ordinance No.: 2020-028 along with all the maps and policies contained therein, and amended from time to time, in accordance with the South Carolina Comprehensive Planning Act of 1994 (§6-29 of the SC Code); and,

WHEREAS, the City of Columbia has adopted the Unified Development Ordinance (UDO) by Ordinance No.: 2019-013 and Official Zoning Map of the City of Columbia, S.C. by Ordinance No.: 2021-001, both amended from time to time, in accordance with the authority in Title VI of the SC Code; and

WHEREAS, pursuant to Sec. 17-1.7(c) of the UDO, annexation may be considered concurrent with amendments to the Comprehensive Plan and the Zoning Map; and

WHEREAS, the City of Columbia Planning Commission has reviewed the proposed future land use and zoning classifications of the property, and made a recommendation to City Council in accordance with §6-29 of the SC Code and §17-2.5 of the UDO; and

WHEREAS, the Columbia City Council has held a public hearing in accordance with §17-2.4(f) of the UDO and §6-29-760 of the SC Code; and

WHEREAS, the Columbia City Council has determined that the proposed land use classification is appropriate for the property, and the proposed zoning district meets one or more of the criteria set forth by §17-2.5(c)(4), Zoning Map Amendment Decision Standards, of the UDO; NOW THEREFORE,

BE IT ORDAINED by the Mayor and City Council of the City of Columbia, South Carolina this _____ day of _____, 2023, that:

1. The above recitals and findings are incorporated herein by reference and made a part of this Ordinance.

2. The property identified as 2601 Two Notch Road and 1608 Germany Street and TMS# 11512-01-11 containing 0.12 acre, further identified in Attachment A, is hereby annexed to and becomes a part of the City of Columbia, and is incorporated into Columbia Compass: Envision 2036 and the Official Zoning Map, effective immediately.

3. This property shall be apportioned to City Council District #2, Census Tract 9, and assigned a future land use classification of Urban Edge Multi-family (UEMF) and zoning of Community Activity Center/Corridor District (CAC).

LEGAL DEPARTMENT DRAFT

PROPERTY DESCRIPTION: See Attached Exhibit "A"

Richland County TMS NOS.: 11512-01-11

Also included in the territory hereby annexed are all contiguous portions of all public rights of way, streets and highways.

Requested by:

Assistant City Manager Gentry

Approved by:

City Manager

Approved as to form:

Deputy City Attorney

Introduced:
Final Reading:

Mayor

ATTEST:

City Clerk

LEGAL DEPARTMENT DRAFT

Last revised: 12/15/2022

22015052

ORDINANCE NO.: 2023-005
EXHIBIT "A"
PROPERTY DESCRIPTION

All that certain piece, parcel or lot of land, with improvements thereon, if any, situate, lying and being near the City of Columbia, in the County of Richland, State of South Carolina, containing 0.12 acre, more or less, and shown and designated as block 01, lot 11 on Richland County Tax Map 11512. Said parcel having such boundaries and measurements as are shown on said tax map.

LEGAL DEPARTMENT DRAFT

Last revised: 12/15/2022

22015052

MEMORANDUM

Office of the City Manager

TO: Department Heads

FROM: Teresa Wilson, City Manager

DATE: November 17, 2022

RE: **Property Address:** 2601 Two Notch Road and 1608 Germany Street
Richland County TMS#: 11512-01-11
Owner(s): Laurie E. Flowers and Tammy M. Flowers / Jaqueline Bowman
Current Use: Commercial
Proposed Use: Commercial
Current County Land Use: Mixed Residential (High Density)
Proposed City Land Use: Urban Edge Multi-Family (UEMF)
Current County Zoning: General Commercial (GC)
Proposed City Zoning: Community Activity Center/Corridor (CAC)
Reason for Annexation: Municipal Ordinances; Donut Hole - Primary
City Council District: 2
Census Tract: 9

The Planning & Development Services advises that the above referenced property has been offered for annexation. Attached, please find a map or drawing reflecting the property. You are directed to forward your comments and/or recommendations regarding the issue of whether to annex or not to Planning & Development Services. Planning & Development Services will compile your comments for City Council consideration.

Planning & Development Services staff will see to it that this matter is placed on the **December 8, 2022** Planning Commission agenda. Planning & Development Services staff will notify the City Attorney of the Planning Commission's zoning recommendation by forwarding a copy of this form, completed, as soon as the Planning Commission has met.

/atl
Attachments

cc:

Clint Shealy, Assistant City Manager
Jeff Palen, Assistant City Manager/CFO
Dana Higgins, Director, Engineering
Frank Eskridge, Director, Utilities
Robert Anderson, Public Works Director
Krista Hampton, Planning & Development Services
Kelly Smith, Business License Administrator
Greg Williams, Business Liasion
Tiffany Latimer, Customer Care Administrator
Todd Beiers, Building Official
Michelle Brazell, Engineering
Police Planning & Research
Alfreda Tindal, Richland Co. 911 Addressing Coordinator
Missy Gentry, Assistant City Manager
Henry M. Simons, Assistant City Manager
Teresa Knox, City Attorney
William Holbrook, Police Chief
Aubrey Jenkins, Fire Chief
Gloria Saaed, Community Development Director
George Adams, Fire Marshal
Hope Hasty, Zoning Administrator
Jacquelyn Richburg, Columbia-Richland 911
David Hatcher, Housing Official
Richland County Solid Waste Collection
Lucinda Statler, Planning Administrator
Brandon Burnette, Development Center Administrator

Planning Commission Land Use Recommendation: UEMF (Land Use classification) by 7 - 0.
on 12/8/2022 (mm/dd/yyyy).

Planning Commission Zoning Recommendation: CAC (Zoning classification) by 7 - 0.
on 12/8/2022 (mm/dd/yyyy).

(Signature of Annexation Coordinator)

02/08/2021

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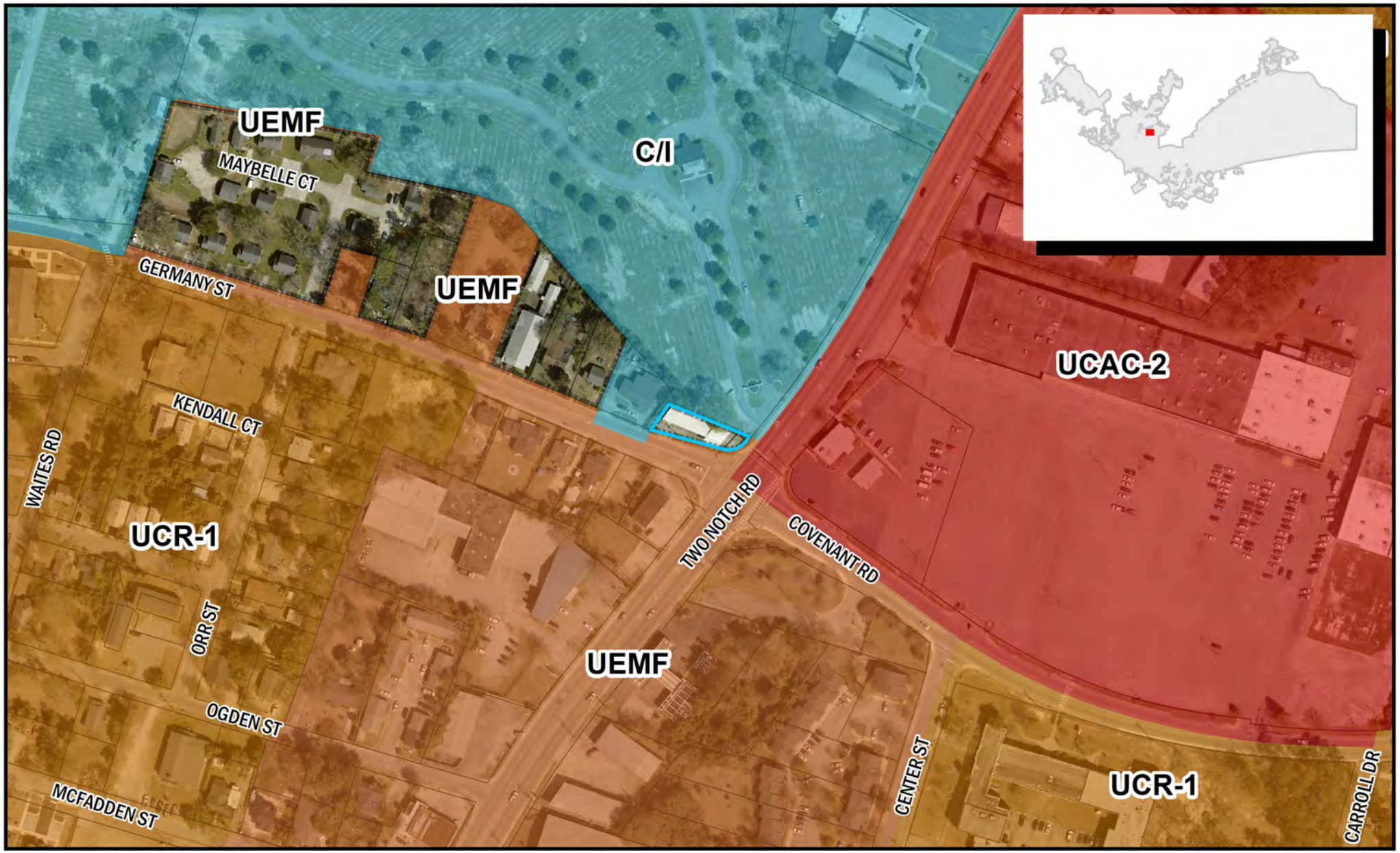
Future Land Use Map

2601 Two Notch Rd. and 1608 Germany St, TMS# 11512-01-11;
Current Rich. Co. FLU: Mixed Residential (High Density), Proposed City FLU: UEMF



Department of Planning & Development Services

ORIGINAL PREPARATION/DATE:
This map was prepared by:

Shane Shaughnessy
Date: 11/17/2022

We Are Columbia

0 50 100 200 Feet

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*** DATA SOURCE - CITY OF COLUMBIA, GIS DIVISION*

Zoning Map

2601 Two Notch Rd. and 1608 Germany St, TMS# 115
Current Rich. Co. Zoning: GC, Proposed City Zoning: CAC

Department of Planning & Development Services

ORIGINAL PREPARATION/DATE:
This map was prepared by:

Shane Shaughnessy
Date: 11/17/2022

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*** DATA SOURCE - CITY OF COLUMBIA, GIS DIVISION*

STATE OF SOUTH CAROLINA)
)
COUNTY OF RICHLAND)

PETITION FOR ANNEXATION

The undersigned, being the owner(s) of the property described below hereby petition(s) the Mayor and City Council for annexation to the City of Columbia, South Carolina pursuant to S.C. Code Ann. Section 5-3-260, 1976, as amended.

Property Description: All that certain piece, parcel or lot of land, with improvements thereon, if any, situate, lying and being near the City of Columbia, in the County of Richland, State of South Carolina, containing 0.12 acre, more or less, and shown and designated as block 01, lot 11 on Richland County Tax Map 11512. Said parcel having such boundaries and measurements as are shown on said tax map.

Richland County TMS: 11512-01-11

Property Address: 2601 Two Notch Road and 1608 Germany Street

Seller:

Laurie E. Flowers

Date: 11/4/2022

Laurie E. Flowers

Tammy N. Flowers

Date: 11/4/2022

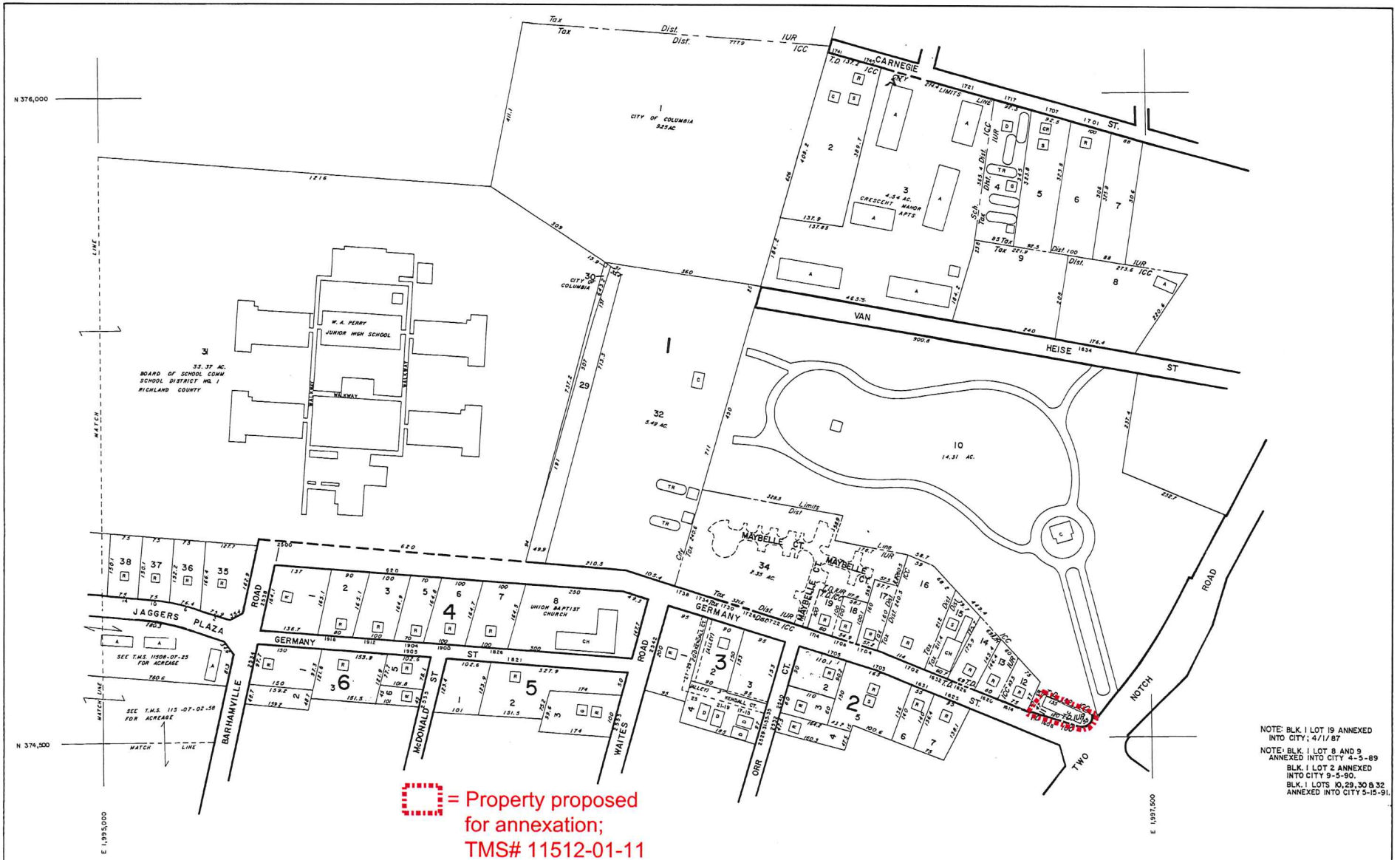
Tammy M. Flowers

Buyer:

Jacqueline Bowman

Date: 11/4/2022

Jacqueline Bowman



Prepared by KUCERA & ASSOCIATES Photogrammetric Consultants Mentor, Ohio

REVISIONS	
DATE FIELD CHECKED	DATE LAST REVISED
12/83	12/04
12/85	12/05
12/87	12/06
12/88	
	12/01
	12/02
	12/03

LEGEND

PROPERTY LINE
RIGHT OF WAY
CITY LIMITS
SCHOOL DIST
RAILROAD
PUBLIC ROAD AND BLOCK DIVIDER

DENOTES BUILDING USE
R - RESIDENTIAL
C - COMMERCIAL
ETC
DENOTES SEPARATE OWNER FROM BUILDING

BLOCK NO 50
LOT NO 50
LOT MEASUREMENT 150.5
ACREAGE 6.55 AC
ADDRESS 1204

PROPERTY TAX MAP
RICHLAND COUNTY
SOUTH CAROLINA

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MAP KEY

116-05	116-09	116-13
115-08	115-12	115-16
115-07	115-11	115-15

GRAPHIC SCALE
0 100 200 300
1" = 100'

LOCATION AND DIMENSIONS OF BUILDINGS MAY NOT BE DRAWN TO SCALE

NORTH

PROPERTY MAP SHEET NO.
11512
SCHOOL DISTRICT
ICC, IUR

We Are Columbia

MEETING DATE: **February 21, 2023**

DEPARTMENT: **Planning and Development Services**

FROM: ***Krista Hampton, Director***

SUBJECT: **ANNEXATION, FUTURE LAND USE MAP AMENDMENT, AND ZONING MAP AMENDMENT for 7611 and 7611 ½ Garners Ferry Road and 0.40 acres, S/S Fountain Lake Road; TMS# 16315-03-02 and 16315-03-05**

FUNDING SOURCE & ORIGINAL BUDGET:

CLEAN WATER 2020?: **No**

PURPOSE:

Ordinance No.: 2023-002 - Annexing 7611 Garners Ferry Road, 7611 ½ Garners Ferry Road and 0.40 acre S/S Fountain Lake Road, Richland County TMS# 16315-03-02 and TMS# 16315-03-05 into the City of Columbia, South Carolina, and Incorporating said property into Columbia Compass: Envision 2036 and the Official Zoning Map

Council District: 3

Proposal: Request to annex the property and assign a land use classification of Urban Edge Regional Activity Center (UEAC-2) and assign zoning of General Commercial District (GC) at the time of annexation. The property is currently classified as Neighborhood (Medium Density) and zoned GC by Richland County.

Applicant: H & BJ Holdings, LLC and JDR, LLC / Del Lago Ventures, Inc.

Staff Recommendation: Approval

PC Recommendation: 12/08/2022; Approval (7-0)

First reading approval was given on February 7, 2023.

ATTACHMENTS:

- **#a:** ANNEX-2022-0033_GarnersFerry7611FountainLake_ZPH(PDF)
- #b: 2023-002 - Annex and Incorporate 7611 and 7611 and a half Garners Ferry Road and 0.40 acre SS Fountain Lake Road (PDF)

- #c: Offer_Notice_GarnersFerry7611FountainLake (PDF)
- #d: GarnersFerry7611_Petition (PDF)
- #e: FountainLake0.40ac_Petition (PDF)

HISTORY:

02/07/23	**Columbia City Council**	**APPROVED ON FIRST READING.**

CITY COUNCIL

February 7, 2023 at 4:00pm
City Hall, 3rd floor Council Chambers, 1737 Main Street, Columbia, SC 29201

ANNEXATION, FUTURE LAND USE MAP AMENDMENT, AND ZONING MAP AMENDMENT CASE SUMMARY
7611 and 7611 ½ Garners Ferry Road and 0.40 acres, S/S Fountain Lake Road; TMS# 16315-03-02 and 16315-03-05

Council District: 3

Proposal: Request to annex the property and assign a land use classification of Urban Edge Regional Activity Center (UEAC-2) and assign zoning of General Commercial District (GC) at the time of annexation. The property is currently classified as Neighborhood (Medium Density) and zoned GC by Richland County.

Applicant: H & BJ Holdings, LLC and JDR, LLC / Del Lago Ventures, Inc.

Staff Recommendation: Approval

PC Recommendation: 12/08/2022; Approval (7-0)

ZPH, 1st Reading: 02/07/2023; Pending

2nd Reading: 02/21/2023; Pending

CURRENT PARCEL CHARACTERISTICS/CONDITIONS

Acreage: 1.73 acres
Current Use: Commercial
Proposed Use: Commercial
Reason for Annexation: Municipal Services
Urban Service Area: Donut Hole- Secondary
Current County Land Use Classification: Neighborhood (Medium Density)
Proposed City Land Use Classification: Urban Edge Regional Activity Center (UEAC-2)
Current County Zoning: General Commercial (GC)
Proposed City Zoning: General Commercial District (GC)
Census Tract: 116.07

DETERMINATION FOR CITY SERVICES

The following determination is an estimate of the benefits and costs associated with the annexation of the subject property:

Police
The Columbia Police Department does not object to this proposed annexation. As with most annexations, we find that the proposed annexation may result in an increased number of calls for service. The estimated cost to serve this proposed business would be **approximately $15,000 per year,** based on calls to similar commercial properties within the City limits.

Fire
The proposed annexation will not result in significant additional costs or impact services being provided by this department. Annexation would lower the ISO rating of this property to a Class 1 from a Class 2.

Solid Waste
The Solid Waste Division does not typically provide service to this type of development.

Engineering
Because water and sewer lines currently exist in this area, Utilities and Engineering **will not incur any costs** associated with this annexation.

Water Customer Care
The customer on the property will pay water and sewer rates approximately **40% lower** than out-of-city customers.

Planning & Development Services
We recommend approval of the annexation of this property, which is located within an area classified as Donut Hole – Secondary within the Urban Service Area plan. The property is proposed for redevelopment, with a potential gas station/convenience store along with the retention of an existing business; approximately half of the total development is on land that is already within the City. The real estate tax revenue generated for the City would be **approximately $6,000 per year** based on the estimated taxable value of this property after development.

* Estimated City Tax Revenue is based on **2022 millage** for real property and calculated as: ((Taxable Value × Tax Rate) × City Millage Rate (.0938)). The actual additional taxes paid by the property owner will generally be substantially lower as some millage items do not apply to in-City properties, and an increased Local Option Sales Tax credit factor applies to in-City properties (an additional .002321 for the 2022 tax year).

PLANS, POLICIES, AND LAND USE

Urban Service Area

Subject property is in a "Donut Hole- Secondary" as identified in the Urban Service Area Map

Principles and Goals of the Urban Service Area
The Urban Service Area identifies those areas the City of Columbia wishes to provide with urban services. Primary emphasis will be given to annexing developed areas adjoining the City limits and "islands" of unincorporated territory surrounded by the City. Primary, secondary, and long-range annexation priorities for specific areas may be identified. Secondary areas may include higher value properties which assist the City in achieving a more balanced economic base.

Donut Holes - Secondary are the donut holes where the ability to provide all services and/or the condition of existing infrastructure may not be at optimal levels for annexation at this time. For example, it may be that the storm drainage and/or road system is substandard or that the area is in an overburdened service area.

Annexation within an area classified as *Donut Hole - Secondary* should be considered, but an assessment of the impact on the City's revenue and ability to serve the property/area in question is needed. In areas lacking infrastructure or serviceability, the City should work towards improving these conditions in collaboration with the communities, the County, and other organizations if possible.

Donut Holes are unincorporated areas that are completely surrounded by the City of Columbia and/or another municipality, or areas surrounded by the City of Columbia and a major geographical feature, such as a river. These areas pose a number of challenges to the City that can be addressed through annexation. Often, these are areas that were developed before the City or any municipality became adjacent, and may lack easy access to City utilities or other services.

Donut Holes can often cause inefficiencies in the delivery of services due to confusion about jurisdiction, and if the land is in a jurisdiction with a different approach to code enforcement, these areas can negatively impact the quality of life for adjacent City residents. Such inefficiencies can impact property owners and residents, both within and outside of the municipal boundaries, through confusion over services as well as added operational

costs to local government. This results in a greater financial impact to City residents, who pay both City and County taxes.

Comprehensive Plan Land Use Classification

The proposed future land use classification for the subject property is Urban Edge Regional Activity Center (UEAC-2) in the *Columbia Compass: Envision 2036* Future Land Use Map. The property is currently designated as Neighborhood (Medium Density) by Richland County.

Urban Edge Regional Activity Centers are large to extra-large scale, mixed-use activity centers with region-serving commercial uses and a medium to high intensity residential component, typically with a significant open space element. They provide a daily retail and service destination for a portion of the City, typically within up to a 20-mile radius or drive distance. These activity centers are found in the outer areas of the City (frequently near highway interchanges) and are subdivided from large undeveloped tracts or as redevelopment of larger commercial sites. They are typically found at major intersections of major corridors and may occupy all quadrants of the intersection.

Primary Types

- Multi-family Mixed-use Small & Medium
- Business/Employment Small to Extra Large (incl. High-rise)

Secondary Types

- Multi-family Small to High-rise
- Civic/Institutional Small to Large
- Parking Structures

Tertiary Types

- Single-family Attached
- Cemeteries & Mausoleums
- Parking Lots

Existing Neighborhood, Small Area, Community, and/or Corridor Plans

The subject property is not located within the study area of a neighborhood, small area, community, or corridor plan adopted by the City of Columbia or Richland County.

PROPOSED ZONING DISTRICT SUMMARY

The parcel is currently zoned GC by Richland County. Surrounding parcels within the City of Columbia are currently zoned General Commercial District (GC) to the North and East. Surrounding parcels in unincorporated Richland County are currently zoned GC to the South and RM-HD to the West.

The proposed City of Columbia zoning district is General Commercial District (GC).

General Commercial District (GC)

The purpose of the General Commercial (GC) District is to provide lands that accommodate a broad range of nonresidential uses characterized primarily by retail, office, and service establishments. Development is primarily auto-oriented, serving isolated commercial areas outside of the activity centers. Allowed uses include personal services, retail sales, recreation/entertainment, commercial services, eating and drinking establishments, visitor accommodation, and vehicle sales and services.

STAFF RECOMMENDATION

Staff recommends the assignment of a future land use classification of Urban Edge Regional Activity Center (UEAC-2) and zoning of General Commercial District (GC) at the time of annexation.

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Future Land Use Map

7611 and 7611 1/2 Garners Ferry Rd. and 0.40 acres, S/S Fountain Lake Rd;
TMS# 16315-03-02 and 16315-03-05;
Current Rich. Co. FLU: Neighborhood (Medium Density), Proposed City FLU: UEAC-2

Department of Planning & Development Services

ORIGINAL PREPARATION/DATE:
This map was prepared by:

Shane Shaughnessy
Date: 11/17/2022

We Are Columbia

0 62.5 125 250 Feet

CITY OF COLUMBIA PLANNING DEPARTMENT
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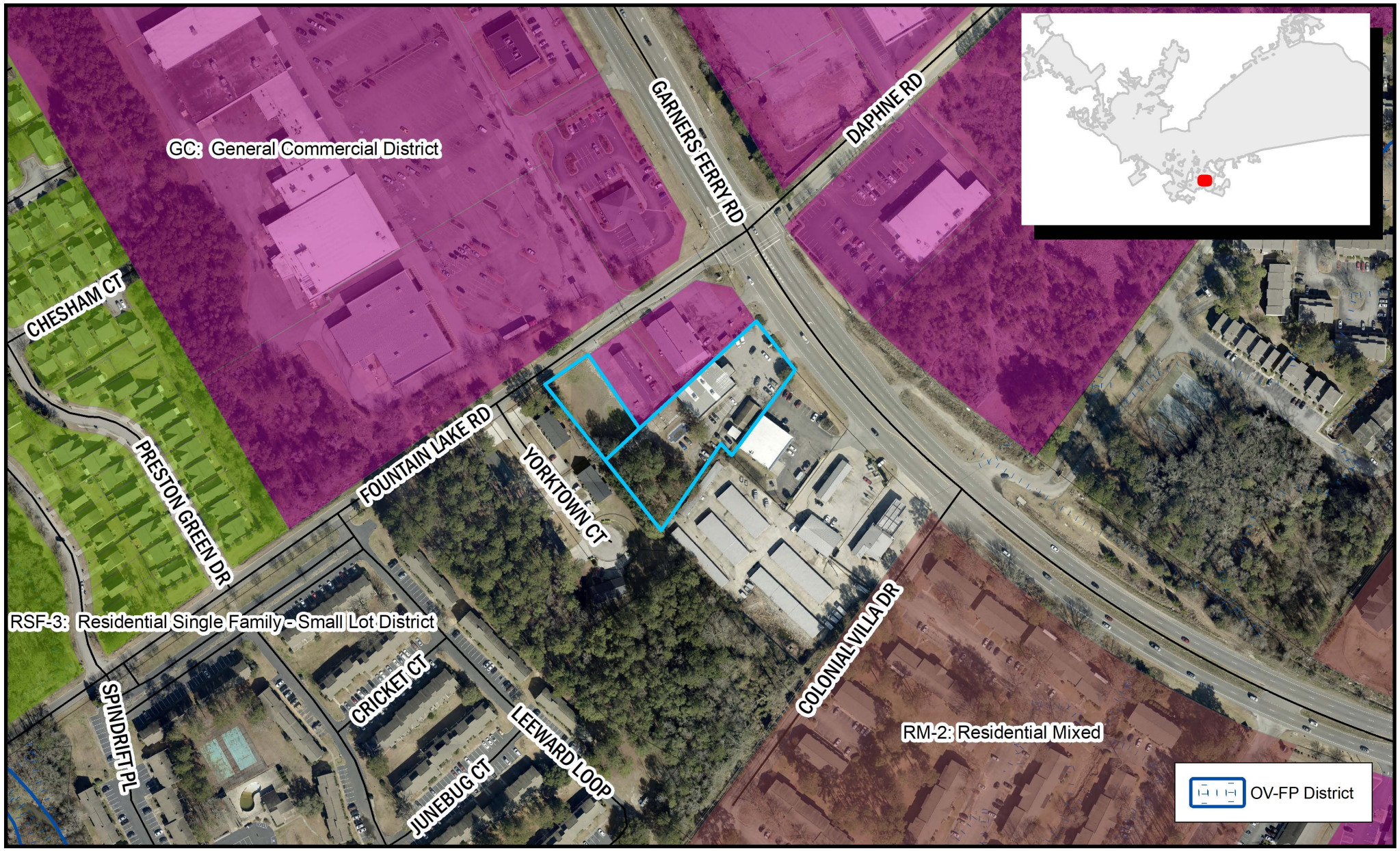
*** DATA SOURCE - CITY OF COLUMBIA, GIS DIVISION*

Zoning Map

7611 and 7611 1/2 Garners Ferry Rd. and 0.40 acrs, S/S Fountain Lake Rd;
TMS# 16315-03-02 and 16315-03-05;
Current Rich. Co. Zoning: GC, Proposed City Zoning: GC



Department of Planning & Development Services

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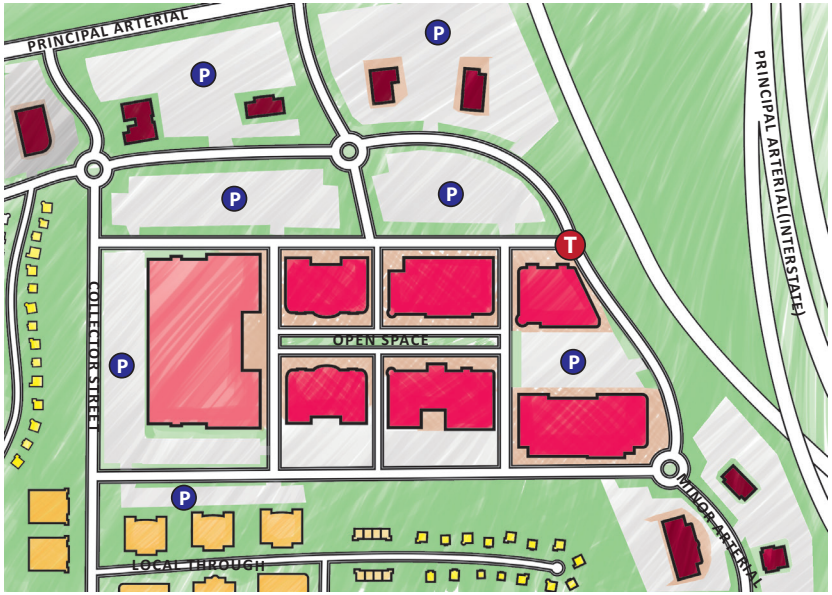
*** DATA SOURCE - CITY OF COLUMBIA, GIS DIVISION*

Proposed Future Land Use Classification

Development Types

URBAN EDGE REGIONAL ACTIVITY CENTER (UEAC-2)

Urban Edge Regional Activity Centers are large to extra-large scale, mixed-use activity centers with region-serving commercial uses and a medium to high intensity residential component, typically with a significant open space element. They provide a daily retail and service destination for a portion of the City, typically within up to a 20-mile radius or drive distance. These activity centers are found in the outer areas of the City (frequently near highway interchanges) and are subdivided from large undeveloped tracts or as redevelopment of larger commercial sites. They are typically found at major intersections of major corridors and may occupy all quadrants of the intersection.



UEAC-2 BUILDING TYPES/LAND USES

PRIMARY TYPES

- Multi-family Mixed-use Small & Medium
- Business/Employment Small to Extra Large (incl. High-rise)

SECONDARY TYPES

- Multi-family Small to High-rise
- Civic/Institutional Small to Large
- Parking Structures

TERTIARY TYPES

- Single-family Attached
- Cemeteries & Mausoleums
- Parking Lots

See matrix for appropriate park/open space types.

Development Types

UEAC-2 DEVELOPMENT PATTERN/CONTEXT

- Internal street networks may be laid out in a grid to create various block sizes and shapes, but typically do not continue the urban street grid. Ingress and egress to the primary road network may be managed by collector drives. Wide sidewalks on both sides of the street are common.
- Blocks vary in size based on tenant mix; subdivision beyond blocks may be non-existent.
- Buildings may be street-oriented or face a parking lot within a development. Buildings often have a larger footprint and are stand-alone single-use structures or are organized in a shopping center configuration.
- Buildings range from small to extra large scale footprint and are typically between one to six stories.
- Design of centers is auto-oriented, but should fully accommodate pedestrians and cyclists as well as automobiles, with sidewalks or other pedestrian connections established between developments.
- Transit facilities should be located near or within these activity centers.
- Depending on the density of uses within a Regional Activity Center, parking for businesses should be accommodated in inner block surface parking or in parking structures and on-street parking. Parking for residential uses should be accommodated in attached parking structures, inner block surface lots, on streets, and in individual rear-loaded garages.
- Regional Activity Centers typically contain multiple developments along an arterial or collector road, and surrounding areas may transition into Community or Regional Activity Corridors. Developments will range in size and intensity.

- Plazas, street trees and plantings, greens, neighborhood parks, and outdoor event venues can provide open spaces and outdoor recreation opportunities in Regional Activity Centers. Bike racks, benches, and other pedestrian and cycling amenities are found along sidewalks and in open spaces.
- Open spaces for buffering from adjacent development may be used; however transitions in building scale, use, and orientation, as well as street connectivity, are all preferred methods of connecting developments of different types rather than buffering them from one another.

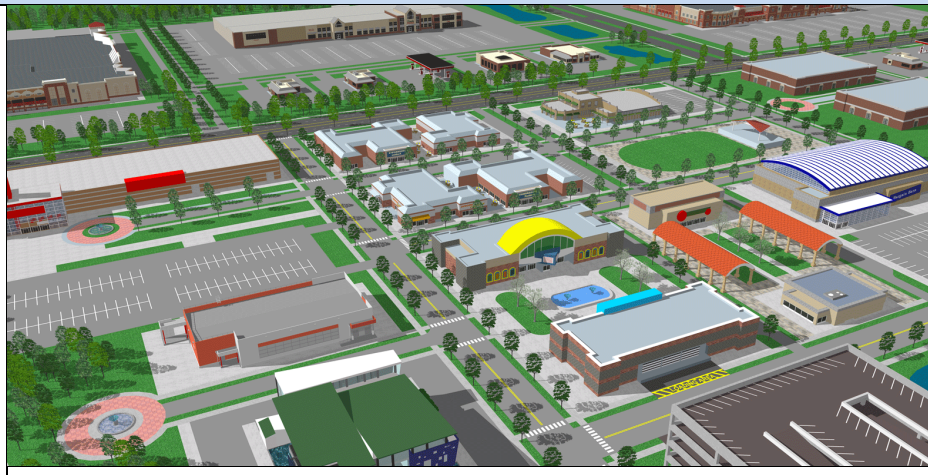
Proposed Zoning District

(j) GC: General Commercial District

(1) Purpose

The purpose of the General Commercial (GC) District is to provide lands that accommodate a broad range of nonresidential uses characterized primarily by retail, office, and service establishments. Development is primarily auto-oriented, serving isolated commercial areas outside of the activity centers.

Allowed uses include personal services, retail sales, recreation/entertainment, commercial services, eating and drinking establishments, visitor accommodation, and vehicle sales and services.



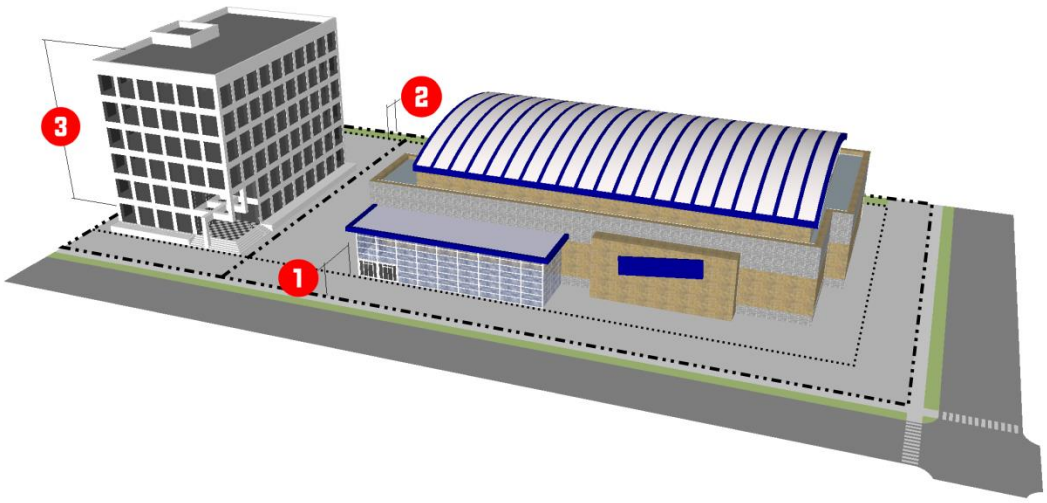
(2) Use Standards

Allowed uses and use-specific standards for principal, accessory, and temporary uses are established in Article 4: Use Regulations.

(3) Intensity and Dimensional Standards

	Standard	All Uses
	Lot Area, min. (sf.)	N/A
	Lot Width, min. (ft.)	N/A
	Lot Coverage, max. (% of site area)	N/A
	Density, max. (du/acre)	N/A
1	Front Yard Setback, min. (ft.)	20
	Side Yard Setback, min. (ft.)	N/A
2	Rear Yard Setback, min. (ft.)	10
3	Building Height, max. (ft.)	75

Notes: ft. = feet sf. = square feet du. = dwelling unit



(4) Reference to Other Standards			
Sec. 17-5.1	Access, Mobility, and Circulation	Sec. 17-5.8	Fences and Walls
Sec. 17-5.2	Off-Street Parking, Bicycle Parking	0	Exterior Lighting
Sec. 17-5.3	Landscaping	0	Signs
Sec. 17-5.4	Tree Protection	Sec. 17-5.11	Green Building Standards
Sec. 17-5.5	Open Space	Sec. 17-6.2	Minimum Design Standards
Sec. 17-5.6	Neighborhood Compatibility	0	Improvements and Sureties
Sec. 17-5.7	Form and Design Standards	Article 9	Definitions and Rules of Measurement

ORDINANCE NO.: 2023-002

Annexing 7611 Garners Ferry Road, 7611 ½ Garners Ferry Road and 0.40 acre S/S Fountain Lake Road, Richland County TMS #16315-03-02 and TMS #16315-03-05 into the City of Columbia, South Carolina, and Incorporating said property into Columbia Compass: Envision 2036 and the Official Zoning Map

WHEREAS, a proper petition has been filed with the City Council by one hundred (100%) percent of the property owners of the within described property under the provisions of South Carolina Code Ann. § 5-3-150; and,

WHEREAS, it appears to City Council that the annexation of the property would be in the best interest of the property owners and the City of Columbia; and,

WHEREAS, City Council adopted Columbia Compass: Envision 2036 as the City of Columbia Comprehensive Plan by Ordinance No.: 2020-028 along with all the maps and policies contained therein, and amended from time to time, in accordance with the South Carolina Comprehensive Planning Act of 1994 (§6-29 of the SC Code); and,

WHEREAS, the City of Columbia has adopted the Unified Development Ordinance (UDO) by Ordinance No.: 2019-013 and Official Zoning Map of the City of Columbia, S.C. by Ordinance No.: 2021-001, both amended from time to time, in accordance with the authority in Title VI of the SC Code; and

WHEREAS, pursuant to Sec. 17-1.7(c) of the UDO, annexation may be considered concurrent with amendments to the Comprehensive Plan and the Zoning Map; and

WHEREAS, the City of Columbia Planning Commission has reviewed the proposed future land use and zoning classifications of the property, and made a recommendation to City Council in accordance with §6-29 of the SC Code and §17-2.5 of the UDO; and

WHEREAS, the Columbia City Council has held a public hearing in accordance with §17-2.4(f) of the UDO and §6-29-760 of the SC Code; and

WHEREAS, the Columbia City Council has determined that the proposed land use classification is appropriate for the property, and the proposed zoning district meets one or more of the criteria set forth by §17-2.5(c)(4), Zoning Map Amendment Decision Standards, of the UDO; NOW THEREFORE,

BE IT ORDAINED by the Mayor and City Council of the City of Columbia, South Carolina this _____ day of _____, 2023, that:

1. The above recitals and findings are incorporated herein by reference and made a part of this Ordinance.

2. The property identified as 1611 Garners Ferry Road, 1611 ½ Garners Ferry Road and S/S Fountain Lake Road and TMS# 16315-03-02 and TMS# 16315-03-05 containing 1.73 acres, further identified in Attachment A, is hereby annexed to and becomes a part of the City of Columbia, and is incorporated into Columbia Compass: Envision 2036 and the Official Zoning Map, effective immediately.

3. This property shall be apportioned to City Council District #3, Census Tract 116.07, and assigned a future land use classification of Urban Edge Regional Activity Center (UEAC-2) and zoning of General Commercial District (GC).

LEGAL DEPARTMENT DRAFT

PROPERTY DESCRIPTION: See Attached Exhibit "A"

Richland County TMS NOS.: 16315-03-02 and 16315-03-05

Also included in the territory hereby annexed are all contiguous portions of all public rights of way, streets and highways.

Requested by:

Assistant City Manager Gentry

Approved by:

City Manager

Approved as to form:

Deputy City Attorney

Introduced:
Final Reading:

Mayor

ATTEST:

City Clerk

LEGAL DEPARTMENT DRAFT

Last revised: 12/14/2022
22015046

ORDINANCE NO.: 2023-002
EXHIBIT "A"
PROPERTY DESCRIPTION

All that certain piece, parcel, lot of land with the improvements thereon, situate, lying and being near the City of Columbia in the County of Richland, State of South Carolina. Same being shown and designated as 1.33 acres on that certain final plat for Global Invest Group, LLC prepared by Belter and Associates, Inc. dated March 13, 2009 and recorded in the Office of the ROD for Richland County in Record Book 1535 at Page 2564 on July 1, 2009. Said plat being adopted and incorporated herein by reference for a more complete and accurate description; all measurements being a little more or less.

All that certain piece, parcel or lot of land, being known as Parcel "A" containing 0.40 acres, more or less, on a plat prepared for Tom McTeer by Civil Engineering of Columbia dated August 18, 1986 and recorded in Plat Book 53 at page 2324 in the office of the RMC for Richland County, South Carolina. Said Parcel "A" formerly being a portion of the 6.26 acres, more or less, as shown on a boundary survey made by Wilbur Smith and Associates dated January 16, 1974 and recorded in the Office of the RMC for Richland County in Plat Book 45 at page 101.

LEGAL DEPARTMENT DRAFT

MEMORANDUM

Office of the City Manager

TO: Department Heads

FROM: Teresa Wilson, City Manager

DATE: November 17, 2022

RE: **Property Address:** 7611 and 7611 ½ Garners Ferry Road, and 0.40 acre S/S Fountain Lake Road
Richland County TMS#: 16315-03-02 and 16315-03-05
Owner(s): H & BJ Holdings, LLC and JDR, LLC / Del Lago Ventures, Inc.
Current Use: Commercial
Proposed Use: Commercial
Current County Land Use: Neighborhood (Medium Density)
Proposed City Land Use: Urban Edge Regional Activity Center (UEAC-2)
Current County Zoning: General Commercial (GC)
Proposed City Zoning: General Commercial (GC)
Reason for Annexation: Municipal Services; Donut Hole - Secondary
City Council District: 3
Census Tract: 116.07

The Planning & Development Services advises that the above referenced property has been offered for annexation. Attached, please find a map or drawing reflecting the property. You are directed to forward your comments and/or recommendations regarding the issue of whether to annex or not to Planning & Development Services. Planning & Development Services will compile your comments for City Council consideration.

Planning & Development Services staff will see to it that this matter is placed on the **December 8, 2022** Planning Commission agenda. Planning & Development Services staff will notify the City Attorney of the Planning Commission's zoning recommendation by forwarding a copy of this form, completed, as soon as the Planning Commission has met.

/atl
Attachments

cc:

Clint Shealy, Assistant City Manager
Jeff Palen, Assistant City Manager/CFO
Dana Higgins, Director, Engineering
Frank Eskridge, Director, Utilities
Robert Anderson, Public Works Director
Krista Hampton, Planning & Development Services
Kelly Smith, Business License Administrator
Greg Williams, Business Liasion
Tiffany Latimer, Customer Care Administrator
Todd Beiers, Building Official
Michelle Brazell, Engineering
Police Planning & Research
Alfreda Tindal, Richland Co. 911 Addressing Coordinator
Missy Gentry, Assistant City Manager
Henry M. Simons, Assistant City Manager
Teresa Knox, City Attorney
William Holbrook, Police Chief
Aubrey Jenkins, Fire Chief
Gloria Saaed, Community Development Director
George Adams, Fire Marshal
Hope Hasty, Zoning Administrator
Jacquelyn Richburg, Columbia-Richland 911
David Hatcher, Housing Official
Richland County Solid Waste Collection
Lucinda Statler, Planning Administrator
Brandon Burnette, Development Center Administrator

Planning Commission Land Use Recommendation: UEAC-2 (Land Use classification) by 7-0.
on 12/8/2022 (mm/dd/yyyy).

Planning Commission Zoning Recommendation: GC (Zoning classification) by 7-0.
on 12/8/2022 (mm/dd/yyyy).

(Signature of Annexation Coordinator)

02/08/2021

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Future Land Use Map

7611 and 7611 1/2 Garners Ferry Rd. and 0.40 acres, S/S Fountain Lake Rd;
TMS# 16315-03-02 and 16315-03-05;
Current Rich. Co. FLU: Neighborhood (Medium Density), Proposed City FLU: UEAC-2

Department of Planning & Development Services

ORIGINAL PREPARATION/DATE:
This map was prepared by:

Shane Shaughnessy
Date: 11/17/2022

We Are Columbia

0 62.5 125 250 Feet

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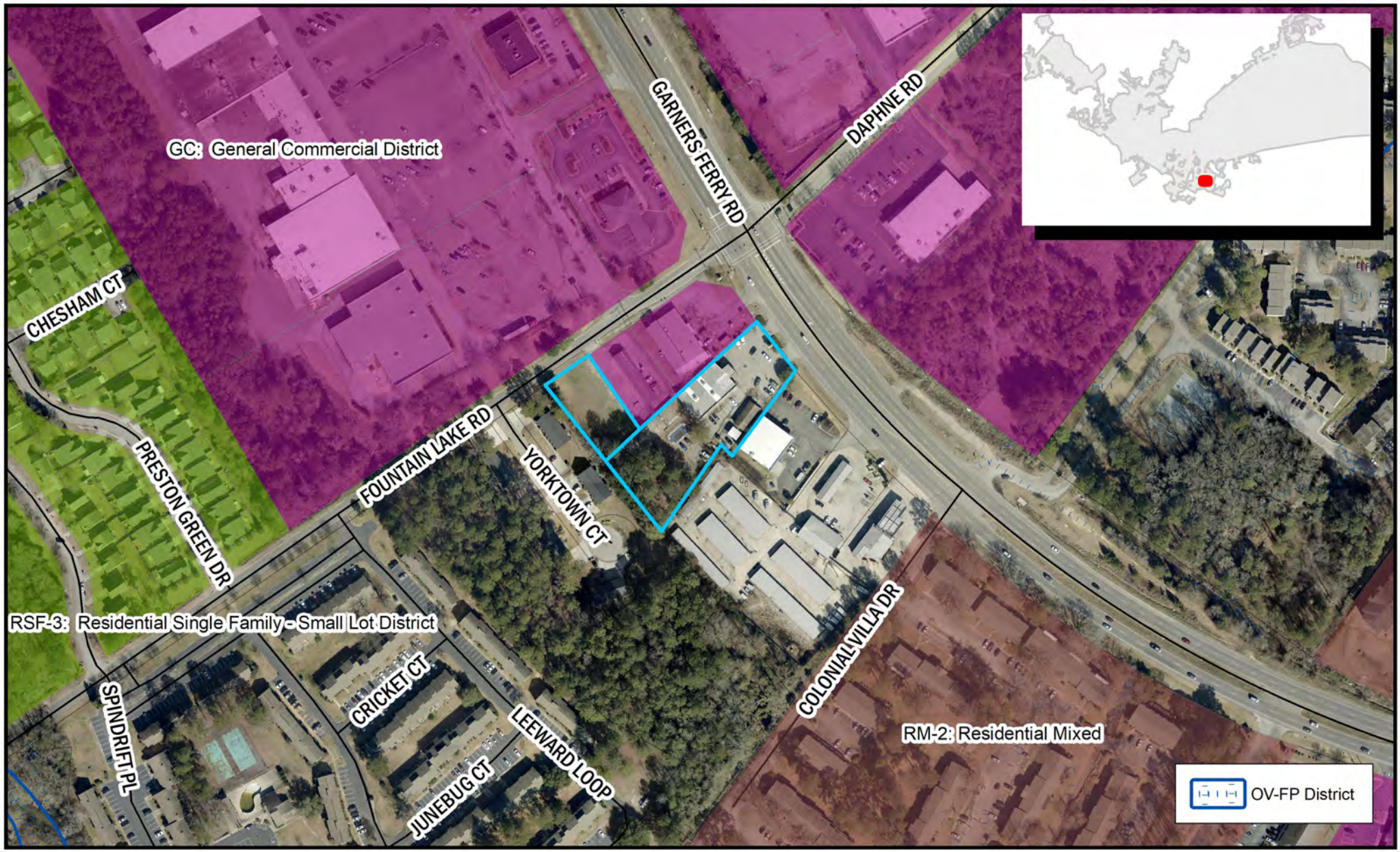
*** DATA SOURCE - CITY OF COLUMBIA, GIS DIVISION*

Zoning Map

7611 and 7611 1/2 Garners Ferry Rd. and 0.40 acrs, S/S Fountain Lake Rd;
TMS# 16315-03-02 and 16315-03-05;
Current Rich. Co. Zoning: GC, Proposed City Zoning: GC



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*** DATA SOURCE - CITY OF COLUMBIA, GIS DIVISION*

STATE OF SOUTH CAROLINA)
)
COUNTY OF RICHLAND)

PETITION FOR ANNEXATION

The undersigned, being the owner(s) of the properties described below hereby petition(s) the Mayor and City Council for annexation to the City of Columbia, South Carolina pursuant to S.C. Code Ann. Section 5-3-150, 1976, as amended.

Property Description: All that certain piece, parcel, lot of land with the improvements thereon, situate, lying and being near the City of Columbia in the County of Richland, State of South Carolina. Same being shown and designated as 1.33 acres on that certain final plat for Global Invest Group, LLC prepared by Belter and Associates, Inc. dated March 13, 2009 and recorded in the Office of the ROD for Richland County in Record Book 1535 at Page 2564 on July 1, 2009. Said plat being adopted and incorporated herein by reference for a more complete and accurate description; all measurements being a little more or less.

Richland County TMS: 16315-03-02

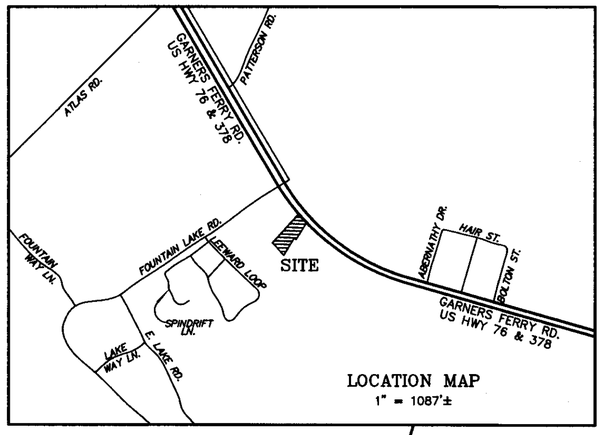
Property Addresses: 7611 Garners Ferry Road and 7611 ½ Garners Ferry Road

H & BJ Holdings, LLC

BY: _____ Date: 11/1/22
(Signature)

Jung Han
(Print or Type Name)

ITS: POA of for Jung H. Kim, SOLE MEMBER
(Print or Type Title)



LOCATION MAP
1" = 1087'±

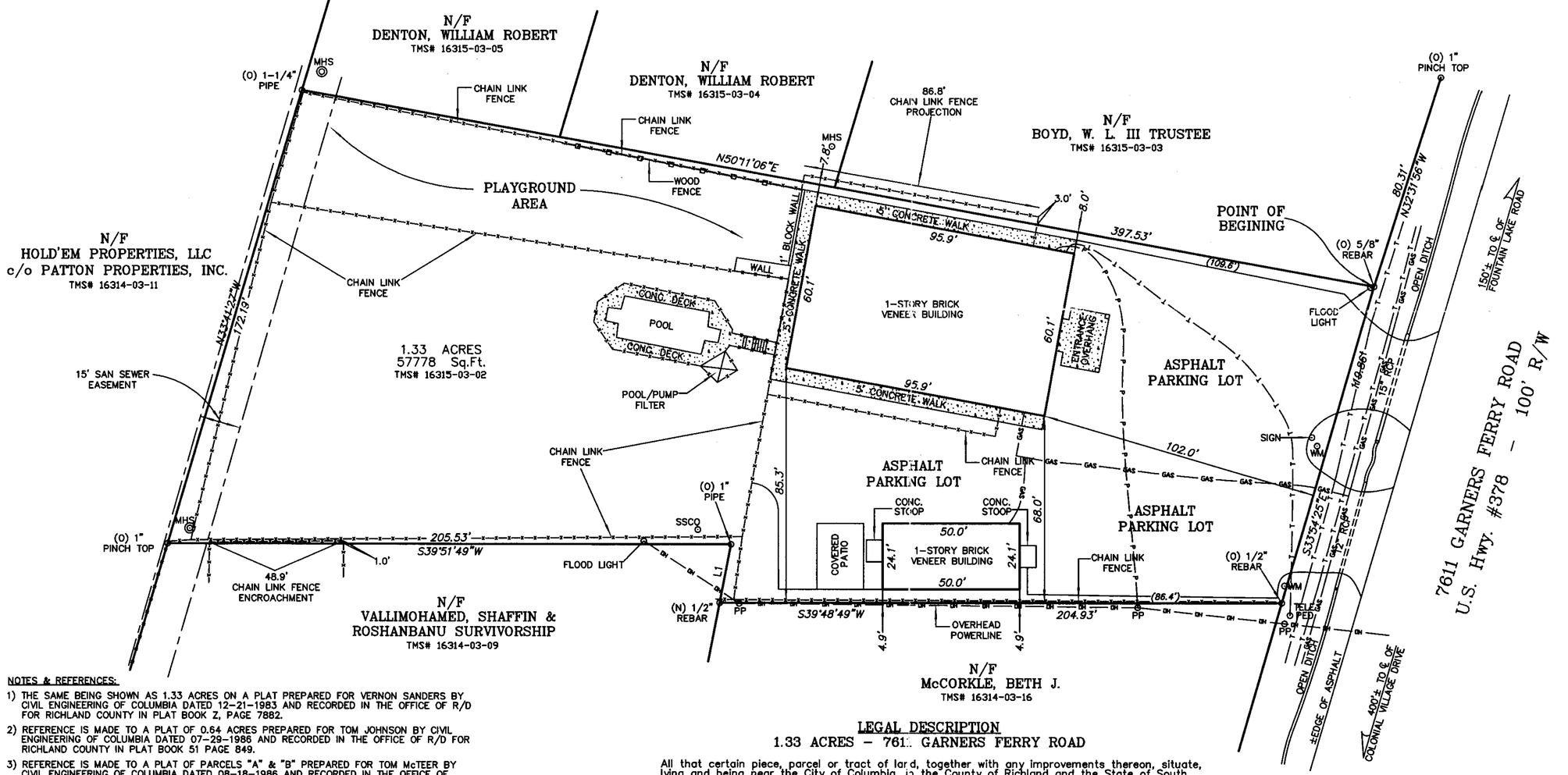
NUM	BEARING	DISTANCE
L1	N39°12'53"W	21.74'

NOTE:

THE LOCATION OF THE UNDERGROUND UTILITIES SHOWN HEREON ARE BASED ON ABOVE GROUND STRUCTURES, PALMETTO UTILITY PROTECTION SERVICE (PUPS) LOCATION MARKINGS (TICKET No. 0903100468) AND INFORMATION PROVIDED TO US FROM THE TOWN OF LEXINGTON PUBLIC WORKS DEPARTMENT. PLEASE NOTE THAT THE LOCATIONS SHOWN HEREON ARE APPROXIMATE AND MAY NOT SHOW ALL UNDERGROUND UTILITIES IN THE AREA, AND THERE MAY BE ABANONDED AND OTHER UTILITIES NOT SHOWN.

PALMETTO UTILITY LOCATION SERVICE
3 DAYS BEFORE DIGGING CALL
TOLL FREE 1-800-922-0983
OR, DIAL 811
A ONE CALL SYSTEM FOR COMMUNITY AND JOB SAFETY.

THE UTILITIES SHOWN ARE SHOWN FOR THE CONTRACTOR'S CONVENIENCE ONLY. THERE MAY BE OTHER UTILITIES NOT SHOWN ON THESE PLANS. THE SURVEYOR ASSUMES NO RESPONSIBILITY FOR THE LOCATIONS SHOWN AND IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO VERIFY THE LOCATIONS OF ALL UTILITIES WITHIN THE LIMITS OF THE WORK. ALL DAMAGE MADE TO EXISTING UTILITIES BY THE CONTRACTOR SHALL BE THE SOLE RESPONSIBILITY OF THE CONTRACTOR.



NOTES & REFERENCES:

1) THE SAME BEING SHOWN AS 1.33 ACRES ON A PLAT PREPARED FOR VERNON SANDERS BY CIVIL ENGINEERING OF COLUMBIA DATED 12-21-1983 AND RECORDED IN THE OFFICE OF R/D FOR RICHLAND COUNTY IN PLAT BOOK Z, PAGE 7882.
2) REFERENCE IS MADE TO A PLAT OF 0.64 ACRES PREPARED FOR TOM JOHNSON BY CIVIL ENGINEERING OF COLUMBIA DATED 07-29-1986 AND RECORDED IN THE OFFICE OF R/D FOR RICHLAND COUNTY IN PLAT BOOK 51 PAGE 849.
3) REFERENCE IS MADE TO A PLAT OF PARCELS "A" & "B" PREPARED FOR TOM McTEER BY CIVIL ENGINEERING OF COLUMBIA DATED 08-18-1986 AND RECORDED IN THE OFFICE OF R/D FOR RICHLAND COUNTY IN PLAT BOOK 53 PAGE 2324.
4) REFERENCE IS MADE TO A PLAT OF 3.083 ACRES PREPARED FOR G. JEFF MATTHEWS BY B.P. BARBER & ASSOCIATES, INC. DATED 08-04-1986 AND RECORDED IN THE OFFICE OF R/D FOR RICHLAND COUNTY IN PLAT BOOK 51 PAGE 1067.
5) REFERENCE IS MADE TO A PLAT OF PARCEL "B" & "C" & "D" ON A PLAT PREPARED FOR ANNE L. MATTHEWS BY INMAN LAND SURVEYING COMPANY, INC. DATED 03-07-2000 AND RECORDED IN THE OFFICE OF R/D FOR RICHLAND COUNTY IN PLAT BOOK 458 PAGE 703.
6) REFERENCE IS MADE TO A PLAT OF LOT 3 ON A PLAT PREPARED FOR B.B.C. YORKTOWN PARTNERSHIP BY COX & DINKINS, INC. DATED: 12-31-1986 AND RECORDED IN THE OFFICE OF R/D FOR RICHLAND COUNTY IN PLAT BOOK 51 PAGE 4172.
7) REFERENCE IS MADE TO A PLAT OF PARCEL "A" ON A PLAT PREPARED FOR CAR ASSOCIATES BY COX & DINKINS, INC. DATED: 03-15-1996 AND REVISED: 06-21-1996 AND RECORDED IN THE OFFICE OF R/D FOR RICHLAND COUNTY IN PLAT BOOK 51 PAGE 4175.
8) PER FIELD VISIT ON 03-19-2009 NO WATER MARKINGS WERE LOCATED BY P.U.P.S. ON SITE.

LEGAL DESCRIPTION
1.33 ACRES - 761± GARNERS FERRY ROAD

All that certain piece, parcel or tract of land, together with any improvements thereon, situate, lying and being near the City of Columbia, in the County of Richland and the State of South Carolina, containing 1.33 acres and being described as follows:

Beginning at an (O) 5/8" rebar located on the Southwestern right-of-way of Garners Ferry Road (US Hwy #378) being 150 +\- feet Southeast of the centerline intersection of Fountain Lake Road, and running along the right-of-way of Garners Ferry Road (US Hwy #378) S33°54'25"E for a distance of 119.86 feet to an (O) 1/2" rebar, thence turning and running along the property of N/F Beth J. McCorkle S39°48'49"W for a distance of 204.93 feet to an (N) 1/2" rebar, thence turning and running along the property of N/F Shaffin & Roshanbanu Vallimohamed Survivorship N39°12'53"W for a distance of 21.74feet to an (O) 1" iron pipe, thence continuing along the property of N/F Shaffin & Roshanbanu Vallimohamed Survivorship S39°51'49"W for a distance of 205.53 feet to an (O) 1" pinch top, turning and running along the property of Hold'em Properties, LLC. N33°41'27"W for a distance of 172.19' to an (O) 1-1/4" iron pipe, thence turning and running along the properties of N/F William Robert Denton & W.L. Boyd, Trustee N50°11'06"E for a distance of 397.53 feet to an (O) 5/8" rebar on the Southwestern right-of-way of Garners Ferry Road (US Hwy #378), said rebar being the point of beginning. This parcel contains 1.33 Acres = 57,778 S.F.

Book 1535-2564
2009050324 07/01/2009 14:46:17:293
Fee:$10.00 County Tax:$0.00 Plat Oversized State Tax:$0.00
2009050324 Richard W. Rodden Richland County R.O.D.

BELTER & ASSOCIATES, INC.
144 FINANCIAL BOULEVARD
IRMO, SOUTH CAROLINA 29063
TELEPHONE: (803) 732-4004

F.I.R.M. MAP # 45079C - 0179 G DATED: 01-19-94. THE UNDERSIGNED STATES, THAT TO THE BEST OF HIS KNOWLEDGE AND BELIEF, THE LOCATION OF THE SUBJECT PROPERTY IS NOT IN A SPECIAL FLOOD HAZARD AREA AS SHOWN ON MAPS OR OTHER FLOOD DATA AND FINISHED FLOOR ELEVATIONS ON THE PROPERTY ARE LOCATED IN A FLOOD HAZARD AREA. (SHADED ZONE "B")

I HEREBY STATE TO GLOBAL INVEST GROUP, LLC, CAROLINA FIRST BANK, PROVIDENT BUSINESS FINANCIAL SERVICES, INC., BLUE RIDGE MORTGAGE, AND STEWART TITLE GUARANTY COMPANY AND STATE THAT THE SURVEY SHOWN HEREON WAS MADE IN ACCORDANCE WITH THE REQUIREMENTS OF THE MINIMUM STANDARDS FOR LAND SURVEYING IN SOUTH CAROLINA AND MEETS OR EXCEEDS A CLASS "A" SURVEY.

G. BRADLEY, JR. SCPLS # 19398

EXCEPT AS SPECIFICALLY STATED OR SHOWN ON THIS PLAT, THIS SURVEY DOES NOT PURPORT TO REFLECT ANY OF THE FOLLOWING WHICH MAY BE APPARENT OR DISCLOSED BY A CURRENT TITLE SEARCH: EASEMENTS, BUILDING SETBACK LINES, RESTRICTIVE COVENANTS, SUBDIVISION RESTRICTIONS, ZONING OR OTHER LAND USE REGULATIONS, AND ANY OTHER FACTS THAT AN ACCURATE AND CURRENT TITLE SEARCH MAY DISCLOSE.

ONLY THE LISTED DOCUMENTS SHOWN HEREON WERE CONSIDERED AS A PART OF THIS SURVEY.

THE LOCATIONS OF UNDERGROUND UTILITIES AS SHOWN HEREON ARE BASED ON ABOVE-GROUND VISIBLE STRUCTURES. LOCATIONS OF UNDER-GROUND UTILITIES, STRUCTURES AND/OR EASEMENTS MAY VARY FROM LOCATIONS SHOWN HEREON UNLESS DESIGNATED WITH BEARINGS & DISTANCES.

SOUTH CAROLINA CERTIFICATE OF AUTHORIZATION
BELTER & ASSOCIATES, INC.
No. C00767

MAG. NORTH

GRAPHIC SCALE 1" = 30'
30 0 15 30

SCALE: 1" = 30'	DATE: 03-13-09	LOT AREA: 57778 S.F. 1.33 ACRES	RICHLAND COUNTY TMS# 16315 BLOCK 03 LOT 02	JOB NO. 0903013

FINAL PLAT PREPARED FOR

GLOBAL INVEST GROUP, LLC

NEAR COLUMBIA, S.C. IN RICHLAND COUNTY

QQ-095

STATE OF SOUTH CAROLINA)
)
COUNTY OF RICHLAND)

PETITION FOR ANNEXATION

The undersigned, being the owner(s) of the properties described below hereby petition(s) the Mayor and City Council for annexation to the City of Columbia, South Carolina pursuant to S.C. Code Ann. Section 5-3-150, 1976, as amended.

Property Description: All that certain piece, parcel or lot of land, being known as Parcel "A" containing 0.40 acres, more or less, on a plat prepared for Tom McTeer by Civil Engineering of Columbia dated August 18, 1986 and recorded in Plat Book 53 at page 2324 in the office of the RMC for Richland County, South Carolina. Said Parcel "A" formerly being a portion of the 6.26 acres, more or less, as shown on a boundary survey made by Wilbur Smith and Associates dated January 16, 1974 and recorded in the Office of the RMC for Richland County in Plat Book 45 at page 101.

Richland County TMS: 16315-03-05

Property Addresses: 0.40 acre, S/S Fountain Lake Road

JDR, LLC

BY: _____ Date: 11-9-22
(Signature)

RAVINDER KUMAR
(Print or Type Name)

ITS: SOLE MEMBER
(Print or Type Title)

BOOK 53 PAGE 2321

N/F JAMES L. POLK

184.35'
N 35° 37' 43" W.

IP(O)

23.60'

IP(O) ON LINE

MANHOLE

30' INGRESS EGRESS EASEMENT

S 48° 12' 11" W
95.57'

PARCEL "A"

0.40 AC.

100.00'
N 56° 01' 26" E

50' R.O.W.

MAGNET. C

IP(N)

171.27'
S 33° 58' 31" E

IP(N)

S 48° 11' 56" W
102.00'

PARCEL "B"

0.37 AC.

95.05'
N 55° 59' 57" E

IP(N)

157.54'
S 36° 09' 28" E

IP(N)

N/F SANDERS

Oct 4 10 36 AM '90

FILED
HESNB
CLARK

N/F FOUNTAIN LAKE CORP.

135.00'

FOUNTAIN LAKE ROAD

69.48'

THIS LOT IS NOT IN A FLOOD PRONE AREA ACCORDING TO THE NATIONAL FLOOD INSURANCE PROGRAM MAP. COMMUNITY PANEL NUMBER 450172 0018 B. AND 450170 0180 C. 1981

REFERENCES:

1. Plat prepared for Vernon Sanders by Civil Engineering of Columbia Dated December 21, 1983.
   Plat Bk. 251.101
2. Plat prepared for Thomas & Waller By Wilbur Smith & Assoc. Dated Jan. 15, 1974.
3. Plat for Red Wing Rollerway by Ayer, Barker, Graham & Assoc. Dated 7-22-81.
4. BEING A PORTION OF RICHLAND COUNTY TAX MAP SHEET 16315, BLOCK 3, LOT 1.

RECORDING FEE FIVE DOLLARS

TO COLUMBIA →

GARNERS FERRY ROAD U.S. 373

I HEREBY CERTIFY THAT THE RATIO OF PRECISION OF THE FIELD TRAVERSE EXCEEDS 1: 10,000 AS SHOWN HEREON AND THE AREA WAS DETERMINED BY THE COORDINATE METHOD.

WILLIAM H. BROWN, R.E. & R.L.S., NO. 4953

BOOK 53 PAGE 2324

50 25 0 50 100 150

SCALE IN FEET

RICHLAND COUNTY, S.C.

NO	DATE	REVISION DESCRIPTION	BY

PREPARED FOR

TOM McTEER

DATE AUGUST 18, 1985

DRAWN M. DINKINS

SCALE 1" = 50'

JOB NUMBER 86143

CIVIL ENGINEERING of COLUMBIA

CONSULTING ENGINEERING, SURVEYING AND PLANNING

COLUMBIA, SOUTH CAROLINA

We Are Columbia

MEETING DATE: **February 21, 2023**

DEPARTMENT: **Planning and Development Services**

FROM: ***Krista Hampton, Director***

SUBJECT: **ANNEXATION, FUTURE LAND USE MAP AMENDMENT, AND ZONING MAP AMENDMENT for 1109 Kinley Road; TMS# 05000-04-09**

FUNDING SOURCE & ORIGINAL BUDGET:

CLEAN WATER 2020?: **No**

PURPOSE:

Ordinance No.: 2023-018 - Annexing 1109 Kinley Road, Richland County TMS #05000-04-09 into the City of Columbia, South Carolina, and Incorporating said property into Columbia Compass: Envision 2036 and the Official Zoning Map

Council District: 1

Proposal: Request to annex the property and assign land use classification of Community Activity Corridor (AC-2) and assign zoning of Community Activity Center/Corridor District (CAC) at the time of annexation. The property is currently classified as Neighborhood (Medium Density), in a Priority Investment Area and zoned RU by Richland County.

Applicant: Izola Gist

Staff Recommendation: Approval

PC Recommendation: 01/12/2023; Approval (8-0)

First reading approval was given on February 7, 2023.

ATTACHMENTS:

- **#a:** ANNEX_2022_0036_Kinley_109_ZPH (PDF)
- #b: 2023-018 - Annex and Incorporate 1109 Kinley Road (PDF)
- #c: Kinley1109_Petition (PDF)
- #d: Offer_Notice_Kinley1109 (PDF)

HISTORY:

02/07/23	**Columbia City Council**	**APPROVED ON FIRST READING.**

CITY COUNCIL

February 7, 2023 at 4:00pm
City Hall, 3rd floor Council Chambers, 1737 Main Street, Columbia, SC 29201

ANNEXATION, FUTURE LAND USE MAP AMENDMENT, AND ZONING MAP AMENDMENT CASE SUMMARY
1109 Kinley Road; TMS# 05000-04-09

Council District: 1

Proposal: Request to annex the property and assign land use classification of Community Activity Corridor (AC-2) and assign zoning of Community Activity Center/Corridor District (CAC) at the time of annexation. The property is currently classified as Neighborhood (Medium Density), in a Priority Investment Area and zoned RU by Richland County.

Applicant: Izola Gist

Staff Recommendation: Approval

PC Recommendation: 01/12/2023; Approval (8-0)

ZPH, 1st Reading: 02/07/2023; Pending

2nd Reading: 02/21/2023; Pending

CURRENT PARCEL CHARACTERISTICS/CONDITIONS

Acreage: 1.6 acres
Current Use: Residential
Proposed Use: Residential
Reason for Annexation: Zoning Map Amendment
Urban Service Area: Donut Hole- Primary
Current County Land Use Classification: Neighborhood (Medium Density), in a Priority Investment Area
Proposed City Land Use Classification: Community Activity Corridor (AC-2)
Current County Zoning: Rural (RU)
Proposed City Zoning: Community Activity Center/Corridor District (CAC)
Census Tract: 103.04

DETERMINATION FOR CITY SERVICES

The following determination is an estimate of the benefits and costs associated with the annexation of the subject property:

Police
The Columbia Police Department does not object to this proposed annexation. As with most annexations, we find that the proposed annexation may result in an increased number of calls for service. The estimated cost to serve this single family residence would be **approximately $200 per year,** based on calls to nearby residential areas within the City limits.

Fire
The proposed annexation will not result in significant additional costs or impact services being provided by this department. Annexation would lower the ISO rating of this property to a Class 1 from a Class 2.

Solid Waste
The cost associated with solid waste service is approximately **$216 annually per household.**

Engineering
Because water and sewer lines currently exist in this area, Utilities and Engineering **will not incur any costs** associated with this annexation.

Water Customer Care
The customer on the property will pay water and sewer rates approximately **40% lower** than out-of-city customers.

Planning & Development Services
We recommend approval of the annexation of this property, which is located within an area designated as a Donut Hole-Primary in the Urban Service Area plan. The real estate tax revenue generated for the City would be **approximately $200 per year** based on the estimated taxable value of this property. There may be future commercial redevelopment of the property, which would significantly increase the tax revenue.

* Estimated City Tax Revenue is based on **2022 millage** for real property and calculated as: ((Taxable Value × Tax Rate) × City Millage Rate (.0938)). The actual additional taxes paid by the property owner will generally be substantially lower as some millage items do not apply to in-City properties, and an increased Local Option Sales Tax credit factor applies to in-City properties (an additional .002321 for the 2022 tax year).

PLANS, POLICIES, AND LAND USE

Urban Service Area

Subject property is in a "Donut Hole- Primary" as identified in the Urban Service Area Map

Principles and Goals of the Urban Service Area
The Urban Service Area identifies those areas the City of Columbia wishes to provide with urban services. Primary emphasis will be given to annexing developed areas adjoining the City limits and "islands" of unincorporated territory surrounded by the City. Primary, secondary, and long-range annexation priorities for specific areas may be identified. Secondary areas may include higher value properties which assist the City in achieving a more balanced economic base.

Donut Holes - Primary are the donut holes where services are readily available and the infrastructure is generally good. These services include fire, police, sanitation, and utilities.

Annexation within an area classified as *Donut Hole - Primary* is the highest priority. Barring unanticipated circumstances, annexation of these areas is recommended, and staff should work with individual property owners or neighborhoods/developments to encourage and expedite annexation.

Donut Holes are unincorporated areas that are completely surrounded by the City of Columbia and/or another municipality, or areas surrounded by the City of Columbia and a major geographical feature, such as a river. These areas pose a number of challenges to the City that can be addressed through annexation. Often, these are areas that were developed before the City or any municipality became adjacent, and may lack easy access to City utilities or other services.

Donut Holes can often cause inefficiencies in the delivery of services due to confusion about jurisdiction, and if the land is in a jurisdiction with a different approach to code enforcement, these areas can negatively impact the quality of life for adjacent City residents. Such inefficiencies can impact property owners and residents, both within and outside of the municipal boundaries, through confusion over services as well as added operational costs to local government. This results in a greater financial impact to City residents, who pay both City and County taxes.

Comprehensive Plan Land Use Classification

The proposed future land use classification for the subject property is Community Activity Corridor (AC-2) in the *Columbia Compass: Envision 2036* Future Land Use Map. The property is currently designated as Neighborhood (Medium Density), in a Priority Investment Area, by Richland County.

Community Activity Corridors are a linear extension of a Community Activity Center. They contain nearly identical building types and uses to a Community Activity Center; the primary difference is the configuration of the lots and the lack of an internal subdivision or street network. Uses are built on frontage lots along principal and minor arterial roadways. They serve surrounding neighborhoods within a three-mile to five-mile drive and typically consist of a variety of commercial and service issues.

Primary Types

- Multi-family Mixed-use Small & Medium
- Business/Employment Small & Medium (excl. Flex)

Secondary Types

- Multi-family Small & Medium

Tertiary Types

- Single-family Attached
- Civic/Institutional Small to Large
- Business/Employment Large (excl. Flex)
- Cemeteries & Mausoleums
- Parking Structures & Lots

Existing Neighborhood, Small Area, Community, and/or Corridor Plans

The subject property is not located within the study area of a neighborhood, small area, community, or corridor plan recently adopted by the City of Columbia or Richland County.

PROPOSED ZONING DISTRICT SUMMARY

The parcel is currently zoned RU by Richland County. Surrounding parcels within the City of Columbia are currently zoned Community Activity Center/Corridor District (CAC) to the West, South, and East. Surrounding parcels in unincorporated Richland County are currently zoned RU to the North.

The proposed City of Columbia zoning district is Community Activity Center/Corridor District (CAC).

Community Activity Center/Corridor District (CAC)

The purpose of the Community Activity Center/Corridor (CAC) District is to provide lands that accommodate moderate-density, walkable, and medium-scale mixed-use development, and commercial development that serves multiple neighborhoods. Some auto-oriented uses are allowed, but the design and location of those uses must be compatible with and support pedestrian-oriented development Allowed uses include live/work and multi-family dwellings, mixed-use, offices, recreation/entertainment, cultural facilities, restaurants, and drinking establishments.

STAFF RECOMMENDATION

Staff recommends the assignment of a future land use classification of Community Activity Corridor (AC-2) and zoning of Community Activity Center/Corridor District (CAC) at the time of annexation.

Future Land Use Map

1109 Kinley Road, TMS# 05000-04-09;
Current Rich. Co. FLU: Neighborhood (Medium Density), in a Priority Investment Area,
Proposed City FLU: AC-2

Department of Planning & Development Services

ORIGINAL PREPARATION/DATE:
This map was prepared by:

Shane Shaughnessy
Date: 12/13/2022

We Are Columbia

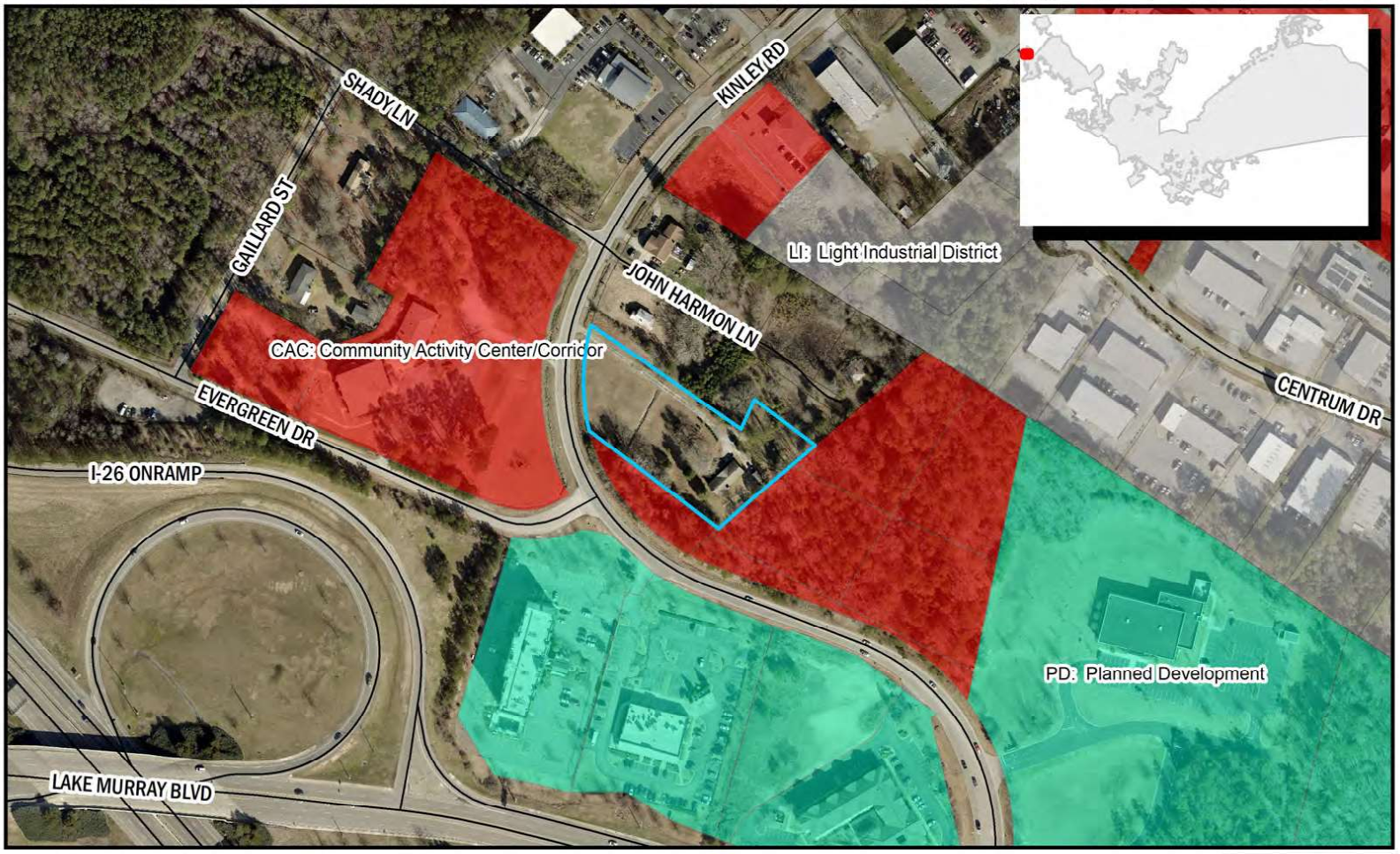
0 75 150 300 Feet

CITY OF COLUMBIA PLANNING DEPARTMENT
THIS MAP IS THE PRODUCT OF COMPILATION, OR WAS PRODUCED BY OTHERS. IT IS FOR INFORMATION ONLY AND THE CITY OF COLUMBIA MAKES NO REPRESENTATIONS AS TO ITS ACCURACY OR USE WITHOUT FIELD VERIFICATION IS AT THE SOLE RISK OF THE USER.

*** DATA SOURCE - CITY OF COLUMBIA, GIS DIVISION*

Zoning Map

1109 Kinley Road, TMS# 05000-04-09;
Current Rich. Co. Zoning: RU, Proposed City Zoning: CAC



Department of Planning & Development Services

ORIGINAL PREPARATION/DATE:
This map was prepared by:

Shane Shaughnessy
Date: 12/13/2022

We Are Columbia

0 75 150 300 Feet

DISCLAIMER:
The City of Columbia Department of Planning and Development Services data represented on this map or plan is the product of compilation, as produced by others. It is provided for informational purposes only and the City of Columbia makes no representation as to its accuracy. Its use without field verification is at the sole risk of the user.

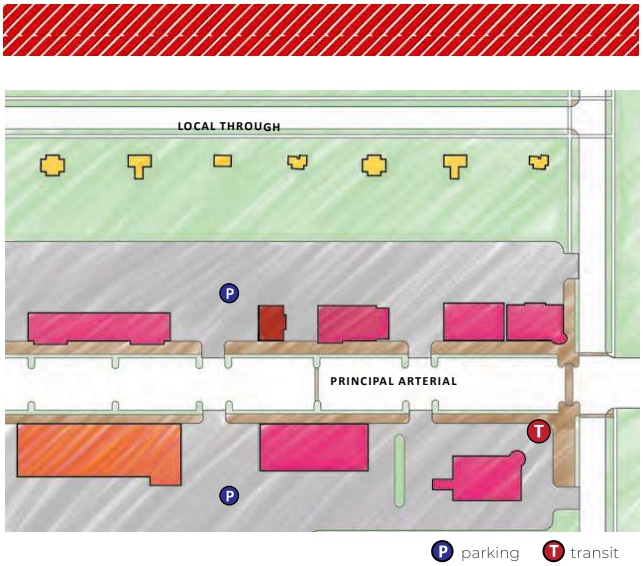
*** DATA SOURCE - CITY OF COLUMBIA, GIS DIVISION*

Proposed Future Land Use Classification

Development Types

COMMUNITY ACTIVITY CORRIDOR (AC-2)

Community Activity Corridors are a linear extension of a Community Activity Center. They contain nearly identical building types and uses to a Community Activity Center; the primary difference is the configuration of the lots and the lack of an internal subdivision or street network. Uses are built on frontage lots along principal and minor arterial roadways. They serve surrounding neighborhoods within a three-mile to five-mile drive and typically consist of a variety of commercial and service issues.



AC-2 BUILDING TYPES/LAND USES

PRIMARY TYPES
- Multi-family Mixed-use Small & Medium
- Business/Employment Small & Medium (excl. Flex)

SECONDARY TYPES
- Multi-family Small & Medium

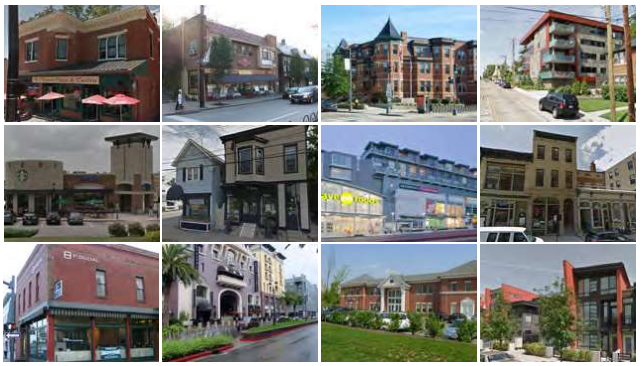
TERTIARY TYPES
- Single-family Attached
- Civic/Institutional Small to Large
- Business/Employment Large (excl. Flex)
- Cemeteries & Mausoleums
- Parking Structures & Lots

See matrix for appropriate park/open space types.

Development Types

AC-2 DEVELOPMENT PATTERN/CONTEXT

- Streets are principal or minor arterial roads carrying high traffic volumes,
- Blocks are not the base component for this development type.
- Lots are large and adequately deep and wide to accommodate groups of smaller businesses or medium to larger format buildings with sufficient parking. Floor area ratios (FARs) are usually in the range of 0.2 to 0.25 for these corridors, but FARs of 3.0 or greater may be appropriate as infill and redevelopment occur.
- Buildings are oriented toward the street and may be located at the front of the lot, right behind the sidewalk, or setback with parking lots in front of the buildings. In new or redevelopment projects, setting the buildings close to the street is preferred with side or rear lots. Access to businesses should be provided from the sidewalk. Buildings may be out-lot, freestanding structures, or in attached strip mall-type structures.
- Designated off-street parking areas are typically located in front of or behind each building; corridors may also have on-street parking.
- These corridors are often located along transit routes, and sidewalks and bike lanes should be incorporated to allow safe access to businesses in corridors. An access management plan should be prepared for each activity corridor to promote safety for pedestrians, bicyclists, transit users, and motorists, as well as accessibility for all businesses.



- Open spaces are provided on individual lots in the form of perimeter plantings and buffer yards are typical.
- Consolidated architectural details and finishes are encouraged to create a cohesive appearance along corridors. Buildings are typically one to two stories.

Proposed Zoning District

(f) CAC: Community Activity Center/Corridor District

(1) Purpose

The purpose of the Community Activity Center/Corridor (CAC) District is to provide lands that accommodate moderate-density, walkable, and medium-scale mixed-use development, and commercial development that serves multiple neighborhoods. Some auto-oriented uses are allowed, but the design and location of those uses must be compatible with and support pedestrian-oriented development

Allowed uses include live/work and multi-family dwellings, mixed-use, offices, recreation/entertainment, cultural facilities, restaurants, and drinking establishments.

(2) Use Standards

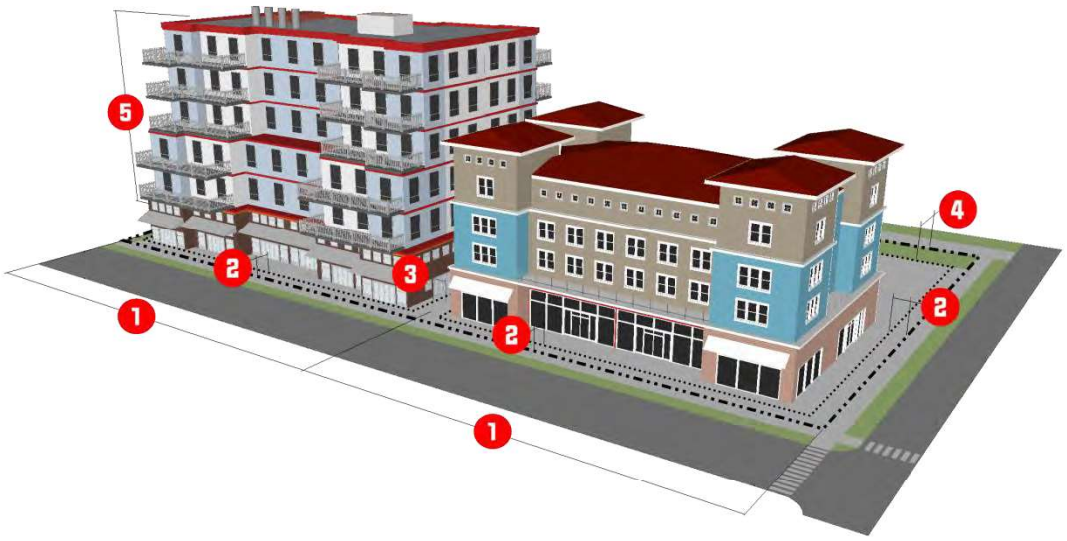
Allowed uses and use-specific standards for principal, accessory, and temporary uses are established in Article 4: Use Regulations.

(3) Intensity and Dimensional Standards

	Standard		Multi-family and Mixed-Use	All Other Uses
	Lot Area, min. (sf.)		10,000	5,000
1	Lot Width, min. (ft.)		75	50
	Lot Coverage, max. (% of site area)		N/A	
	Density, max. (du/acre)		N/A	
2	Front Yard Setback, (ft.)	Min.	5 [1]	
		Max.	15 [1]	
3	Side Yard Setback, min. (ft.)		0 to 5	
4	Rear Yard Setback, min. (ft.)		20	
5	Building Height, max. (ft.)		75	

Notes: ft. = feet sf. = square feet du. = dwelling unit

[1] In lieu of this standard, the Zoning Administrator may approve a front yard setback that is within 90 percent and 110 percent of the average front yard setback for properties on the same block face, if more than 50 percent of the lots on the block face have buildings.



(1) Reference to Other Standards			
Sec. 17-5.1	Access, Mobility, and Circulation	Sec. 17-5.8	Fences and Walls
Sec. 17-5.2	Off-Street Parking, Bicycle Parking	0	Exterior Lighting
Sec. 17-5.3	Landscaping	0	Signs
Sec. 17-5.4	Tree Protection	Sec. 17-5.11	Green Building Standards
Sec. 17-5.5	Open Space	Sec. 17-6.2	Minimum Design Standards
Sec. 17-5.6	Neighborhood Compatibility	0	Improvements and Sureties
Sec. 17-5.7	Form and Design Standards	Article 9	Definitions and Rules of Measurement

ORDINANCE NO.: 2023-018

Annexing 1109 Kinley Road, Richland County TMS #05000-04-09 into the City of Columbia, South Carolina, and Incorporating said property into Columbia Compass: Envision 2036 and the Official Zoning Map

WHEREAS, a proper petition has been filed with the City Council by one hundred (100%) percent of the property owners of the within described property under the provisions of South Carolina Code Ann. § 5-3-150; and,

WHEREAS, it appears to City Council that the annexation of the property would be in the best interest of the property owners and the City of Columbia; and,

WHEREAS, City Council adopted Columbia Compass: Envision 2036 as the City of Columbia Comprehensive Plan by Ordinance No.: 2020-028 along with all the maps and policies contained therein, and amended from time to time, in accordance with the South Carolina Comprehensive Planning Act of 1994 (§6-29 of the SC Code); and,

WHEREAS, the City of Columbia has adopted the Unified Development Ordinance (UDO) by Ordinance No.: 2019-013 and Official Zoning Map of the City of Columbia, S.C. by Ordinance No.: 2021-001, both amended from time to time, in accordance with the authority in Title VI of the SC Code; and

WHEREAS, pursuant to Sec. 17-1.7(c) of the UDO, annexation may be considered concurrent with amendments to the Comprehensive Plan and the Zoning Map; and

WHEREAS, the City of Columbia Planning Commission has reviewed the proposed future land use and zoning classifications of the property, and made a recommendation to City Council in accordance with §6-29 of the SC Code and §17-2.5 of the UDO; and

WHEREAS, the Columbia City Council has held a public hearing in accordance with §17-2.4(f) of the UDO and §6-29-760 of the SC Code; and

WHEREAS, the Columbia City Council has determined that the proposed land use classification is appropriate for the property, and the proposed zoning district meets one or more of the criteria set forth by §17-2.5(c)(4), Zoning Map Amendment Decision Standards, of the UDO; NOW THEREFORE,

BE IT ORDAINED by the Mayor and City Council of the City of Columbia, South Carolina this _____ day of _____, 2023, that:

1. The above recitals and findings are incorporated herein by reference and made a part of this Ordinance.

2. The property identified as 1109 Kinley Road and TMS# 05000-04-09 containing approximately 1.6 acres, further identified in Attachment A, is hereby annexed to and becomes a part of the City of Columbia, and is incorporated into Columbia Compass: Envision 2036 and the Official Zoning Map, effective immediately.

3. This property shall be apportioned to City Council District #1, Census Tract 103.04, and assigned a future land use classification of Community Activity Corridor (AC-2) and zoning of Community Activity Center/Corridor District (CAC).

LEGAL DEPARTMENT DRAFT

PROPERTY DESCRIPTION: See Attached Exhibit "A"

Richland County TMS NO.: 05000-04-09

Also included in the territory hereby annexed are all contiguous portions of all public rights of way, streets and highways.

Requested by:

Assistant City Manager Gentry

Approved by:

City Manager

Approved as to form:

Deputy City Attorney

Introduced:
Final Reading:

Mayor

ATTEST:

City Clerk

LEGAL DEPARTMENT DRAFT

Last revised 1/6/2023
23015383

ORDINANCE NO.: 2023-018
EXHIBIT "A"
PROPERTY DESCRIPTION

All that certain piece, parcel or lot of land, with improvements thereon, if any, situate, lying and being near the City of Columbia, in the County of Richland, State of South Carolina, containing 1.6 acres, more or less, and being shown and designated as "Property to be Annexed" on an Annexation Exhibit titled 1109 Kinley Road, Richland County TMS # 05000-04-09; prepared on December 5, 2022, by Andrew Livengood, City of Columbia Planning Division.

LEGAL DEPARTMENT DRAFT

Last revised: 1/6/2023
23015383

STATE OF SOUTH CAROLINA)
)
COUNTY OF RICHLAND)

PETITION FOR ANNEXATION

The undersigned, being the owner(s) of the property described below hereby petition(s) the Mayor and City Council for annexation to the City of Columbia, South Carolina pursuant to S.C. Code Ann. Section 5-3-150, 1976, as amended.

Property Description: All that certain piece, parcel or lot of land, with improvements thereon, if any, situate, lying and being near the City of Columbia, in the County of Richland, State of South Carolina, containing 1.6 acres, more or less, and being shown and designated as "Property to be Annexed" on an Annexation Exhibit titled 1109 Kinley Road, Richland County TMS# 05000-04-09; prepared on December 5, 2022, by Andrew Livengood, City of Columbia Planning Division.

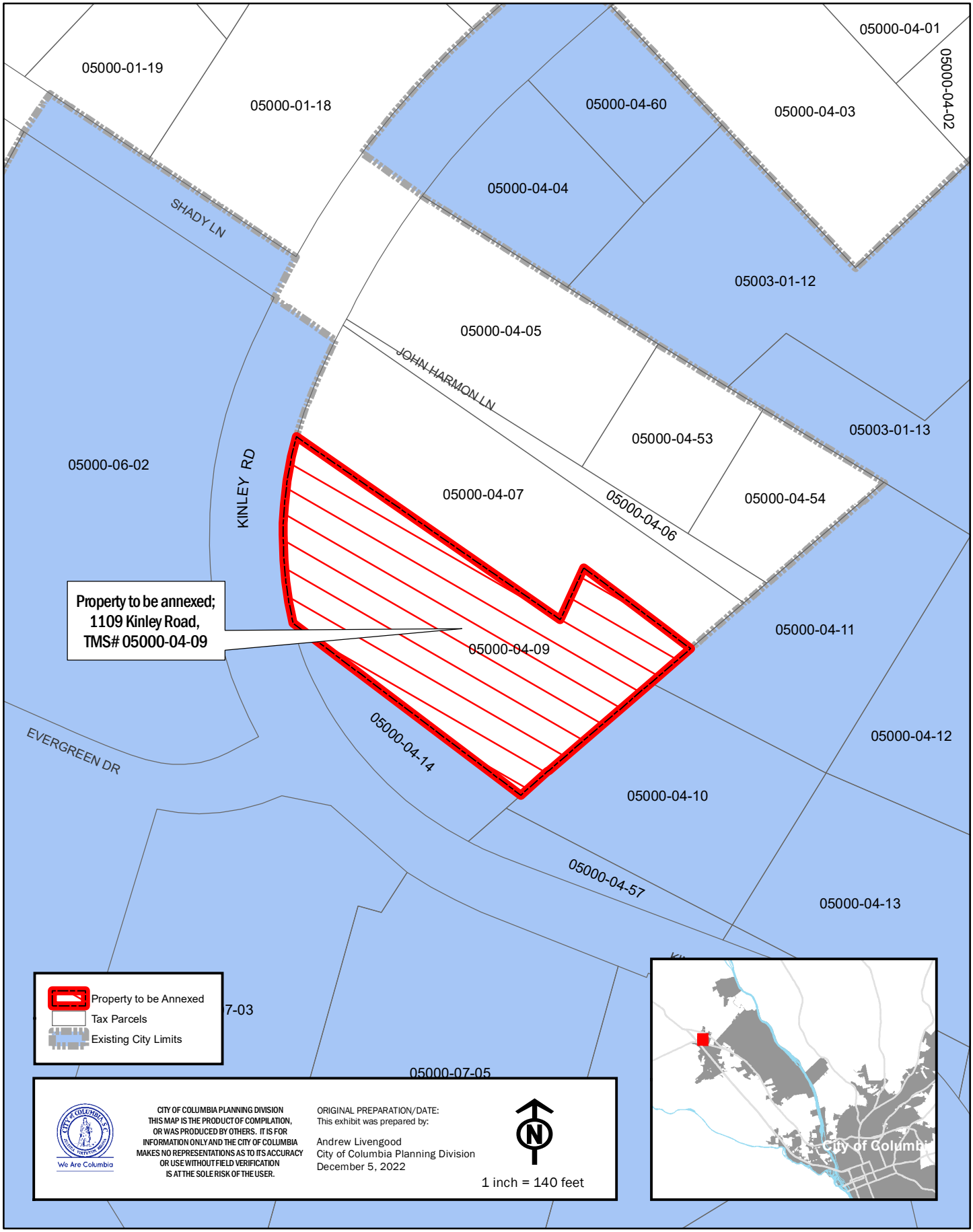
Richland County TMS: 05000-04-09

Property Address: 1109 Kinley Road

Izola Gist

Date: Dec. 7, 2022

Annexation Exhibit - 1109 Kinley Road, Richland County TMS# 05000-04-09



** DATA SOURCE - CITY OF

MEMORANDUM

Office of the City Manager

TO: Department Heads

FROM: Teresa Wilson, City Manager

DATE: December 13, 2022

RE: **Property Address:** 1109 Kinley Road
Richland County TMS#: 05000-04-09
Owner(s): Izola Gist
Current Use: Residential
Proposed Use: Residential
Current County Land Use: Neighborhood (Medium Density), in a Priority Investment Area
Proposed City Land Use: Community Activity Corridor (AC-2)
Current County Zoning: Rural (RU)
Proposed City Zoning: Community Activity Center/Corridor District (CAC)
Reason for Annexation: Zoning Map Amendment; Donut Hole - Primary
City Council District: 1
Census Tract: 103.04

The Planning & Development Services advises that the above referenced property has been offered for annexation. Attached, please find a map or drawing reflecting the property. You are directed to forward your comments and/or recommendations regarding the issue of whether to annex or not to Planning & Development Services. Planning & Development Services will compile your comments for City Council consideration.

Planning & Development Services staff will see to it that this matter is placed on the **January 12, 2023** Planning Commission agenda. Planning & Development Services staff will notify the City Attorney of the Planning Commission's zoning recommendation by forwarding a copy of this form, completed, as soon as the Planning Commission has met.

/atl
Attachments

cc:

Clint Shealy, Assistant City Manager
Jeff Palen, Assistant City Manager/CFO
Dana Higgins, Director, Engineering
Frank Eskridge, Director, Utilities
Robert Anderson, Public Works Director
Krista Hampton, Planning & Development Services
Kelly Smith, Business License Administrator
Greg Williams, Business Liasion
Tiffany Latimer, Customer Care Administrator
Todd Beiers, Building Official
Michelle Brazell, Engineering
Police Planning & Research
Alfreda Tindal, Richland Co. 911 Addressing Coordinator
Missy Gentry, Assistant City Manager
Henry M. Simons, Assistant City Manager
Teresa Knox, City Attorney
William Holbrook, Police Chief
Aubrey Jenkins, Fire Chief
Gloria Saaed, Community Development Director
George Adams, Fire Marshal
Hope Hasty, Zoning Administrator
Jacquelyn Richburg, Columbia-Richland 911
David Hatcher, Housing Official
Richland County Solid Waste Collection
Lucinda Statler, Planning Administrator
Brandon Burnette, Development Center Administrator

Planning Commission Land Use Recommendation: AC-2 (Land Use classification) by 8 - 0.
on 1/12/23 (mm/dd/yyyy).

Planning Commission Zoning Recommendation: CAC (Zoning classification) by 8 - 0.
on 1/12/23 (mm/dd/yyyy).

(Signature of Annexation Coordinator)

Future Land Use Map

1109 Kinley Road, TMS# 05000-04-09;
Current Rich. Co. FLU: Neighborhood (Medium Density), in a Priority Investm
Proposed City FLU: AC-2

Department of Planning & Development Services

ORIGINAL PREPARATION/DATE:
This map was prepared by:

Shane Shaughnessy
Date: 12/13/2022

We Are Columbia

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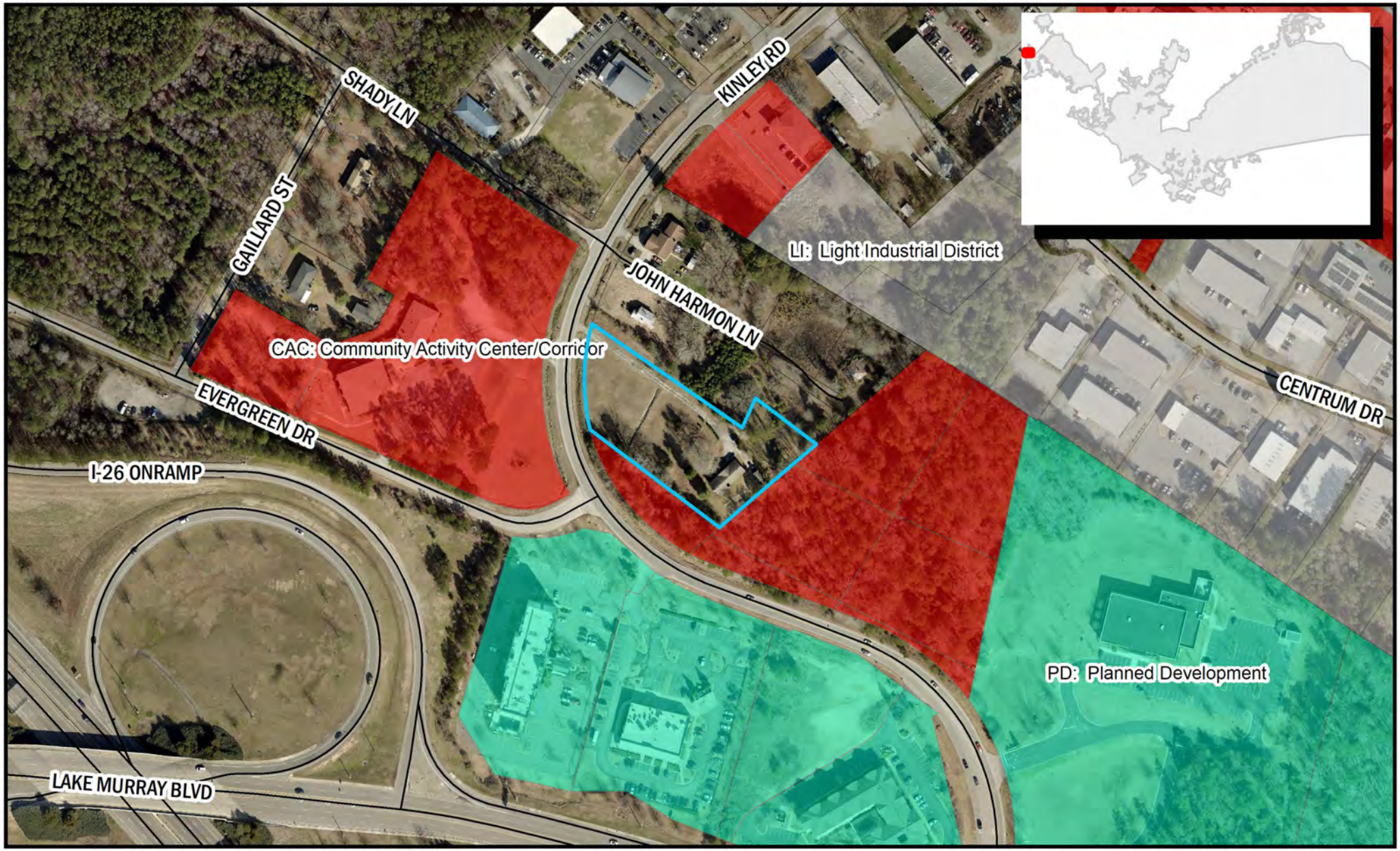
*** DATA SOURCE - CITY OF COLUMBIA, GIS DIVISION*

Zoning Map

1109 Kinley Road, TMS# 05000-04-09;
Current Rich. Co. Zoning: RU, Proposed City Zoning: CAC



Department of Planning & Development Services

ORIGINAL PREPARATION/DATE:
This map was prepared by:

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Date: 12/13/2022

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*** DATA SOURCE - CITY OF COLUMBIA, GIS DIVISION*

We Are Columbia

MEETING DATE: **February 21, 2023**

DEPARTMENT: **Planning and Development Services**

FROM: ***Krista Hampton, Director***

SUBJECT: **ZONING MAP AMENDMENT for 621 Amherst Avenue, TMS# 13804-15-08**

FUNDING SOURCE & ORIGINAL BUDGET:

CLEAN WATER 2020?: **No**

PURPOSE:

Ordinance No.: 2023-009 - Amending the Official Zoning Map to modify the zoning for 621 Amherst Avenue, Richland County TMS# 13804-15-08

Council District: 3

Proposal: Request to rezone the property from Residential Two-Family District (RD) in the Shandon community Character Protection Overlay District (OV-CCP) to Neighborhood Center/Corridor District (NAC).

Applicant: Sage Real Property Group, LLC c/o Jeb Zoller

Staff Recommendation: Approval

PC Recommendation: 11/10/2022; Approval (7-0)

First reading approval was given on February 7, 2023.

ATTACHMENTS:

- **#a:** ZMA-2022-0017_Amherst621_ZPH (PDF)
- #b: 2023-009 - Zoning Map Amendment to Rezone 621 Amherst Avenue (PDF)

HISTORY:

02/07/23	**Columbia City Council**	**APPROVED ON FIRST READING.**

Mr. Bill Hall

Mr. Mark Timbes

CITY COUNCIL

February 7, 2023 at 4:00pm
City Hall, 3rd floor Council Chambers, 1737 Main Street, Columbia, SC 29201

Zoning Map Amendment Case Summary
621 Amherst Avenue, TMS# 13804-15-08

Council District: 3

Proposal: Request to rezone the property from Residential Two-Family District (RD) in the Shandon Community Character Protection Overlay District (OV-CCP) to Neighborhood Center/Corridor District (NAC).

Applicant: Sage Real Property Group, LLC c/o Jeb Zoller

Staff Recommendation: Approval

PC Recommendation: 11/10/2022; Approval (7-0)

ZPH, 1st Reading: 02/07/2023; Pending

2nd Reading: 02/21/2023; Pending

CURRENT PARCEL CHARACTERISTICS/CONDITIONS

Acreage: 0.25 acres
Current Use: Unoccupiable/business
Proposed Use: Neighborhood Activity Center
Land Use Classification: Urban Core Residential Small Lot (UCR-1)
Current Zoning: Residential Two-Family District (RD) in the Shandon Community Character Protection Overlay District (OV-CCP)
Proposed Zoning: Neighborhood Center/Corridor District (NAC)

PLANS, POLICIES, AND LAND USE

Comprehensive Plan Land Use Classification

The future land use classification for the subject property is Urban Core Residential Small Lot (UCR-1) in the *Columbia Compass: Envision 2036* Future Land Use Map, as shown in the enclosed map.

Urban Core Residential Small Lot neighborhoods are common just outside the urban center; most were subdivided before 1950 and many continue the grid or street network from the original planned portion of the City. This development type may represent existing neighborhoods and is a development form appropriate for medium to large-scale redevelopments or infill sites. Traditional and contemporary architectural styles have a place in these neighborhoods. When infill development is designed, scale and orientation of existing structures on the block should act as design presets.

Primary Types

- Single-family Detached

Secondary Types

- Single-family Attached
- Two-family
- Three-family

Tertiary Types

- Multi-family Small
- Civic/Institutional Small
- Business/Employment Small (excl. Flex)
- Cemeteries & Mausoleums

Existing Neighborhood, Small Area, Community, and/or Corridor Plans

The subject property is not located within the study area of a neighborhood, small area, community, or corridor plan recently adopted by the City of Columbia or Richland County.

PROPOSED ZONING DISTRICT SUMMARY

The subject property currently has base zoning of Residential Two-Family District (RD). The abutting properties in the City of Columbia have base zoning of Neighborhood Center/Corridor (NAC) to the North and West, Community Activity Center/Corridor and Residential Single Family-Small Lot District (RSF-3) to the East, and Residential Two-Family District (RD) to the South and West. The property is also currently in the Shandon Community Character Protection Overlay District (OV-CCP).

The proposed zoning district is Neighborhood Center/Corridor District (NAC).

Residential Two-Family District (RD)

The purpose of the Residential Two-Family (RD) District is to provide lands that accommodate a mix of single-family dwellings and two-family dwellings at moderate densities. The district also accommodates parks and recreation centers, government offices, and minor utility facilities. District regulations discourage development that substantially interferes with the quiet residential nature of the district.

Community Character Protection Overlay District (OV-CCP)

The Community Character Protection Overlay (OV-CCP) District is intended to minimize the possibility that construction activity within a residential community would drastically negatively affect the existing character of that community.

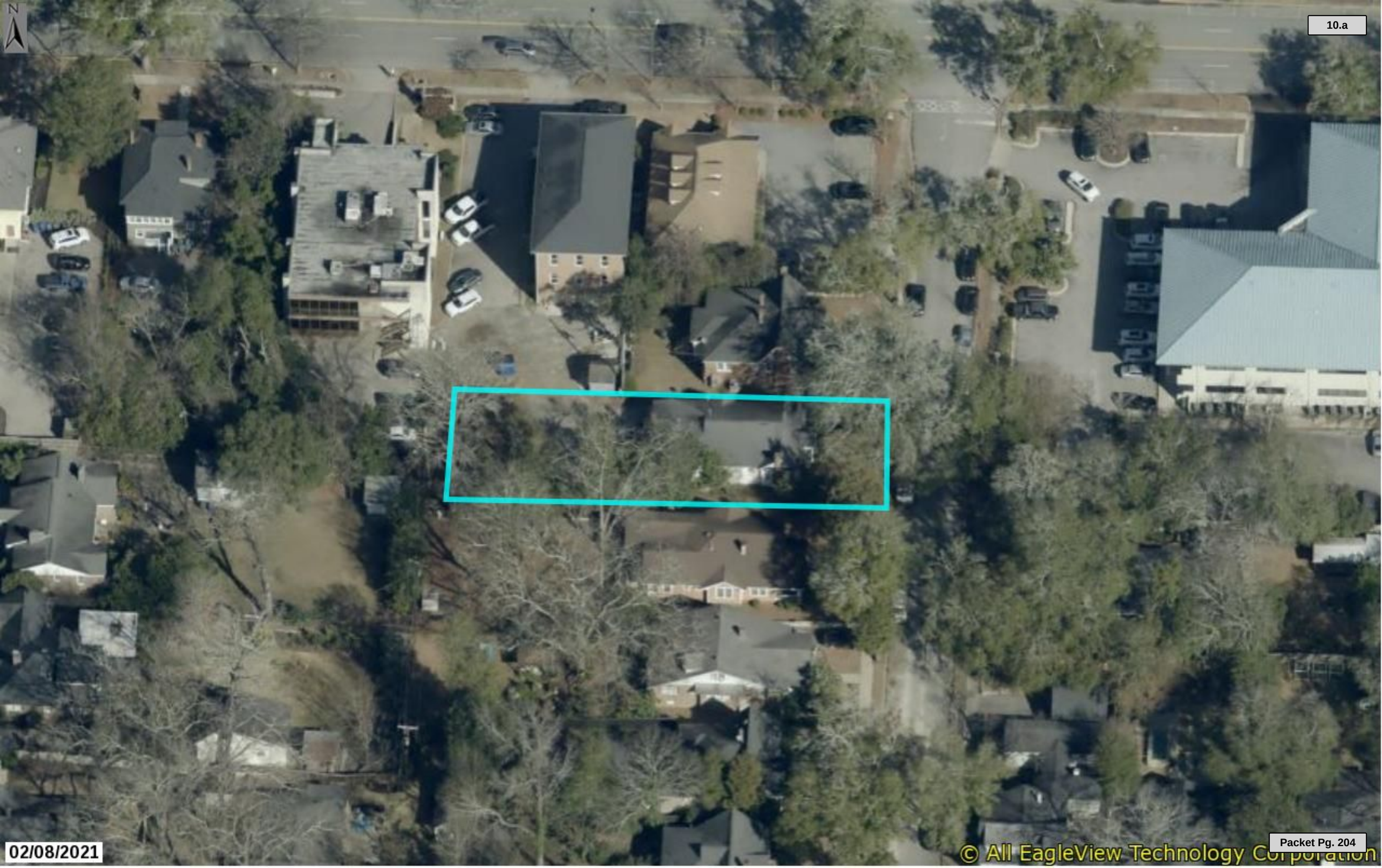
The OV-CCP designation and the associated measures for community character protection are not intended to be utilized as a stand-alone zoning district classification, but as a set of regulations which are overlaid and supplemental to the regulations of the existing zoning district.

Neighborhood Activity Center/Corridor District (NAC)

The purpose of the Neighborhood Activity Center/Corridor (NAC) District is to provide lands that accommodate moderate-density, walkable, neighborhood-scale mixed-use development with neighborhood-serving commercial development within the City's urban neighborhoods. The district is intended to be applied to portions of a city block, consisting of storefronts with limited on-site parking. Uses are intended to be neighborhood-serving and capture some through-traffic, though auto-oriented uses and design are discouraged. Allowed uses include live/work and multi-family dwellings, mixed-use, offices, personal services uses, and community service uses.

STAFF RECOMMENDATION

Staff finds that the proposed zoning is consistent with the future land use classification in *Columbia Compass: Envision 2036* and with the surrounding context and finds that a recommendation to approve is appropriate.

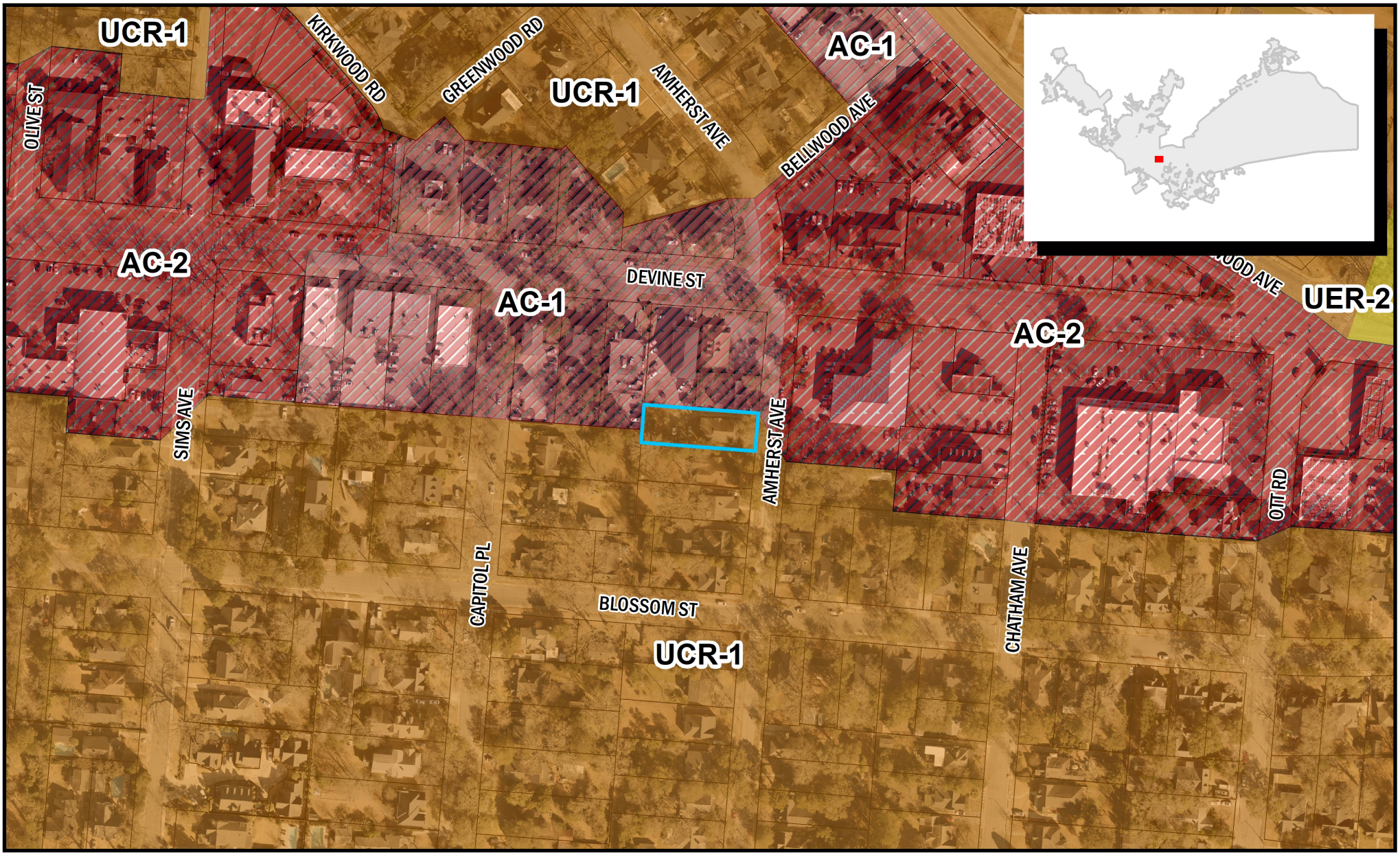


02/08/2021

© All EagleView Technology Corporation

Future Land Use Map

621 Amherst Avenue, TMS# 138
Current FLU: UCR-1



Department of Planning & Development Services

ORIGINAL PREPARATION/DATE:
This map was prepared by:

Shane Shaughnessy
Date: 10/13/2022

We Are Columbia

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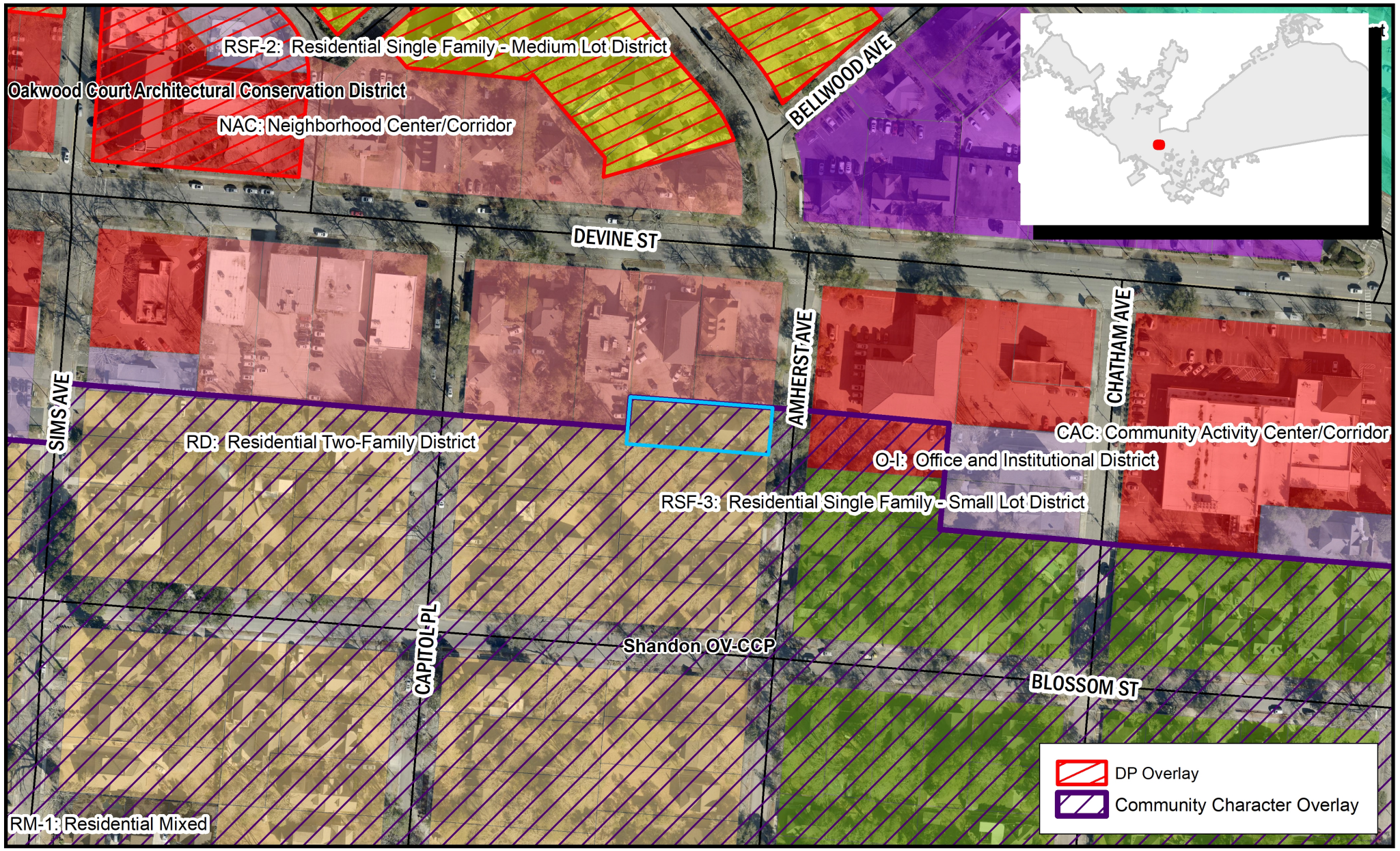
*** DATA SOURCE - CITY OF COLUMBIA, GIS DIVISION*

Zoning Map

621 Amherst Avenue, TMS# 13804-15-08,
Current Zoning: RD, OV-CCP, Proposed Zoning: NAC



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** DATA SOURCE - CITY OF COLUMBIA, GIS DIVISION

Existing Future Land Use Classification

Development Types

URBAN CORE RESIDENTIAL SMALL LOT (UCR-1)

Urban Core Residential Small Lot neighborhoods are common just outside the urban center; most were subdivided before 1950 and many continue the grid or street network from the original planned portion of the City. This development type may represent existing neighborhoods and is a development form appropriate for medium to large-scale redevelopments or infill sites. Traditional and contemporary architectural styles have a place in these neighborhoods. When infill development is designed, scale and orientation of existing structures on the block should act as design presets.

UCR-1 BUILDING TYPES/LAND USES

PRIMARY TYPES

- Single-family Detached

SECONDARY TYPES

- Single-family Attached
- Two-family
- Three-family

TERTIARY TYPES

- Multi-family Small
- Civic/Institutional Small
- Business/Employment Small (excl. Flex)
- Cemeteries & Mausoleums

See matrix for appropriate park/open space types.

Development Types

UCR-1 DEVELOPMENT PATTERN/CONTEXT

- Streets and rights-of-way are wide and typically straight; they include sidewalks and tree lawns, preferably lining both sides of the street. Local streets may be narrower than the principal and minor arterial roads.
- Transit may be found along principal and minor arterials or in adjacent activity corridors or centers.
- Blocks are square or rectangular and are commonly smaller than the blocks in the urban center. Alleyways are not common but can be used in redevelopment or infill to increase accessibility.
- The subdivision of blocks is regular and results in equally sized lots that average less than 8,700 square feet. Multiple smaller lots are consolidated to accommodate larger buildings like schools. Deeper lots may be found along major roads.
- Buildings are set back from the street by small to medium front yards with front doors or entrances located on the main façade. Front yard setbacks are typically consistent along a block. Exceptions are for larger buildings like schools that occupy the majority of a block.
- Individual lots may have only one narrow side yard and have a zero lot line setback from front or side property lines, however buildings set in the center of the lot are also common.
- Housing is primarily single family residential, and most buildings are of a similar size, height, and style within a block. Building sizes vary, but most are one to two stories in height with less than 2,000 square feet of livable space per unit.
- Some lots have dedicated parking areas - in driveways, or detached garages located in the interior of the block. On-street parking is also common.

- Open spaces for community gardens or informal passive neighborhood and community scale parks are important open space elements in a more densely developed neighborhood.
- Architecture is vernacular and detailing is human scale with frequent windows, front entrances, porches, stoops, and/or balconies. Neighborhoods display era-specific architectural styles which should be used as a reference for scale and massing for any infill buildings.

Existing Zoning District

(h) RD: Residential Two-Family District

(1) Purpose

The purpose of the Residential Two-Family (RD) District is to provide lands that accommodate a mix of single-family dwellings and two-family dwellings at moderate densities. The district also accommodates parks and recreation centers, government offices, and minor utility facilities. District regulations discourage development that substantially interferes with the quiet residential nature of the district.

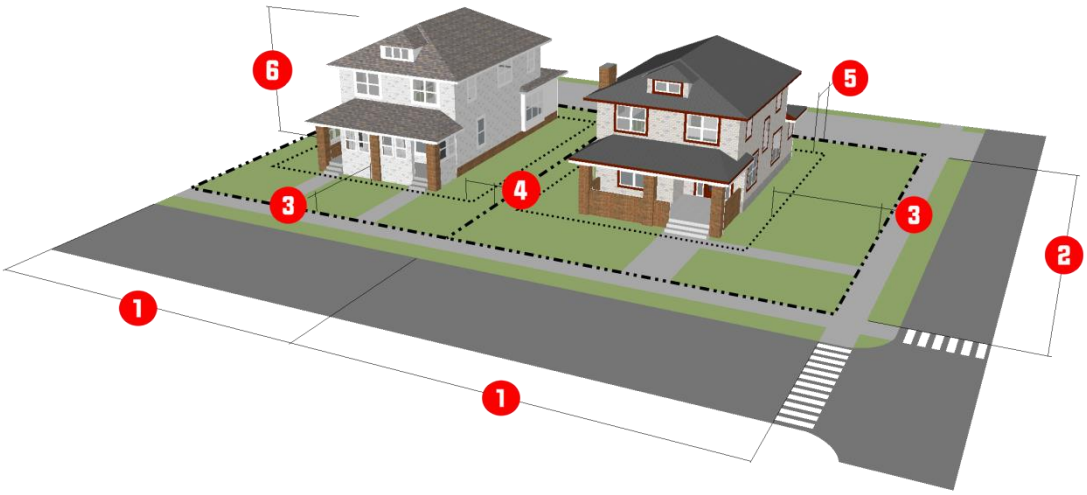
(2) Use Standards

Allowed uses and use-specific standards for principal, accessory, and temporary uses are established in Article 4: Use Regulations.

(3) Intensity and Dimensional Standards

	Standard	Two-Family	All Other Uses
	Lot Area, min. (sf.)	7,500 [1]	5,000
1	Lot Width, min. (ft.)	50	
2	Lot Depth, min. (ft.)	70	
	Lot Coverage, max. (% of site area)	50	
	Density, max. (du/acre)	8	
3	Front Yard Setback, min. (ft.)	20	
4	Side Yard Setback, min. (ft.)	5	
5	Rear Yard Setback, min. (ft.)	10	
6	Building Height, max. (ft.)	40	

Notes: ft. = feet sf. = square feet du. = dwelling unit
[1] Applies to the development lot as a whole rather than individual lots under individual units.



(4) Reference to Other Standards			
Sec. 17-5.1	Access, Mobility, and Circulation	Sec. 17-5.8	Fences and Walls
Sec. 17-5.2	Off-Street Parking, Bicycle Parking	0	Exterior Lighting
Sec. 17-5.3	Landscaping	0	Signs
Sec. 17-5.4	Tree Protection	Sec. 17-5.11	Green Building Standards
Sec. 17-5.5	Open Space	Sec. 17-6.2	Minimum Design Standards
Sec. 17-5.6	Neighborhood Compatibility	0	Improvements and Sureties
Sec. 17-5.7	Form and Design Standards	Article 9	Definitions and Rules of Measurement

Proposed Zoning District

(e) NAC: Neighborhood Activity Center/Corridor District

(1) Purpose

The purpose of the Neighborhood Activity Center/Corridor (NAC) District is to provide lands that accommodate moderate-density, walkable, neighborhood-scale mixed-use development with neighborhood-serving commercial development within the City's urban neighborhoods. The district is intended to be applied to portions of a city block, consisting of storefronts with limited on-site parking.

Uses are intended to be neighborhood-serving and capture some through-traffic, though auto-oriented uses and design are discouraged. Allowed uses include live/work and multi-family dwellings, mixed-use, offices, personal services uses, and community service uses.

(2) Use Standards

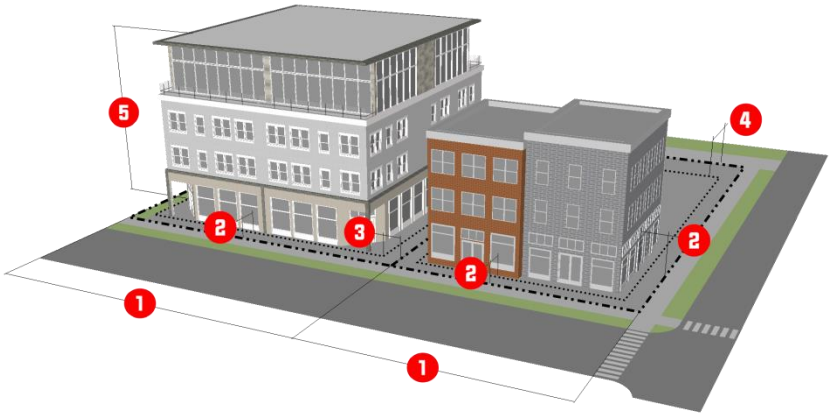
Allowed uses and use-specific standards for principal, accessory, and temporary uses are established in Article 4: Use Regulations.

(3) Intensity and Dimensional Standards

	Standard		Multi-family and Mixed-Use	All Other Uses
	Lot Area, min. (sf.)		10,000	5,000
1	Lot Width, min. (ft.)		75	N/A
	Lot Coverage, max. (% of site area)		N/A	
	Density, max. (du/acre)		N/A	
2	Front Yard Setback (ft.)	Min.	5 [1]	
		Max.	15 [1]	
3	Side Yard Setback, min. (ft.)		N/A	
4	Rear Yard Setback, min. (ft.)		15	
5	Building Height, max. (ft.)		50	

Notes: ft. = feet sf. = square feet du. = dwelling unit

[1] In lieu of this standard, the Zoning Administrator may approve a front yard setback that is within 90 percent and 110 percent of the average front yard setback for buildings on the same block face, if more than 50 percent of the lots on the block face have buildings.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(4) Form and Design Standards

a. Off-street Parking

Along any street frontage, all proposed new or additional accessory parking area shall be located to the rear or side of the development's principal building(s).

b. Sidewalks

Along any street frontage, a sidewalk having a minimum width of six feet shall be provided. A street protective yard (see Sec. 17-5.3(e), Street Protective Yards) having a minimum width of 5 feet shall be located between the street and the sidewalk.

c. Connectivity

1. The internal vehicular, bicycle, and pedestrian circulation systems of development shall be designed to allow vehicular, bicycle, and pedestrian cross-access between the internal system and any internal vehicular, bicycle, and pedestrian circulation systems of existing or allowable future development on adjoining lots.

2. Easements allowing vehicular, bicycle, or pedestrian cross-access between adjoining lots, along with agreements defining maintenance responsibilities of the property owners, shall be recorded with the Register of Deeds.

3. The Zoning Administrator may waive or modify the requirement for cross-access on determining that such cross–access is impractical or infeasible due to police concerns about through traffic routes complicating law enforcement or the presence any of the following at the point(s) where through connections would otherwise be required: topographic conditions, natural features, visual obstructions or parking space locations that create traffic hazards, or the existence of mature or protected landscaping.

(5) Reference to Other Standards

Sec. 17-5.1	Access, Mobility, and Circulation	Sec. 17-5.8	Fences and Walls
Sec. 17-5.2	Off-Street Parking, Bicycle Parking	0	Exterior Lighting
Sec. 17-5.3	Landscaping	0	Signs
Sec. 17-5.4	Tree Protection	Sec. 17-5.11	Green Building Standards
Sec. 17-5.5	Open Space	Sec. 17-6.2	Minimum Design Standards
Sec. 17-5.6	Neighborhood Compatibility	0	Improvements and Sureties

ORDINANCE NO.: 2023-009

Amending the Official Zoning Map to modify the zoning for 621 Amherst Avenue, Richland County TMS# 13804-15-08

WHEREAS, an application has been made to amend the Official Zoning Map of the City of Columbia, S.C. to modify the zoning for 621 Amherst Avenue, Richland County TMS# 13804-15-08; and,

WHEREAS, City Council adopted *Columbia Compass: Envision 2036* as the City of Columbia Comprehensive Plan by Ordinance No.: 2020-028 along with all the maps and policies contained therein, and amended from time to time, in accordance with the South Carolina Comprehensive Planning Act of 1994 (§6-29 of the SC Code); and,

WHEREAS, the City of Columbia has adopted the Unified Development Ordinance (UDO) by Ordinance No.: 2019-013 and Official Zoning Map of the City of Columbia, S.C. by Ordinance No.: 2021-001, both amended from time to time, in accordance with the authority in Title VI of the SC Code; and

WHEREAS, the City of Columbia Planning Commission has reviewed the application and made a recommendation to City Council regarding the application in accordance with §17-2.5(c)(3)(f) of the UDO; and

WHEREAS, the Columbia City Council has held a public hearing in accordance with §17-2.4(f) of the UDO and §6-29-760 of the SC Code; and

WHEREAS, the Columbia City Council has determined that the proposed rezoning meets one or more of the criteria set forth by §17-2.5(c)(4), Zoning Map Amendment Decision Standards, of the UDO; NOW THEREFORE,

BE IT ORDAINED by the Mayor and City Council of the City of Columbia this __ day of _____, 2023, that:

1. The above recitals and findings are incorporated herein by reference and made a part of this Ordinance.
2. The property identified as 621 Amherst Avenue, Richland County TMS# 13804-15-08 and as shown in Attachment A, is hereby rezoned from Residential Two-Family District (RD) in the Shandon Community Character Protection Overlay District (OV-CCP) to Neighborhood Center/Corridor District (NAC). The Official Zoning Map of the City of Columbia, S.C. is hereby amended to conform to this change.

Requested by:

Assistant City Manager Gentry

_____
Mayor

Approved by:

_____
City Manager

Approved as to form:

_____
City Attorney

ATTEST:

_____
City Clerk

Introduced:
Final Reading:

LEGAL DEPARTMENT DRAFT

We Are Columbia

MEETING DATE: **February 21, 2023**

DEPARTMENT: **Planning and Development Services**

FROM: ***Krista Hampton, Director***

SUBJECT: **ZONING MAP AMENDMENT for 200 Mulberry Lane, TMS# 08913-06-04**

FUNDING SOURCE & ORIGINAL BUDGET:

CLEAN WATER 2020?: **No**

PURPOSE:

Ordinance No.: 2023-008 - Amending the Official Zoning Map to modify the zoning for 200 Mulberry Lane, Richland County TMS# 08913-06-04

Council District: 2

Proposal: Request to rezone the property from Residential Single Family-Small Lot District (RSF-3) in the Whaley Street Historic Protection Area (OV-HP) to Residential Mixed District (RM-2) in the Whaley Street Historic Protection Area (OV-HP).

Applicant: Wade Ward

Staff Recommendation: Approval

PC Recommendation: 12/08/2022; Approval (7-0)

First reading approval was given on February 7, 2023.

ATTACHMENTS:

- **#a:** ZMA-2022-0018_Mulberry200_ZPH (PDF)
- #b: 2023-008 - Zoning Map Amendment to Rezone 200 Mulberry Lane (PDF)

HISTORY:

02/07/23	**Columbia City Council**	**APPROVED ON FIRST READING.**

CITY COUNCIL

February 7, 2023 at 4:00pm
City Hall, 3rd floor Council Chambers, 1737 Main Street, Columbia, SC 29201

Zoning Map Amendment Case Summary
200 Mulberry Lane, TMS# 08913-06-04

Council District: 2

Proposal: Request to rezone the property from Residential Single Family-Small Lot District (RSF-3) in the Whaley Street Historic Protection Area (OV-HP) to Residential Mixed District (RM-2) in the Whaley Street Historic Protection Area (OV-HP).

Applicant: Wade Ward

Staff Recommendation: Approval

PC Recommendation: 12/08/2022; Approval (7-0)

ZPH, 1st Reading: 02/07/2023; Pending

2nd Reading: 02/21/2023; Pending

CURRENT PARCEL CHARACTERISTICS/CONDITIONS

Acreage: 0.18 acres
Current Use: Empty Lot
Proposed Use: Duplex
Land Use Classification: Urban Core Mixed Residential- 3 (UCMR-3)
Current Zoning: Residential Single Family-Small Lot District (RSF-3) in the Whaley Street Historic Protection Area (OV-HP)
Proposed Zoning: Residential Mixed District (RM-2) in the Whaley Street Historic Protection Area (OV-HP)

PLANS, POLICIES, AND LAND USE

Comprehensive Plan Land Use Classification

The future land use classification for the subject property is Urban Core Mixed Residential Type 3 (UCMR-3) in the *Columbia Compass: Envision 2036* Future Land Use Map.

Urban Core Mixed Residential Type 3 neighborhoods are appropriate in the central city, inner ring areas, and a couple of blocks off of major corridors throughout Columbia. This development type may represent existing and historic neighborhoods, and is a development form appropriate for small to medium scale redevelopment or infill sites. Traditional and contemporary architectural styles have a place in Urban Core Mixed Residential Type 3 neighborhoods, but scale is always important. Urban Core Mixed Residential Type 3 neighborhoods have smaller-scale residential buildings, with single-family homes being a dominant use, as well as appropriately-scaled mixed-use and neighborhood service amenities. The development of appropriately-scaled commercial uses should be

limited to neighborhood corridors. Urban Core Mixed Residential Type 3 neighborhoods generally decrease in intensity as development moves further from main arterials and activity centers.

Primary Types

- Single-family Detached
- Single-family Attached
- Two-family

Secondary Types

- Three-family
- Multi-family Small

Tertiary Types

- Multi-family Medium
- Multi-family Mixed-use Small
- Civic/Institutional Small
- Business/Employment Small (excl. Flex)
- Cemeteries & Mausoleums
- Parking Lots

Existing Neighborhood, Small Area, Community, and/or Corridor Plans

The subject property is located within the study area of the *Capital City Mill District Area & Corridor Plan* (2017) adopted by the City of Columbia and Richland County. The property falls within the Whaley neighborhood sub area (page 13-14), and the plan proposed a future land use classification of Urban Core Mixed Residential Type 3 (UCMR-3) for the property. Specific Mill District Characteristics were provided related to each recommended future land use classification, and for UCMR-3, these were: "mill vernacular architecture; predominantly single-family; tertiary commercial uses should be limited to corridors with appropriate scale (Olympia Avenue + Whaley Street)" (page 32). No specific multi-modal transportation improvements were recommended adjacent to the subject property, though recommendations were made for bike facilities on Whaley Street.

PROPOSED ZONING DISTRICT SUMMARY

The subject property currently has base zoning of Residential Single Family-Small Lot District (RSF-3). The abutting properties in the City of Columbia have base zoning of Residential Single Family- Small Lot District (RSF-3) to the North and West, Residential Mixed District (RM-2) to the South, and Employment Campus District (EC) to the East. This property is in the Whaley Street Historic Protection Area (OV-HP).

The proposed zoning district is Residential Mixed District (RM-2) in the Whaley Street Historic Protection Area (OV-HP)

Residential Single-Family - Small Lot District (RSF-3)

The purpose of the Residential Single-Family - Small Lot (RSF-3) District is to provide lands that accommodate primarily single-family detached dwellings at moderate densities. The district also accommodates parks and recreation centers, government offices, and minor utility facilities. District regulations discourage development that substantially interferes with the quiet residential nature of the district.

Residential Mixed District (RM-2)

The purpose of the Residential Mixed (RM-2) District is to provide lands that accommodate moderate-density mixed residential development that allows single-family, two-family, townhouse, and medium-scale multi-family dwellings. The street network is gridded and buildings are located close to, and oriented toward, the street.

Historic Preservation Overlay District (OV-HP)

The purpose of the Historic Preservation Overlay (OV-HP) District is to encourage new development and redevelopment

that is consistent with the character of original or historic development in the historic districts and sites. District standards and guidelines are intended to prevent destruction of historic structures and ensure new uses, building design, and site features are compatible with the character of historic districts and sites.

STAFF RECOMMENDATION

Staff finds that the proposed zoning is consistent with the future land use classification in *Columbia Compass: Envision 2036* and recommends approval of the request.

02/04/2021

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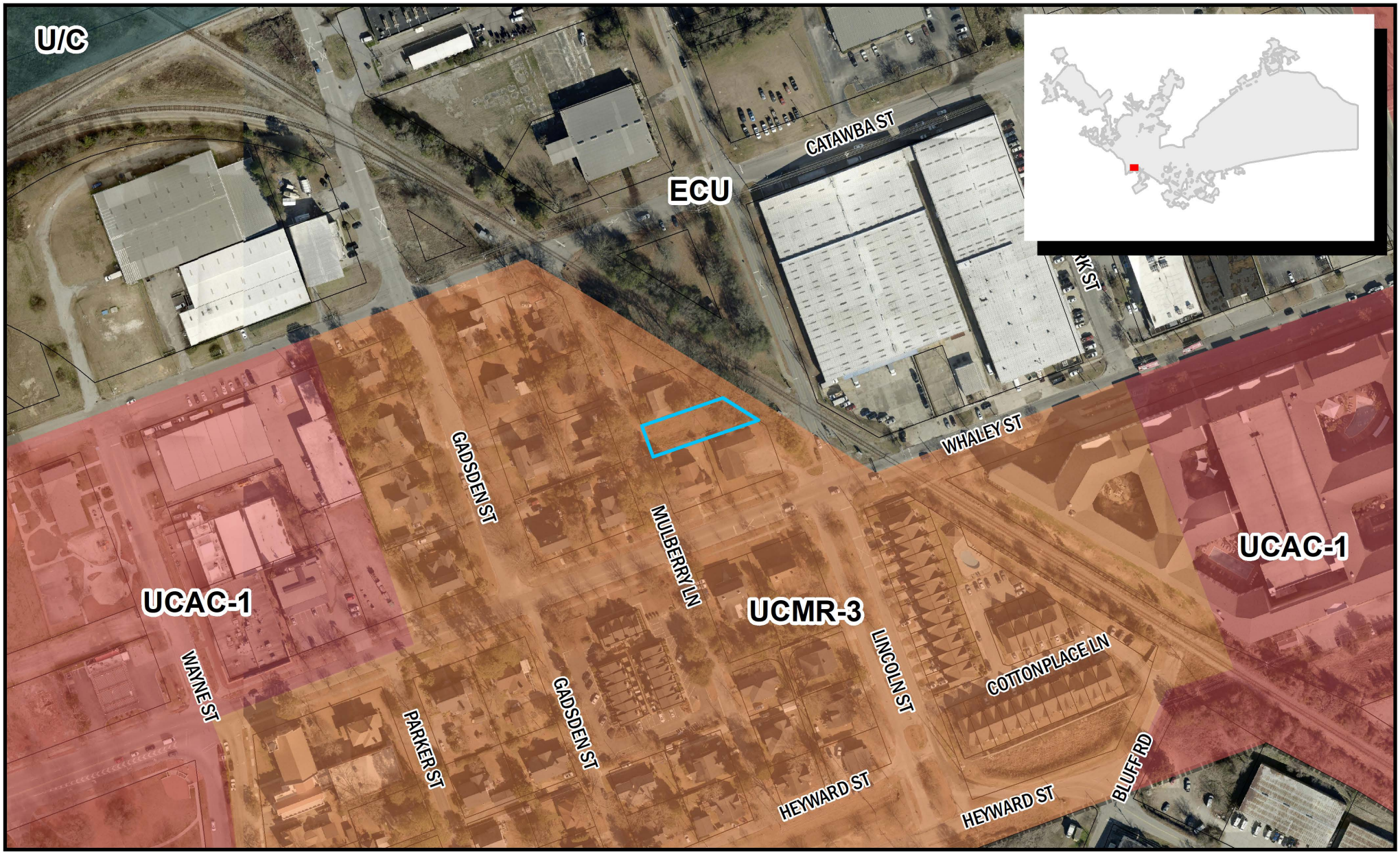
Future Land Use Map

200 Mulberry Lane, TMS# 089
Current FLU: UCMR-3



Department of Planning & Development Services

ORIGINAL PREPARATION/DATE:
This map was prepared by:

Shane Shaughnessy
Date: 11/3/2022

We Are Columbia

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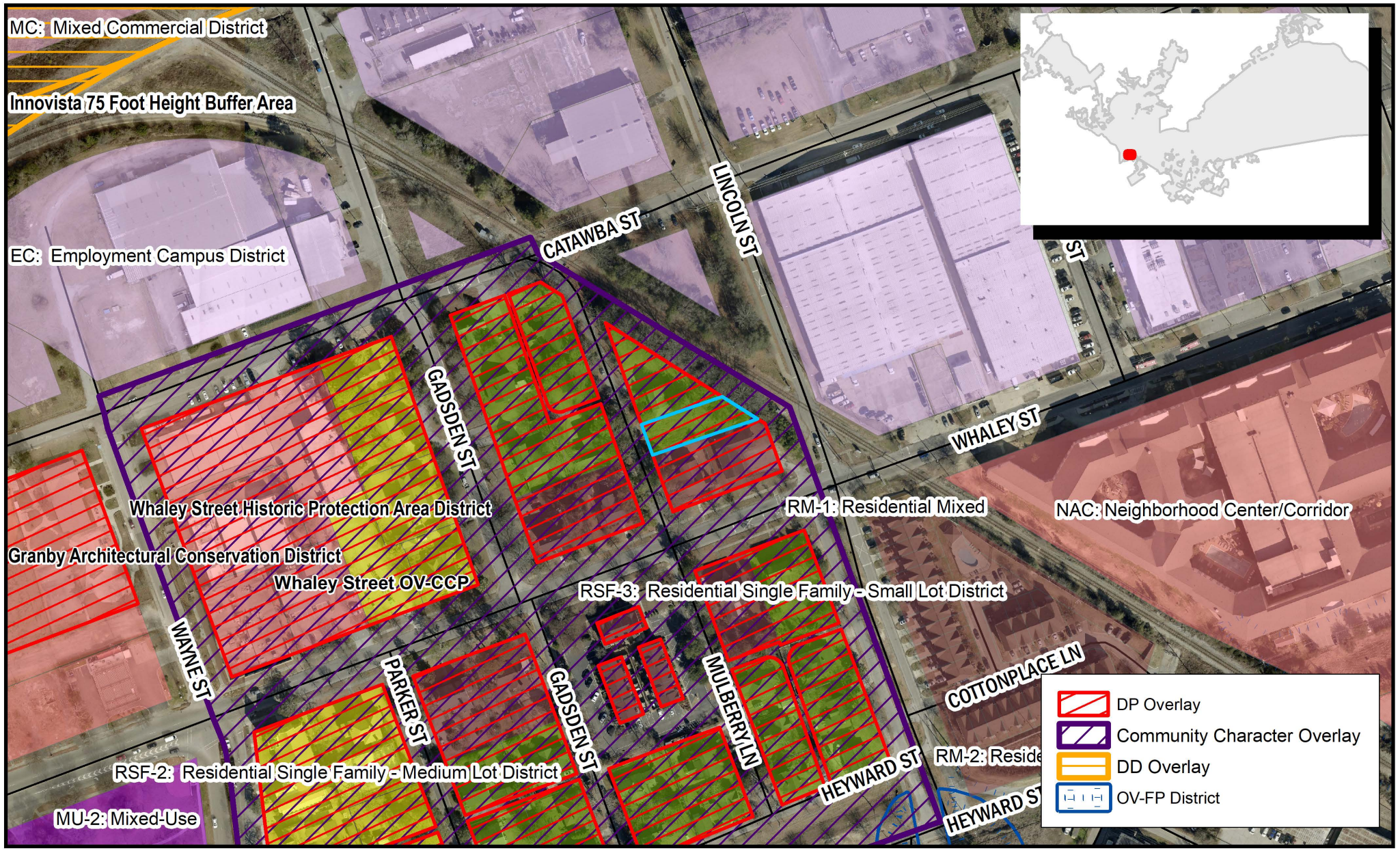
*** DATA SOURCE - CITY OF COLUMBIA, GIS DIVISION*

Zoning Map

200 Mulberry Lane, TMS# 08913-06-04;
Current Zoning: RSF-3, OV-HP, Proposed Zoning: RM-2, OV-HP



Department of Planning & Development Services

ORIGINAL PREPARATION/DATE:
This map was prepared by:

Shane Shaughnessy
Date: 11/3/2022

We Are Columbia

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DISCLAIMER:
The City of Columbia Department of Planning and Development Services data represented on this map or plan is the product of compilation, as produced by others. It is provided for informational purposes only and the City of Columbia makes no representation as to its accuracy. Its

** DATA SOURCE - CITY OF COLUMBIA, GIS DIVISION

Existing Future Land Use Classification

Development Types

URBAN CORE MIXED RESIDENTIAL TYPE 3 (UCMR-3)

Urban Core Mixed Residential Type 3 neighborhoods are appropriate in the central city, inner ring areas, and a couple of blocks off of major corridors throughout Columbia. This development type may represent existing and historic neighborhoods, and is a development form appropriate for small to medium scale redevelopment or infill sites. Traditional and contemporary architectural styles have a place in Urban Core Mixed Residential Type 3 neighborhoods, but scale is always important. Urban Core Mixed Residential Type 3 neighborhoods have smaller-scale residential buildings, with single-family homes being a dominant use, as well as appropriately-scaled mixed-use and neighborhood service amenities. The development of appropriately-scaled commercial uses should be limited to neighborhood corridors. Urban Core Mixed Residential Type 3 neighborhoods generally decrease in intensity as development moves further from main arterials and activity centers.

UCMR-3 BUILDING TYPES/LAND USES

PRIMARY TYPES

- Single-family Detached
- Single-family Attached
- Two-family

SECONDARY TYPES

- Three-family
- Multi-family Small

TERTIARY TYPES

- Multi-family Medium
- Multi-family Mixed-use Small
- Civic/Institutional Small
- Business/Employment Small (excl. Flex)
- Cemeteries & Mausoleums
- Parking Lots

See matrix for appropriate park/open space types.

Development Types

UCMR-3 DEVELOPMENT PATTERN/CONTEXT

- Streets and rights-of-way are wide and typically straight with wide sidewalks and tree lawns found on both sides of the street (preferred). An interconnected network of streets and small blocks, typically in a rectilinear or grid pattern, form walkable, pedestrian-oriented neighborhoods with sidewalks and on-street parking.
- Blocks are square or rectangular and are commonly smaller than the blocks in the urban core. Alleyways are not common but can be used in redevelopment or infill.
- The subdivision of lots is regular within a block with small, equally sized parcels, typically meeting mid-block. Multiple smaller lots are consolidated to accommodate larger buildings. Deeper lots are typically found along major roads.
- Buildings are set back from the street by small to medium front yards with front doors or entrances located on the main façade. Front yard setbacks are typically consistent along a block. Exceptions are for larger buildings like schools that occupy the majority of the block.
- Building types may be mixed on a block but setbacks are typically consistent and the scale of adjacent buildings is similar.
- Many lots have dedicated driveways and/or parking areas, such as surface parking, driveways, or detached garages, located in the interior of the block. On-street parking is also common.

- Open spaces in the form of neighborhood parks, linear parks, and greens are important open space elements in a more densely developed neighborhood.
- Architectural detailing is human scale, shares many characteristics and proportions with single-family architecture, including frequent windows, front entrances, porches, stoops, and/or balconies. The majority of buildings are two to three stories.

Existing Zoning District

(g) RSF-3: Residential Single-Family - Small Lot District

(1) Purpose

The purpose of the Residential Single-Family - Small Lot (RSF-3) District is to provide lands that accommodate primarily single-family detached dwellings at moderate densities. The district also accommodates parks and recreation centers, government offices, and minor utility facilities. District regulations discourage development that substantially interferes with the quiet residential nature of the district.

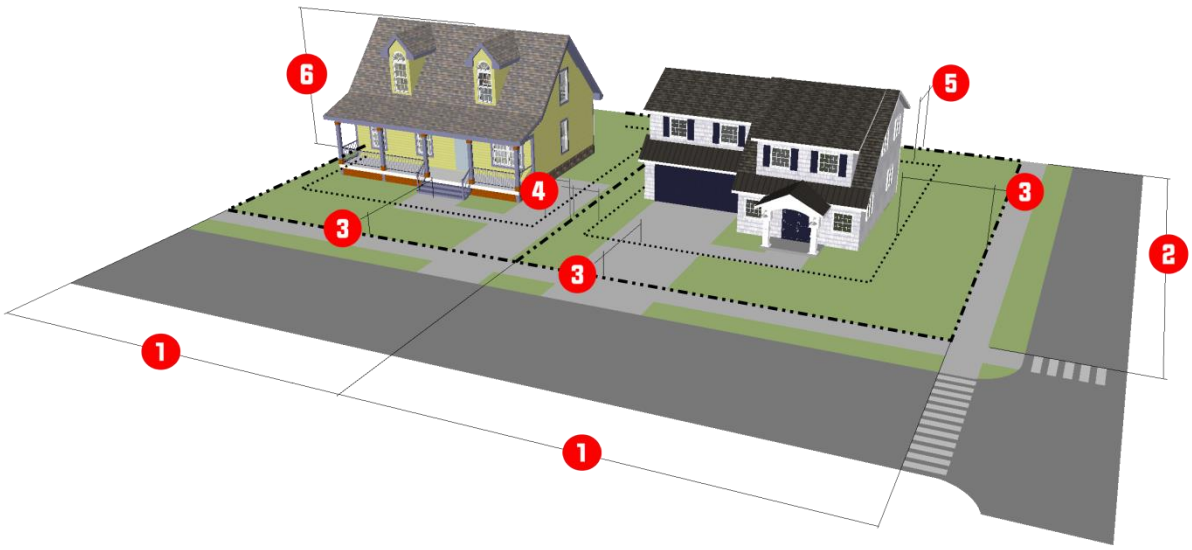
(2) Use Standards

Allowed uses and use-specific standards for principal, accessory, and temporary uses are established in Article 4: Use Regulations.

(3) Intensity and Dimensional Standards

	Standard	All Uses
	Lot Area, min. (sf.)	5,000
1	Lot Width, min. (ft.)	50
2	Lot Depth, min. (ft.)	70
	Lot Coverage, max. (% of site area)	40
	Density, max. (du/acre)	N/A
3	Front Yard Setback, min. (ft.)	15
4	Side Yard Setback, min. (ft.)	5
5	Rear Yard Setback, min. (ft.)	10
6	Building Height, max. (ft.)	40

Notes: ft. = feet sf. = square feet du. = dwelling unit



(4) Reference to Other Standards			
Sec. 17-5.1	Access, Mobility, and Circulation	Sec. 17-5.8	Fences and Walls
Sec. 17-5.2	Off-Street Parking, Bicycle Parking	0	Exterior Lighting
Sec. 17-5.3	Landscaping	0	Signs
Sec. 17-5.4	Tree Protection	Sec. 17-5.11	Green Building Standards
Sec. 17-5.5	Open Space	Sec. 17-6.2	Minimum Design Standards
Sec. 17-5.6	Neighborhood Compatibility	0	Improvements and Sureties
Sec. 17-5.7	Form and Design Standards	Article 9	Definitions and Rules of Measurement

Proposed Zoning District

(k) RM-2: Residential Mixed District

(1) Purpose

The purpose of the Residential Mixed (RM-2) District is to provide lands that accommodate moderate-density mixed residential development that allows single-family, two-family, townhouse, and medium-scale multi-family dwellings.

The street network is gridded and buildings are located close to, and oriented toward, the street.

(2) Use Standards

Allowed uses and use-specific standards for principal, accessory, and temporary uses are established in Article 4: Use Regulations.

(3) Intensity and Dimensional Standards

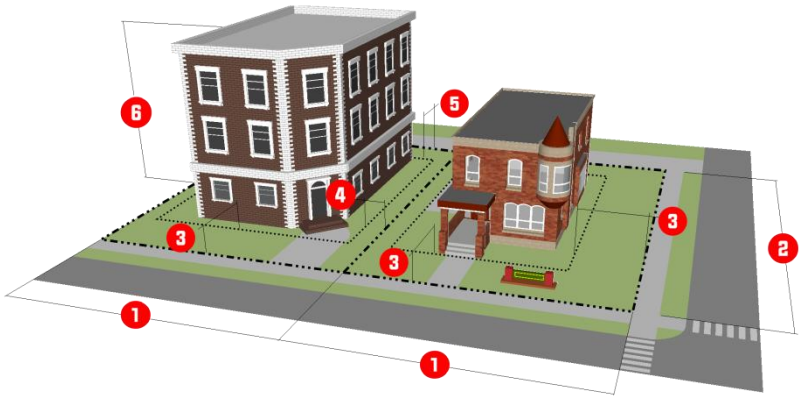
	Standard	Townhouse	All Other Uses
	Lot Area, min. (sf.)	8,000[1]/1,500[2]	3,000
1	Lot Width, min. (ft.)	75[1]/18[2]	40
2	Lot Depth, min. (ft.)	60	60
	Lot Coverage, max. (% of site area)	50	50
	Density, max. (du/acre)	N/A	17.2
3	Front Yard Setback, min. (ft.)	15	15
4	Side Yard Setback, min. (ft.)	[3]	5
5	Rear Yard Setback, min. (ft.)	10	10
6	Building Height, max. (ft.)	50	50

Notes: ft. = feet sf. = square feet du. = dwelling unit

[1] Applies to the development lot as a whole rather than individual lots under individual units.

[2] Applies to individual lots under individual units.

[3] A minimum of five feet required between end units and side yard and ten feet between end units and any secondary front yard.



(4) Reference to Other Standards			
Sec. 17-5.1	Access, Mobility, and Circulation	Sec. 17-5.8	Fences and Walls
Sec. 17-5.2	Off-Street Parking, Bicycle Parking	0	Exterior Lighting
Sec. 17-5.3	Landscaping	0	Signs
Sec. 17-5.4	Tree Protection	Sec. 17-5.11	Green Building Standards
Sec. 17-5.5	Open Space	Sec. 17-6.2	Minimum Design Standards
Sec. 17-5.6	Neighborhood Compatibility	0	Improvements and Sureties
Sec. 17-5.7	Form and Design Standards	Article 9	Definitions and Rules of Measurement

ORDINANCE NO.: 2023-008

Amending the Official Zoning Map to modify the zoning for 200 Mulberry Lane, Richland County TMS# 08913-06-04

WHEREAS, an application has been made to amend the Official Zoning Map of the City of Columbia, S.C. to modify the zoning for 200 Mulberry Lane, Richland County TMS# 08913-06-04; and,

WHEREAS, City Council adopted *Columbia Compass: Envision 2036* as the City of Columbia Comprehensive Plan by Ordinance No.: 2020-028 along with all the maps and policies contained therein, and amended from time to time, in accordance with the South Carolina Comprehensive Planning Act of 1994 (§6-29 of the SC Code); and,

WHEREAS, the City of Columbia has adopted the Unified Development Ordinance (UDO) by Ordinance No.: 2019-013 and Official Zoning Map of the City of Columbia, S.C. by Ordinance No.: 2021-001, both amended from time to time, in accordance with the authority in Title VI of the SC Code; and

WHEREAS, the City of Columbia Planning Commission has reviewed the application and made a recommendation to City Council regarding the application in accordance with §17-2.5(c)(3)(f) of the UDO; and

WHEREAS, the Columbia City Council has held a public hearing in accordance with §17-2.4(f) of the UDO and §6-29-760 of the SC Code; and

WHEREAS, the Columbia City Council has determined that the proposed rezoning meets one or more of the criteria set forth by §17-2.5(c)(4), Zoning Map Amendment Decision Standards, of the UDO; NOW THEREFORE,

BE IT ORDAINED by the Mayor and City Council of the City of Columbia this __ day of _____, 2022, that:

1. The above recitals and findings are incorporated herein by reference and made a part of this Ordinance.
2. The property identified as 200 Mulberry Lane, Richland County TMS# 08913-06-04 and as shown in Attachment A, is hereby rezoned from Residential Single Family-Small Lot District (RSF-3) in the Whaley Street Historic Protection Area (OV-HP) to Residential Mixed District (RM-2) in the Whaley Street Historic Protection Area (OV-HP). The Official Zoning Map of the City of Columbia, S.C. is hereby amended to conform to this change.

Requested by:

Assistant City Manager Gentry

Approved by:

City Manager

Approved as to form:

Deputy City Attorney

_____
Mayor

ATTEST:

_____
City Clerk

Introduced:
Final Reading:

LEGAL DEPARTMENT DRAFT

We Are Columbia

MEETING DATE: **February 21, 2023**

DEPARTMENT: **Planning and Development Services**

FROM: ***Krista Hampton, Director***

SUBJECT: **ZONING MAP AMENDMENT for 951 and 919 True Street, TMS# 16408-01-02 and 16408-01-03**

FUNDING SOURCE & ORIGINAL BUDGET:

CLEAN WATER 2020?: **No**

PURPOSE:

Ordinance No.: 2023-011 - Amending the Official Zoning Map to modify the zoning for 951 True Street and 919 True Street, Richland County TMS# 16408-01-02 and 16408-01-03

Council District: 4

Proposal: Request to rezone the property from Mixed Use District (MU-1) to General Commercial District (GC).

Applicant: Howard Duvall, Columbia City Council

Staff Recommendation: City Council Member Sponsored

PC Recommendation: 12/08/2022; Approval (7-0)

First reading approval was given on February 7, 2023.

ATTACHMENTS:

- **#a:** ZMA-2022-0013_True951_919_ZPH (PDF)
- #b: 2023-011 - Zoning Map Amendment to Rezone 951 and 919 True Street (PDF)
- #c: 951_True_St_Zoning (PDF)

HISTORY:

02/07/23 **Columbia City Council** **APPROVED ON FIRST READING.**

Ms. Rachel Arnett

CITY COUNCIL

February 7, 2023 at 4:00pm
City Hall, 3rd floor Council Chambers, 1737 Main Street, Columbia, SC 29201

Zoning Map Amendment Case Summary
951 and 919 True Street, TMS# 16408-01-02 and 16408-01-03

Council District: 4

Proposal: Request to rezone the property from Mixed Use District (MU-1) to General Commercial District (GC).

Applicant: Howard Duvall, Columbia City Council

Staff Recommendation: City Council Member Sponsored

PC Recommendation: 12/08/2022; Approval (7-0)

ZPH, 1st Reading: 02/07/2023; Pending

2nd Reading: 02/21/2023; Pending

CURRENT PARCEL CHARACTERISTICS/CONDITIONS

Acreage: 3.18 acres
Current Use: Contractor Office, General Office
Proposed Use: Contractor Office, General Office, and Self-Service Storage
Land Use Classification: Urban Edge Residential Small Lot (UER-1)
Current Zoning: Mixed Use District (MU-1)
Proposed Zoning: General Commercial District (GC)

PLANS, POLICIES, AND LAND USE

Comprehensive Plan Land Use Classification

The future land use classification for the subject property is Urban Edge Residential Small Lot (UER-1) in the *Columbia Compass: Envision 2036* Future Land Use Map.

Urban Edge Residential Small lot neighborhoods account for a significant portion of the City's existing residential neighborhoods. This development type is appropriate as development on remaining large lots or as redevelopment in the outer areas of Columbia. Most of these developments are relatively modern and occurred after 1970. Urban Edge Residential Small Lot developments generally do not continue the grid and block pattern found in the urban core neighborhoods, but do tend to have a consistently organized internal street network with loops and interconnections. Culs-de-sac are most prominent in this development type.

Primary Types

- Single-family Detached

Tertiary Types

- Single-family Attached
- Two-family
- Three-family
- Multi-family Small
- Civic/Institutional Small
- Business/Employment Small (excl. Flex)
- Cemeteries & Mausoleums

Existing Neighborhood, Small Area, Community, and/or Corridor Plans

The subject property is not located within the study area of a neighborhood, small area, community, or corridor plan recently adopted by the City of Columbia or Richland County.

PROPOSED ZONING DISTRICT SUMMARY

The subject property currently has base zoning of Mixed Use District (MU-1). The abutting properties in the City of Columbia have base zoning of Mixed Use District (MU-1) to the North and West and Residential Mixed District (RM-2) to the East and South.

The proposed zoning district is General Commercial District (GC).

Mixed-Use District (MU-1)

The purpose of the Mixed-Use (MU-1) District is to provide lands that accommodate low-density, walkable, mixed-use development in a gridded street pattern with varied lot sizes. Allowed uses include single-family, two-family, townhouse, and multi-family dwellings, as well as neighborhood-serving, small-scale mixed-use retail, office, personal services, and institutional development.

General Commercial District (GC)

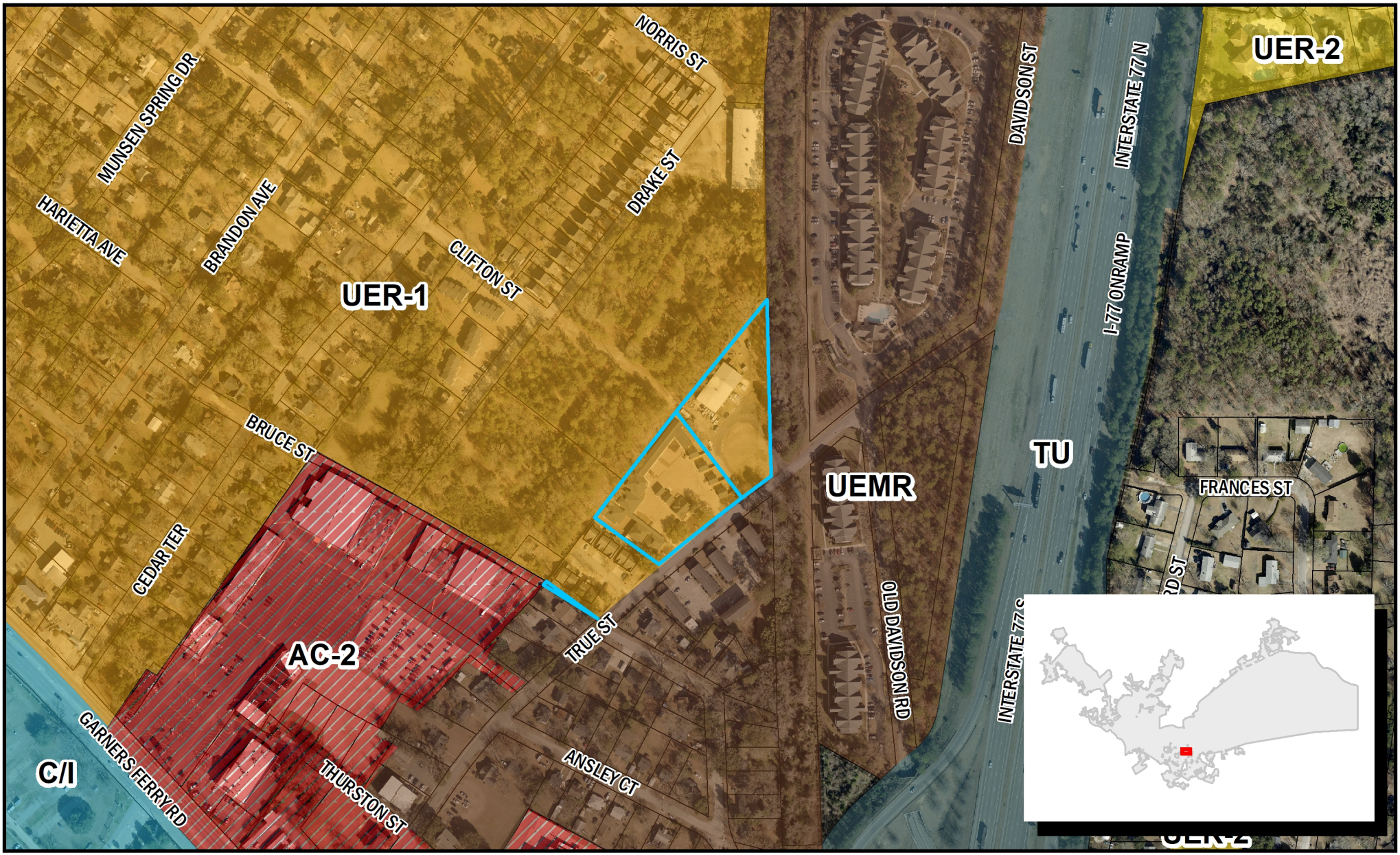
The purpose of the General Commercial (GC) District is to provide lands that accommodate a broad range of nonresidential uses characterized primarily by retail, office, and service establishments. Development is primarily auto-oriented, serving isolated commercial areas outside of the activity centers. Allowed uses include personal services, retail sales, recreation/entertainment, commercial services, eating and drinking establishments, visitor accommodation, and vehicle sales and services.

STAFF RECOMMENDATION

City Council sponsored request.

Future Land Use Map

951 and 919 True Street, TMS# 16408-01-0
Current FLU: UER-1



Department of Planning & Development Services

ORIGINAL PREPARATION/DATE:
This map was prepared by:

Shane Shaughnessy
Date: 8/15/2022

We Are Columbia

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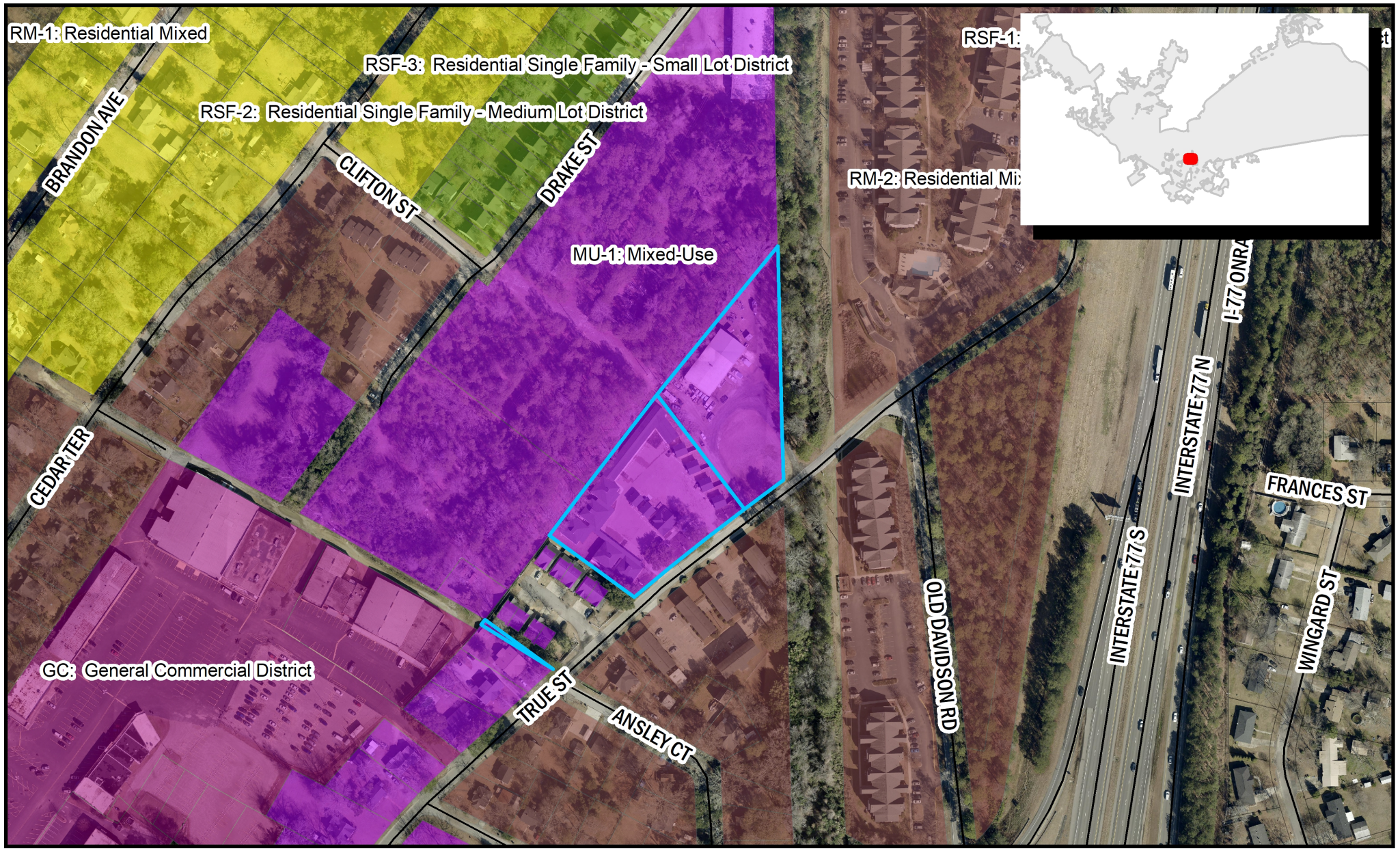
*** DATA SOURCE - CITY OF COLUMBIA, GIS DIVISION*

Zoning Map

951 and 919 True Street, TMS# 16408-0
Current Zoning: MU-1, Proposed Zoning: GC



Department of Planning & Development Services

ORIGINAL PREPARATION/DATE:
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Date: 11/16/2022

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*** DATA SOURCE - CITY OF COLUMBIA, GIS DIVISION*

Existing Future Land Use Classification

Development Types

URBAN EDGE RESIDENTIAL SMALL LOT (UER-1)

Urban Edge Residential Small lot neighborhoods account for a significant portion of the City's existing residential neighborhoods. This development type is appropriate as development on remaining large lots or as redevelopment in the outer areas of Columbia. Most of these developments are relatively modern and occurred after 1970. Urban Edge Residential Small Lot developments generally do not continue the grid and block pattern found in the urban core neighborhoods, but do tend to have a consistently organized internal street network with loops and interconnections. Culs-de-sac are most prominent in this development type.

UER-1 BUILDING TYPES/LAND USES

PRIMARY TYPES

- Single-family Detached

TERTIARY TYPES

- Single-family Attached
- Two-family
- Three-family
- Multi-family Small
- Civic/Institutional Small
- Business/Employment Small (excl. Flex)
- Cemeteries & Mausoleums

See matrix for appropriate park/open space types.

Development Types

UER-1 DEVELOPMENT PATTERN/CONTEXT

- The street network is typically curvilinear with irregular block structure and limited points of connection to the main road network. Street widths may be narrow or wide. Sidewalks may or may not be present in existing neighborhoods but should be provided in new developments. On-street parking is uncommon in these neighborhoods when street widths are narrow.
- Blocks are slightly irregular and may display a range of sizes and shapes determined by the parent lot shape and the internal street network.
- Blocks are subdivided into regular sized lots ranging between 2,500 square feet and 10,000 square feet.
- Buildings are typically set back from the street with deep front yards; buildings sit parallel to the street.
- Building sizes vary slightly within a block, but most are one to two stories in height with less than 2,000 square feet of livable space. Exceptions in the number of stories would be for neighborhoods with many split-level homes.
- Most homes have dedicated parking areas in front or side yards. Attached garages or carports are common.
- Open or green spaces are included in individual properties, retention or detention areas, or neighborhood parks. Passive green spaces should be included in new developments.
- Within a single development, building architecture, density, scale, and design will typically be fairly consistent along with front yard setbacks and driveway and garage arrangements.

Existing Zoning District

(c) MU-1: Mixed-Use District

(1) Purpose

The purpose of the Mixed-Use (MU-1) District is to provide lands that accommodate low-density, walkable, mixed-use development in a gridded street pattern with varied lot sizes.

Allowed uses include single-family, two-family, townhouse, and multi-family dwellings, as well as neighborhood-serving, small-scale mixed-use retail, office, personal services, and institutional development.

(2) Use Standards

Allowed uses and use-specific standards for principal, accessory, and temporary uses are established in Article 4: Use Regulations.

(3) Intensity and Dimensional Standards

	Standard		Townhouse	Single-Family and Two-Family	Multi-Family and Mixed Use	All Other Uses
	Lot Area, min. (sf.)		8,000[1]/1,500[2]	5,000	10,000	5,000
1	Lot Width, min. (ft.)		75[1]/18[2]	50	75	50
2	Lot Depth, min. (ft.)		[3]			
	Lot Coverage, max. (% of site area)		50	N/A		
	Density, max. (du/acre)		N/A			
3	Front Yard Setback. (ft.)	Min.	15	0		
		Max.	20			
4	Side Yard Setback, min. (ft.)		[4]	5		
5	Rear Yard Setback, min. (ft.)		10			
6	Building Height, max. (ft.)		40			

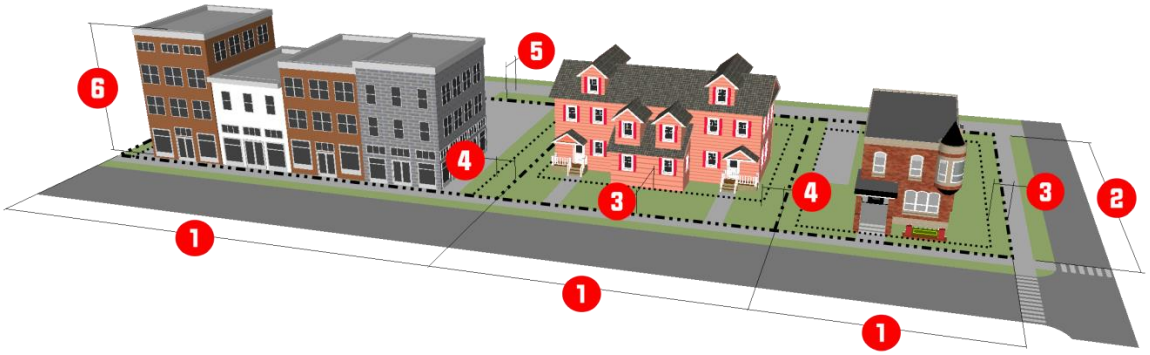
Notes: ft. = feet sf. = square feet du. = dwelling unit

[1] Applies to the development lot as whole rather than individual lots under individual units.

[2] Applies to individual lots under individual units.

[3] Lot depth for residential uses shall be a minimum of 60 feet.

[4] A minimum of five feet required between end units and side yard and ten feet between end units and any secondary front yard.



(4) Reference to Other Standards			
Sec. 17-5.1	Access, Mobility, and Circulation	Sec. 17-5.8	Fences and Walls
Sec. 17-5.2	Off-Street Parking, Bicycle Parking	0	Exterior Lighting
Sec. 17-5.3	Landscaping	0	Signs
Sec. 17-5.4	Tree Protection	Sec. 17-5.11	Green Building Standards
Sec. 17-5.5	Open Space	Sec. 17-6.2	Minimum Design Standards
Sec. 17-5.6	Neighborhood Compatibility	0	Improvements and Sureties
Sec. 17-5.7	Form and Design Standards	Article 9	Definitions and Rules of Measurement

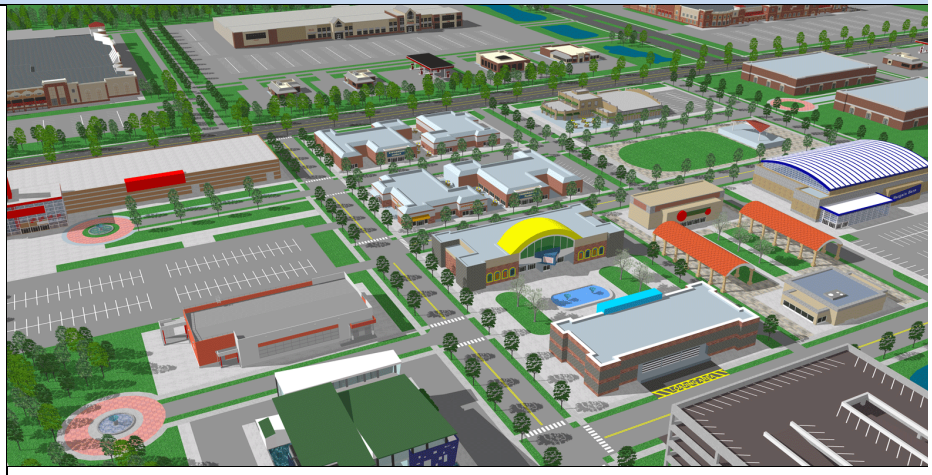
Proposed Zoning District

(j) GC: General Commercial District

(1) Purpose

The purpose of the General Commercial (GC) District is to provide lands that accommodate a broad range of nonresidential uses characterized primarily by retail, office, and service establishments. Development is primarily auto-oriented, serving isolated commercial areas outside of the activity centers.

Allowed uses include personal services, retail sales, recreation/entertainment, commercial services, eating and drinking establishments, visitor accommodation, and vehicle sales and services.



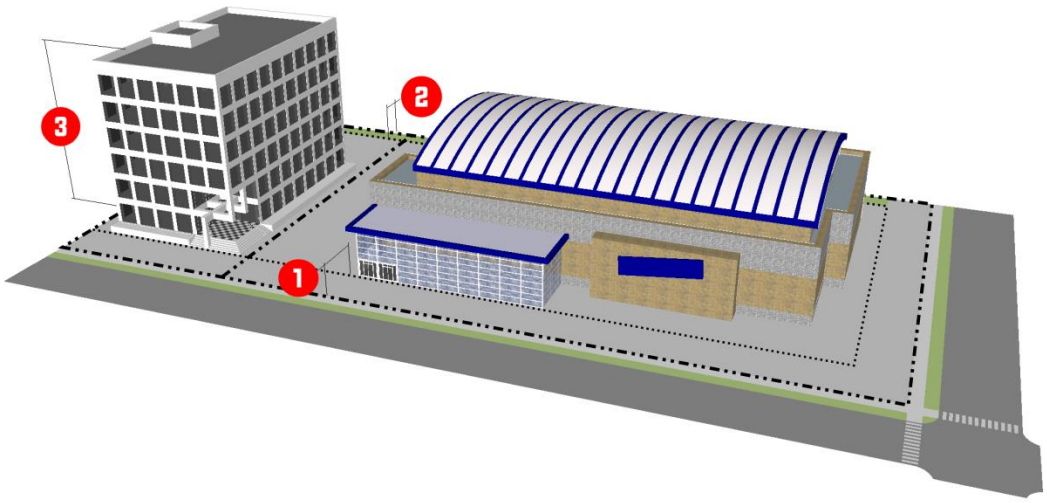
(2) Use Standards

Allowed uses and use-specific standards for principal, accessory, and temporary uses are established in Article 4: Use Regulations.

(3) Intensity and Dimensional Standards

Standard	All Uses
Lot Area, min. (sf.)	N/A
Lot Width, min. (ft.)	N/A
Lot Coverage, max. (% of site area)	N/A
Density, max. (du/acre)	N/A
1 Front Yard Setback, min. (ft.)	20
Side Yard Setback, min. (ft.)	N/A
2 Rear Yard Setback, min. (ft.)	10
3 Building Height, max. (ft.)	75

Notes: ft. = feet sf. = square feet du. = dwelling unit



(4) Reference to Other Standards			
Sec. 17-5.1	Access, Mobility, and Circulation	Sec. 17-5.8	Fences and Walls
Sec. 17-5.2	Off-Street Parking, Bicycle Parking	0	Exterior Lighting
Sec. 17-5.3	Landscaping	0	Signs
Sec. 17-5.4	Tree Protection	Sec. 17-5.11	Green Building Standards
Sec. 17-5.5	Open Space	Sec. 17-6.2	Minimum Design Standards
Sec. 17-5.6	Neighborhood Compatibility	0	Improvements and Sureties
Sec. 17-5.7	Form and Design Standards	Article 9	Definitions and Rules of Measurement

ORDINANCE NO.: 2023-011

Amending the Official Zoning Map to modify the zoning for 951 True Street and 919 True Street, Richland County TMS# 16408-01-02 and 16408-01-03

WHEREAS, an application has been made to amend the Official Zoning Map of the City of Columbia, S.C. to modify the zoning for 951 True Street and 919 True Street, Richland County TMS# 16408-01-02 and TMS# 16408-01-03; and,

WHEREAS, City Council adopted *Columbia Compass: Envision 2036* as the City of Columbia Comprehensive Plan by Ordinance No.: 2020-028 along with all the maps and policies contained therein, and amended from time to time, in accordance with the South Carolina Comprehensive Planning Act of 1994 (§6-29 of the SC Code); and,

WHEREAS, the City of Columbia has adopted the Unified Development Ordinance (UDO) by Ordinance No.: 2019-013 and Official Zoning Map of the City of Columbia, S.C. by Ordinance No.: 2021-001, both amended from time to time, in accordance with the authority in Title VI of the SC Code; and

WHEREAS, the City of Columbia Planning Commission has reviewed the application and made a recommendation to City Council regarding the application in accordance with §17-2.5(c)(3)(f) of the UDO; and

WHEREAS, the Columbia City Council has held a public hearing in accordance with §17-2.4(f) of the UDO and §6-29-760 of the SC Code; and

WHEREAS, the Columbia City Council has determined that the proposed rezoning meets one or more of the criteria set forth by §17-2.5(c)(4), Zoning Map Amendment Decision Standards, of the UDO; NOW THEREFORE,

BE IT ORDAINED by the Mayor and City Council of the City of Columbia this __ day of _____, 2023, that:

1. The above recitals and findings are incorporated herein by reference and made a part of this Ordinance.
2. The property identified as 951 True Street and 919 True Street, Richland County TMS# 16408-01-02 and TMS# 16408-01-03 and as shown in Attachment A, is hereby rezoned from Mixed Use District (MU-1) to General Commercial District (GC). The Official Zoning Map of the City of Columbia, S.C. is hereby amended to conform to this change.

Requested by:

Assistant City Manager Gentry

_____
Mayor

Approved by:

_____
City Manager

Approved as to form:

_____
Deputy City Attorney

ATTEST:

_____
City Clerk

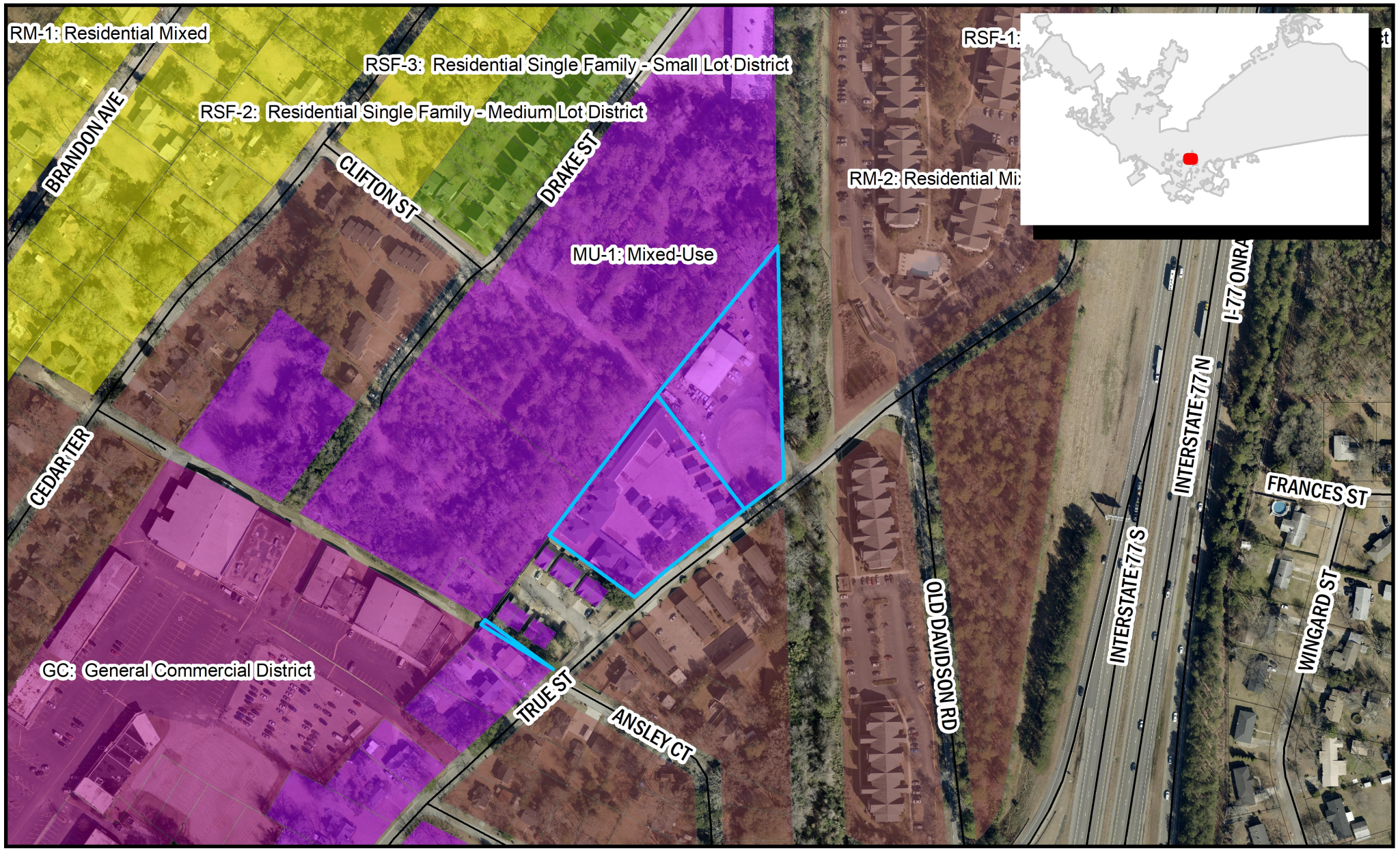
Introduced:
Final Reading:

LEGAL DEPARTMENT DRAFT

Last revised: 12/15/2022
22015066

Zoning Map

951 and 919 True Street, TMS# 16408-0
Current Zoning: MU-1, Proposed Zoning: GC



Department of Planning & Development Services

ORIGINAL PREPARATION/DATE:
This map was prepared by:

Shane Shaughnessy
Date: 11/16/2022

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DISCLAIMER:
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*** DATA SOURCE - CITY OF COLUMBIA, GIS DIVISION*

We Are Columbia

MEETING DATE: **February 21, 2023**

DEPARTMENT: **Planning and Development Services**

FROM: ***Krista Hampton, Director***

SUBJECT: **FUTURE LAND USE MAP AMENDMENT CONFIRMATION for 8325 Old Percival Road; TMS# 19813-01-02**

FUNDING SOURCE & ORIGINAL BUDGET:

PURPOSE:

Ordinance No.: 2023-006 - Amending the Columbia Compass: Envision 2036 Map to confirm the future land use classification for 8325 Old Percival Road; Richland County TMS# 19813-01-02; annexed by Ordinance No 2022-051 enacted September 20, 2022

Council District: 4

Proposal: Request to confirm the future land use classification of Urban Edge Residential Small Lot (UER-1). The property is currently assigned interim future land use classification of Urban Edge Residential Small Lot (UER-1).

Applicant: Hurricane Construction, Inc.

Staff Recommendation: Approval

PC Recommendation: 05/12/2022; Approval (4-0)

First reading approval was given on February 7, 2023.

ATTACHMENTS:

- **#a:** LUMA-2022-0005_LUMAConfirm_OldPercival8325_ZPH (PDF)
- #b: 2023-006 - 8325 Old Percival LUMA Confirm (PDF)

HISTORY:

02/07/23	**Columbia City Council**	**APPROVED ON FIRST READING.**

CITY COUNCIL

February 7, 2023 at 4:00pm
City Hall, 3rd floor Council Chambers, 1737 Main Street, Columbia, SC 29201

FUTURE LAND USE MAP AMENDMENT CONFIRMATION CASE SUMMARY
8325 Old Percival Road; TMS# 19813-01-02

Council District: 4

Proposal: Request to confirm the future land use classification of Urban Edge Residential Small Lot (UER-1). The property is currently assigned interim future land use classification of Urban Edge Residential Small Lot (UER-1).

Applicant: Hurricane Construction, Inc.

Staff Recommendation: Approval

Annexation
PC Recommendation: 05/12/2022; Approval (4-0)
First Reading: 06/07/2022; Approved
Second Reading: 09/20/2022; Approved

FLU, ZMA Confirmation
PC Recommendation: 11/10/2022; Approval (7-0)
First Reading: 02/07/2023; Pending
Second Reading: 02/21/2023; Pending

CURRENT PARCEL CHARACTERISTICS/CONDITIONS

Acreage: 4.37 acres
Current Use: Undeveloped
Proposed Use: Residential
Current Interim Land Use Classification: Urban Edge Residential Small Lot (UER-1)
Proposed Land Use Classification: Urban Edge Residential Small Lot (UER-1)
Current Interim Zoning: Residential Mixed District (RM-1)
Proposed Zoning: Residential Mixed District (RM-1)
Census Tract: 114.12

PLANS, POLICIES, AND LAND USE

Comprehensive Plan Land Use Classification

The proposed future land use classification for the subject property is Urban Edge Residential Small Lot (UER-1) in the *Columbia Compass: Envision 2036* Future Land Use Map. The property is currently assigned an interim future land use of Urban Edge Residential Small Lot (UER-1).

Urban Edge Residential Small lot neighborhoods account for a significant portion of the City's existing residential neighborhoods. This development type is appropriate as development on remaining large lots or as redevelopment in the outer areas of Columbia. Most of these developments are relatively modern and occurred after 1970. Urban Edge Residential Small Lot developments generally do not continue the grid and block pattern

found in the urban core neighborhoods, but do tend to have a consistently organized internal street network with loops and interconnections. Culs-de-sac are most prominent in this development type.

Primary Types

- Single-family Detached

Tertiary Types

- Single-family Attached
- Two-family
- Three-family
- Multi-family Small
- Civic/Institutional Small
- Business/Employment Small (excl. Flex)
- Cemeteries & Mausoleums

Existing Neighborhood, Small Area, Community, and/or Corridor Plans

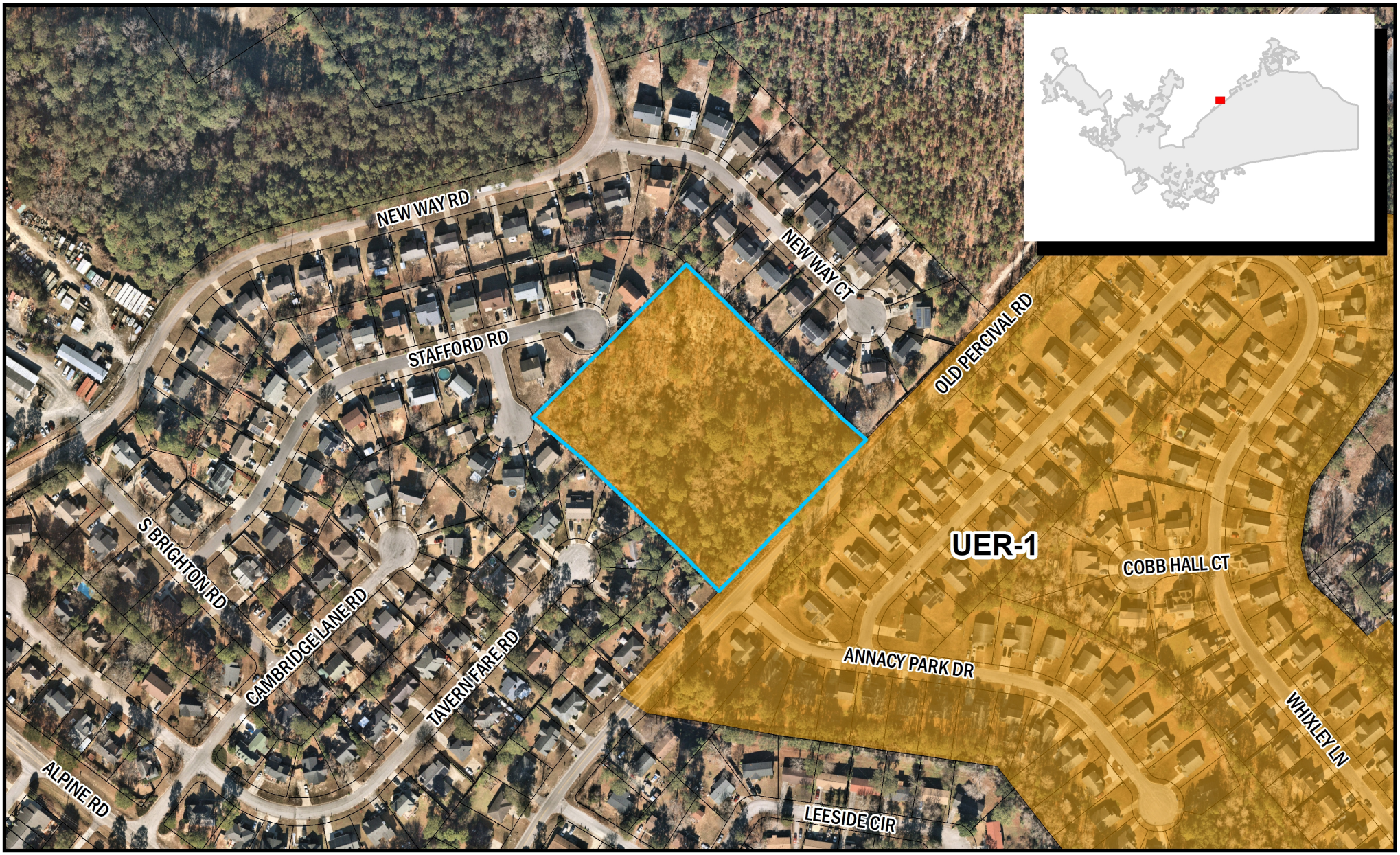
The subject property is not located within the study area of a neighborhood, small area, community, or corridor plan adopted by the City of Columbia or Richland County.

STAFF RECOMMENDATION

Staff recommends confirmation of the future land classification of Urban Edge Residential Small Lot (UER-1) for the property.

Future Land Use Map

8325 Old Percival Road, TMS# 19813-01-02;
Current Interim FLU: UER-1, Proposed FLU: UER-1



Department of Planning & Development Services

ORIGINAL PREPARATION/DATE:
This map was prepared by:

Shane Shaughnessy
Date: 10/19/2022

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CITY OF COLUMBIA PLANNING DEPARTMENT
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*** DATA SOURCE - CITY OF COLUMBIA, GIS DIVISION*

Proposed Future Land Use Classification

Development Types

URBAN EDGE RESIDENTIAL SMALL LOT (UER-1)

Urban Edge Residential Small lot neighborhoods account for a significant portion of the City's existing residential neighborhoods. This development type is appropriate as development on remaining large lots or as redevelopment in the outer areas of Columbia. Most of these developments are relatively modern and occurred after 1970. Urban Edge Residential Small Lot developments generally do not continue the grid and block pattern found in the urban core neighborhoods, but do tend to have a consistently organized internal street network with loops and interconnections. Culs-de-sac are most prominent in this development type.

UER-1 BUILDING TYPES/LAND USES

PRIMARY TYPES

- Single-family Detached

TERTIARY TYPES

- Single-family Attached
- Two-family
- Three-family
- Multi-family Small
- Civic/Institutional Small
- Business/Employment Small (excl. Flex)
- Cemeteries & Mausoleums

See matrix for appropriate park/open space types.

Development Types

UER-1 DEVELOPMENT PATTERN/CONTEXT

- The street network is typically curvilinear with irregular block structure and limited points of connection to the main road network. Street widths may be narrow or wide. Sidewalks may or may not be present in existing neighborhoods but should be provided in new developments. On-street parking is uncommon in these neighborhoods when street widths are narrow.
- Blocks are slightly irregular and may display a range of sizes and shapes determined by the parent lot shape and the internal street network.
- Blocks are subdivided into regular sized lots ranging between 2,500 square feet and 10,000 square feet.
- Buildings are typically set back from the street with deep front yards; buildings sit parallel to the street.
- Building sizes vary slightly within a block, but most are one to two stories in height with less than 2,000 square feet of livable space. Exceptions in the number of stories would be for neighborhoods with many split-level homes.
- Most homes have dedicated parking areas in front or side yards. Attached garages or carports are common.
- Open or green spaces are included in individual properties, retention or detention areas, or neighborhood parks. Passive green spaces should be included in new developments.
- Within a single development, building architecture, density, scale, and design will typically be fairly consistent along with front yard setbacks and driveway and garage arrangements.

LEGAL DEPARTMENT DRAFT

ORDINANCE NO.: 2023-006

Amending the Columbia Compass: Envision 2036 Map to confirm the future land use classification for 8325 Old Percival Road; Richland County TMS# 19813-01-02; annexed by Ordinance No 2022-051 enacted September 20, 2022

WHEREAS, the City of Columbia and community at large recognize the value of planning for future development and growth; and,

WHEREAS, City Council adopted Columbia Compass: Envision 2036 as the City of Columbia Comprehensive Plan by Ordinance No.: 2020-028 adopting Columbia Compass: Envision 2036 along with all the maps and policies contained therein, and amended from time to time, in accordance with the South Carolina Comprehensive Planning Act of 1994 (Title 6, Chapter 29 of the SC Code); and,

WHEREAS, the City of Columbia Planning Commission has provided input and recommendations in response to the public input and findings; and,

WHEREAS, the Columbia City Council has held a public hearing in accordance with §6-29-760 of the SC Code; and,

WHEREAS, the Columbia City Council has determined that the future land use classification of Industrial (IND) is appropriate for the subject property; NOW, THEREFORE,

BE IT ORDAINED by the Mayor and City Council of the City of Columbia this __ day of _____, 2023, that:

1. The above recitals and findings are incorporated herein by reference and made a part of this Ordinance.
2. The property identified as 8325 Old Percival Road; Richland County TMS# 19813-01-02, annexed into the City of Columbia by Ordinance No.: 2022-051 enacted on September 20, 2022, and as shown in Attachment A, shall be incorporated into Columbia Compass: Envision 2036 adopted by Ordinance No.: 2020-028 on August 4, 2020, with a future land use classification of Urban Edge Residential Small Lot (UER-1).

Requested by:

Assistant City Manager Gentry

Approved by:

_____
City Manager

Approved as to form:

_____
Deputy City Attorney

_____
Mayor

ATTEST:

_____
City Clerk

Introduced:
Final Reading:

Last revised: 12/15/2022

22015053

Attachment A

Future Land Use Map

8325 Old Percival Road, TMS# 19813-01-02;
Current Interim FLU: UER-1, Proposed FLU: UER-1

Department of Planning & Development Services

ORIGINAL PREPARATION/DATE:
This map was prepared by:
Shane Shaughnessy
Date: 10/19/2022

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CITY OF COLUMBIA PLANNING DEPARTMENT
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** DATA SOURCE - CITY OF COLUMBIA, GIS DIVISION

Last revised: 12/15/2022

22015053

We Are Columbia

MEETING DATE: **February 21, 2023**

DEPARTMENT: **Planning and Development Services**

FROM: ***Krista Hampton, Director***

SUBJECT: **ZONING MAP AMENDMENT CONFIRMATION for 8325 Old Percival Road; TMS# 19813-01-02**

FUNDING SOURCE & ORIGINAL BUDGET:

CLEAN WATER 2020?: **No**

PURPOSE:

Ordinance No.: 2023-007 - Amending the Official Zoning Map to confirm the zoning for 8325 Old Percival Road, Richland County TMS# 19813-01-02; annexed by Ordinance No.: 2022-051 enacted September 20, 2022

Council District: 4

Proposal: Request to confirm the zoning of Residential Mixed District (RM-1). The property currently has interim zoning of Residential Mixed District (RM-1).

Applicant: Hurricane Construction, Inc.

Staff Recommendation: Approval

PC Recommendation: 05/12/2022; Approval (4-0)

First reading approval was given on February 7, 2023.

ATTACHMENTS:

- **#a:** ZMA_2022_0016_ZMAConfirm_OldPercival_8325_ZPH (PDF)
- #b: 2023-007 - Zoning Map Amendment to confirm zoning of 8325 Percival Road (PDF)
- #c: OldPercival8325_Zoning (JPG)

HISTORY:

02/07/23	**Columbia City Council**	**APPROVED ON FIRST READING.**

CITY COUNCIL

February 7, 2023 at 4:00pm
City Hall, 3rd floor Council Chambers, 1737 Main Street, Columbia, SC 29201

ZONING MAP AMENDMENT CONFIRMATION CASE SUMMARY
8325 Old Percival Road; TMS# 19813-01-02

Council District: 4

Proposal: Request to confirm the zoning of Residential Mixed District (RM-1). The property currently has interim zoning of Residential Mixed District (RM-1).

Applicant: Hurricane Construction, Inc.

Staff Recommendation: Approval

Annexation
PC Recommendation: 05/12/2022; Approval (4-0)
First Reading: 06/07/2022; Approved
Second Reading: 09/20/2022; Approved

FLU, ZMA Confirmation
PC Recommendation: 11/10/2022; Approval (7-0)
1st Reading: 02/07/2022; Pending
2nd Reading: 02/21/2022; Pending

CURRENT PARCEL CHARACTERISTICS/CONDITIONS

Acreage: 4.37 acres
Current Use: Undeveloped
Proposed Use: Residential
Current Interim Land Use Classification: Urban Edge Residential Small Lot (UER-1)
Proposed Land Use Classification: Urban Edge Residential Small Lot (UER-1)
Current Interim Zoning: Residential Mixed District (RM-1)
Proposed Zoning: Residential Mixed District (RM-1)
Census Tract: 114.12

PLANS, POLICIES, AND LAND USE

Comprehensive Plan Land Use Classification

The proposed future land use classification for the subject property is Urban Edge Residential Small Lot (UER-1) in the *Columbia Compass: Envision 2036* Future Land Use Map. The property is currently assigned an interim future land use of Urban Edge Residential Small Lot (UER-1).

Urban Edge Residential Small lot neighborhoods account for a significant portion of the City's existing residential neighborhoods. This development type is appropriate as development on remaining large lots or as redevelopment in the outer areas of Columbia. Most of these developments are relatively modern and occurred after 1970. Urban Edge Residential Small Lot developments generally do not continue the grid and block pattern found in the urban core neighborhoods, but do tend to have a consistently organized internal street network with loops and interconnections. Culs-de-sac are most prominent in this development type.

Primary Types

- Single-family Detached

Tertiary Types

- Single-family Attached
- Two-family
- Three-family
- Multi-family Small
- Civic/Institutional Small
- Business/Employment Small (excl. Flex)
- Cemeteries & Mausoleums

Existing Neighborhood, Small Area, Community, and/or Corridor Plans

The subject property is not located within the study area of a neighborhood, small area, community, or corridor plan adopted by the City of Columbia or Richland County.

PROPOSED ZONING DISTRICT SUMMARY

The parcel currently has interim zoning of Residential Mixed District (RM-1). Surrounding parcels within the City of Columbia are currently zoned Residential Single Family-Small Lot District (RSF-3) to the East. Surrounding parcels in unincorporated Richland County are currently zoned RM-HD to the North, West, and South.

The proposed City of Columbia zoning district is Residential Mixed District (RM-1).

Residential Mixed District (RM-1)

The purpose of the Residential Mixed (RM-1) District is to provide lands that accommodate a walkable, moderate-density mix of residential development that allows single-family, two-family, townhouse, and multi-family dwellings.

STAFF RECOMMENDATION

Staff recommends the confirmation of the zoning of Residential Mixed District (RM-1) on the property.

Zoning Map

8325 Old Percival Road, TMS# 19813-01-02;
Current Interim Zoning: RM-1, Proposed Zoning: RM-1

Department of Planning & Development Services

ORIGINAL PREPARATION/DATE:
This map was prepared by:

Shane Shaughnessy
Date: 10/19/2022

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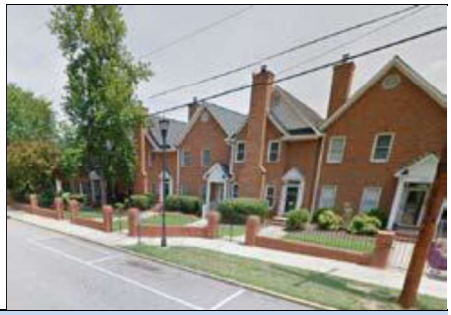
*** DATA SOURCE - CITY OF COLUMBIA, GIS DIVISION*

Proposed Zoning District

(j) RM-1: Residential Mixed District

(1) Purpose

The purpose of the Residential Mixed (RM-1) District is to provide lands that accommodate a walkable, moderate-density mix of residential development that allows single-family, two-family, townhouse, and multi-family dwellings.



(2) Use Standards

Allowed uses and use-specific standards for principal, accessory, and temporary uses are established in Article 4: Use Regulations.

(3) Intensity and Dimensional Standards

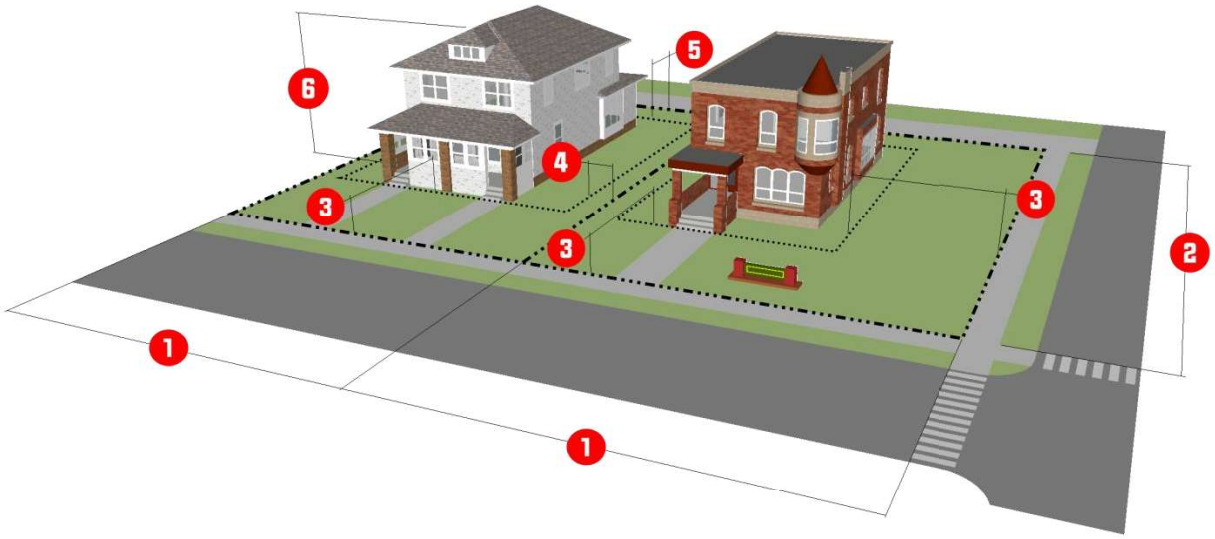
	Standard	Townhouse	All Other Uses
	Lot Area, min. (sf.)	8,000[1]/1,500[2]	5,000
1	Lot Width, min. (ft.)	75[1]/18[2]	50
2	Lot Depth, min. (ft.)	70	70
	Lot Coverage, max. (% of site area)	50	50
	Density, max. (du/acre)	N/A	8.7
3	Front Yard Setback, min. (ft.)	15	15
4	Side Yard Setback, min. (ft.)	[3]	5
5	Rear Yard Setback, min. (ft.)	10	10
6	Building Height, max. (ft.)	40	40

Notes: ft. = feet sf. = square feet du. = dwelling unit

[1] Applies to the development lot as a whole rather than individual lots under individual units.

[2] Applies to individual lots under individual units.

[3] A minimum of five feet required between end units and side yard and ten feet between end units and any secondary front yard.



(4) Reference to Other Standards			
Sec. 17-5.1	Access, Mobility, and Circulation	Sec. 17-5.8	Fences and Walls
Sec. 17-5.2	Off-Street Parking, Bicycle Parking	0	Exterior Lighting
Sec. 17-5.3	Landscaping	0	Signs
Sec. 17-5.4	Tree Protection	Sec. 17-5.11	Green Building Standards
Sec. 17-5.5	Open Space	Sec. 17-6.2	Minimum Design Standards
Sec. 17-5.6	Neighborhood Compatibility	0	Improvements and Sureties
Sec. 17-5.7	Form and Design Standards	Article 9	Definitions and Rules of Measurement

ORDINANCE NO.: 2023-007

Amending the Official Zoning Map to confirm the zoning for 8325 Old Percival Road, Richland County TMS# 19813-01-02; annexed by Ordinance No.: 2022-051 enacted September 20, 2022

WHEREAS, an application has been made to amend the Official Zoning Map of the City of Columbia, S.C. to confirm the zoning for 8325 Old Percival Road, Richland County TMS# 19813-01-02; and,

WHEREAS, City Council adopted *Columbia Compass: Envision 2036* as the City of Columbia Comprehensive Plan by Ordinance No.: 2020-028 along with all the maps and policies contained therein, and amended from time to time, in accordance with the South Carolina Comprehensive Planning Act of 1994 (§6-29 of the SC Code); and,

WHEREAS, the City of Columbia has adopted the Unified Development Ordinance (UDO) by Ordinance No.: 2019-013 and Official Zoning Map of the City of Columbia, S.C. by Ordinance No.: 2021-001, both amended from time to time, in accordance with the authority in Title VI of the SC Code; and

WHEREAS, the City of Columbia Planning Commission has reviewed the application and made a recommendation to City Council regarding the application in accordance with §17-2.5(c)(3)(f) of the UDO; and

WHEREAS, the Columbia City Council has held a public hearing in accordance with §17-2.4(f) of the UDO and §6-29-760 of the SC Code; and

WHEREAS, the Columbia City Council has determined that the proposed rezoning meets one or more of the criteria set forth by §17-2.5(c)(4), Zoning Map Amendment Decision Standards, of the UDO; NOW THEREFORE,

BE IT ORDAINED by the Mayor and City Council of the City of Columbia this __ day of _____, 2023, that:

1. The above recitals and findings are incorporated herein by reference and made a part of this Ordinance.
2. The property identified as 8325 Percival Road and TMS# 19813-01-02 containing 4.37 acres and as shown in Attachment A, is hereby confirmed as Residential Mixed District (RM-1). The Official Zoning Map of the City of Columbia, S.C. is hereby amended to conform to this change.

Requested by:

Assistant City Manager Gentry

_____
Mayor

Approved by:

_____
City Manager

Approved as to form:

_____
Deputy City Attorney

ATTEST:

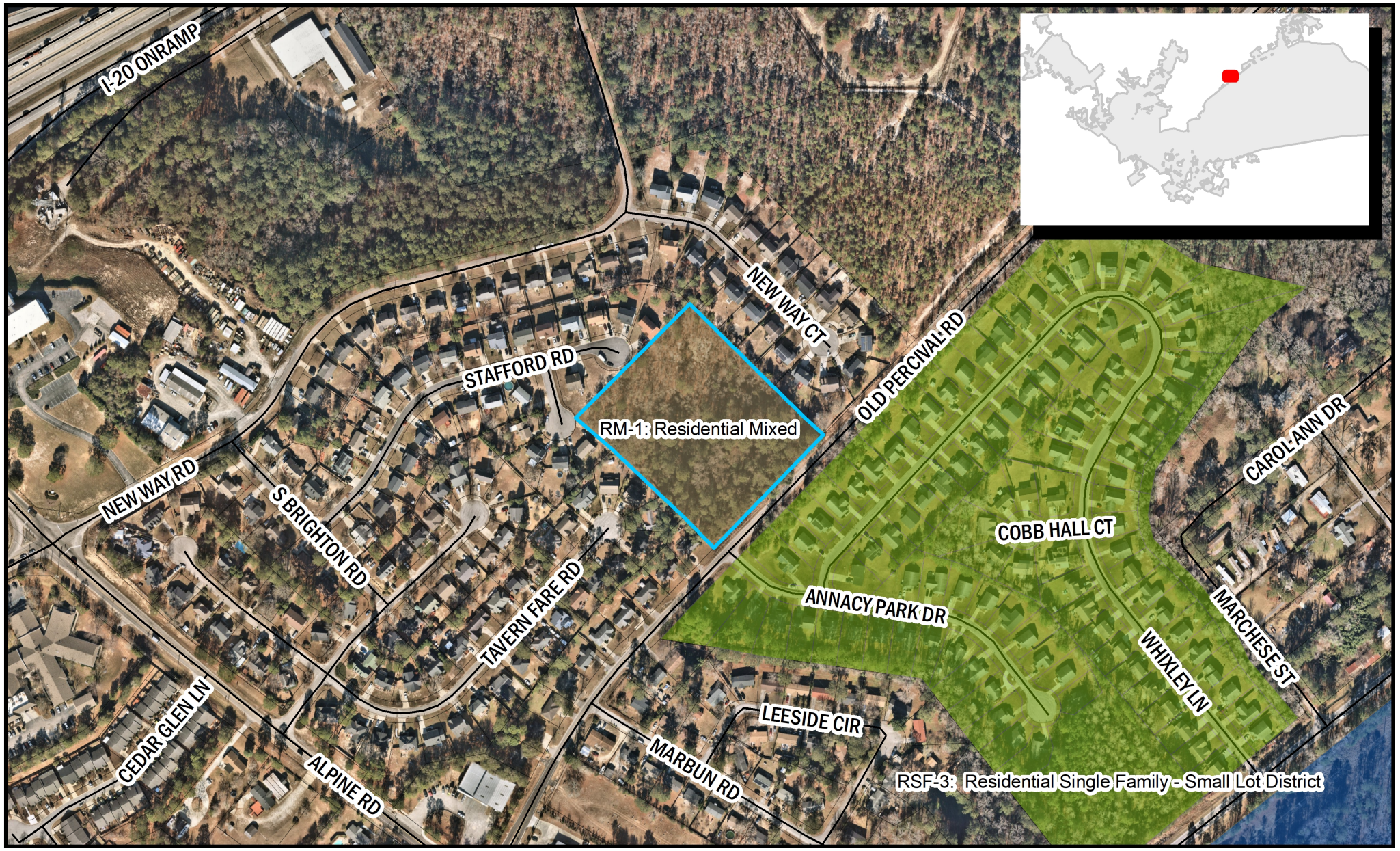
_____
City Clerk

Introduced:
Final Reading:

LEGAL DEPARTMENT DRAFT

Zoning Map

8325 Old Percival Road, TMS# 19813-01-02;
Current Interim Zoning: RM-1, Proposed Zoning: RM-1



Department of Planning & Development Services

ORIGINAL PREPARATION/DATE:
This map was prepared by:

Shane Shaughnessy
Date: 10/19/2022

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*** DATA SOURCE - CITY OF COLUMBIA, GIS DIVISION*

We Are Columbia

MEETING DATE: **February 21, 2023**

DEPARTMENT: **Planning and Development Services**

FROM: ***Krista Hampton, Director***

SUBJECT: **FUTURE LAND USE MAP AMENDMENT CONFIRMATION for 3800 Overbrook Drive and 616 Suber Street; TMS# 13708-05-01**

FUNDING SOURCE & ORIGINAL BUDGET:

CLEAN WATER 2020?: **No**

PURPOSE:

Ordinance No.: 2023-020 - Amending the Columbia Compass: Envision 2036 Map to confirm the future land use classification for 3800 Overbrook Drive and 616 Suber Street; Richland County TMS# 13708-05-01; annexed by Ordinance No.: 2022-124 enacted December 20, 2022

Council District: 3

Proposal: Request to confirm the future land use classification of Urban Core Residential Small Lot (UCR-1). The property currently is currently assigned an interim future land use classification of Urban Core Residential Small Lot (UCR-1).

Applicant: Bowers Property Management, LLC

Staff Recommendation: Approval

PC Recommendation: 11/10/2022; Approval (7-0)

First reading approval was given on February 7, 2023.

ATTACHMENTS:

- **#a:** LUMA-2022-0006_Overbrook3800_LUMAConfirm_ZPH (PDF)
- #b: 2023-020 - Annex only 3800 Overbrook LUMA Confirm (PDF)

HISTORY:

02/07/23	**Columbia City Council**	**APPROVED ON FIRST READING.**

Mr. Patrick Mahoney
Ms. Carol Williams
Mr. Robert Dudek
Ms. Valerie James
Mr. Jared Johnson
Ms. Whitney Denton
Ms. Cathy Kittle
Ms. Trish McLaughlin

CITY COUNCIL

February 7, 2023 at 4:00pm
City Hall, 3rd floor Council Chambers, 1737 Main Street, Columbia, SC 29201

FUTURE LAND USE MAP AMENDMENT CONFIRMATION CASE SUMMARY
3800 Overbrook Drive and 616 Suber Street; TMS# 13708-05-01

Council District: 3

Proposal: Request to confirm the future land use classification of Urban Core Residential Small Lot (UCR-1). The property currently is currently assigned an interim future land use classification of Urban Core Residential Small Lot (UCR-1).

Applicant: Bowers Property Management, LLC

Staff Recommendation: Approval

Annexation
PC Recommendation: 11/10/2022; Approval (7-0)
First Reading: 12/06/2022; Approved
Second Reading: 12/20/2022; Approved

ZMA, FLU Confirmation
PC Recommendation: 01/12/2023; Approval (8-0)
1st Reading: 02/07/2023; Pending
2nd Reading: 02/21/2023; Pending

CURRENT PARCEL CHARACTERISTICS/CONDITIONS

Acreage: 1.89 acres
Current Use: Residential
Proposed Use: Residential
Current Interim Land Use Classification: Urban Core Residential Small Lot (UCR-1)
Proposed Land Use Classification: Urban Core Residential Small Lot (UCR-1)
Current Interim Zoning: Residential Mixed District (RM-2)
Proposed Zoning: Residential Mixed District (RM-2)
Census Tract: 26.05

PLANS, POLICIES, AND LAND USE

Comprehensive Plan Land Use Classification

The proposed interim future land use classification for the subject property is Urban Core Residential Small Lot (UCR-1) in the *Columbia Compass: Envision 2036* Future Land Use Map. The property is assigned an interim future land use classification of Urban Core Residential Small Lot (UCR-1).

Urban Core Residential Small Lot neighborhoods are common just outside the urban center; most were subdivided before 1950 and many continue the grid or street network from the original planned portion of the City. This development type may represent existing neighborhoods and is a development form appropriate for medium to large-scale redevelopments or infill sites. Traditional and contemporary architectural styles have a

place in these neighborhoods. When infill development is designed, scale and orientation of existing structures on the block should act as design presets.

Primary Types

- Single-family Detached

Secondary Types

- Single-family Attached
- Two-family
- Three-family

Tertiary Types

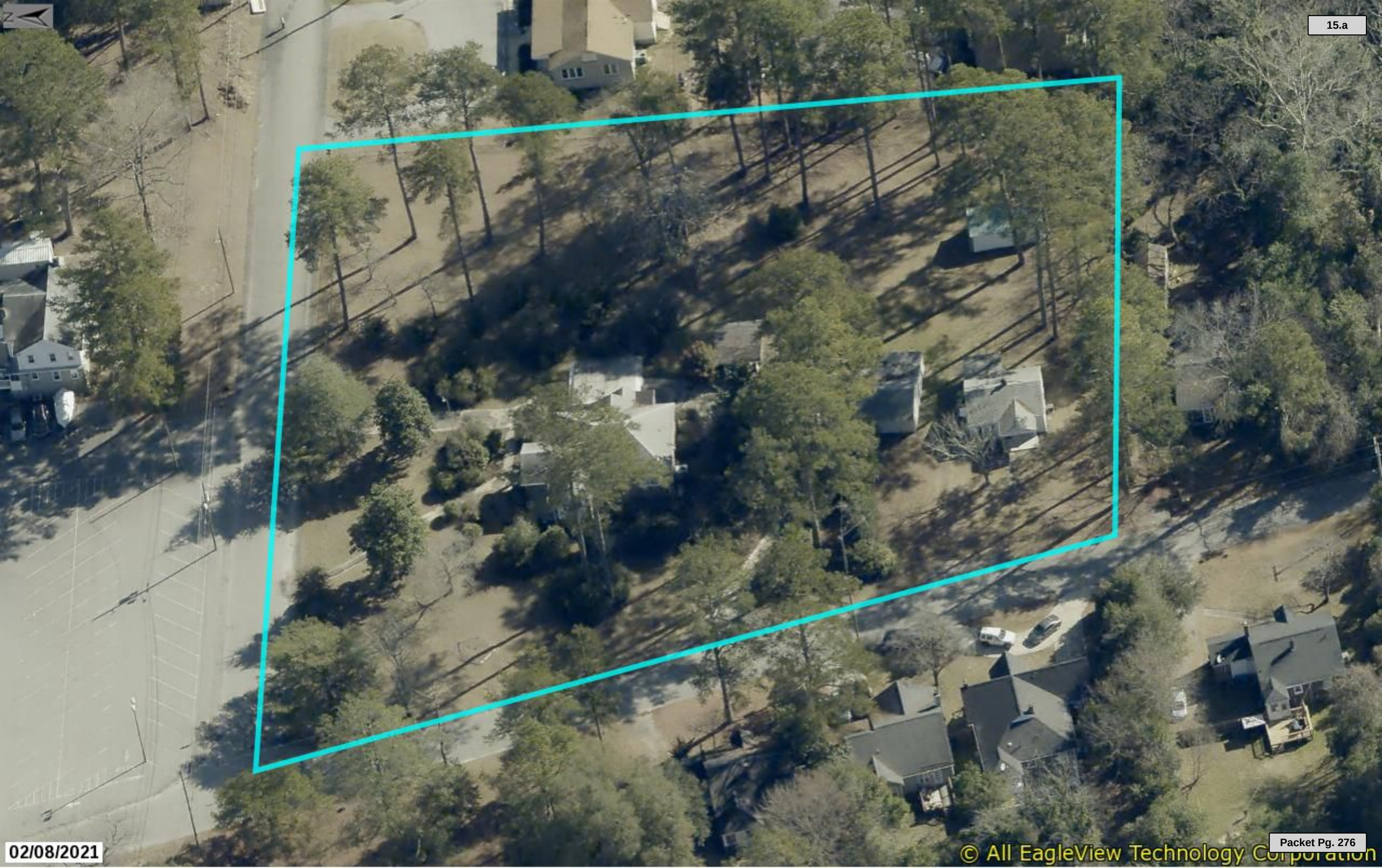
- Multi-family Small
- Civic/Institutional Small
- Business/Employment Small (excl. Flex)
- Cemeteries & Mausoleums

Existing Neighborhood, Small Area, Community, and/or Corridor Plans

The subject property is located within the study area of the *Rosewood Corridor & Neighborhood Plan* (2012). As the subject property was not located within the City limits at the time of the planning effort, no specific recommendations for future land use or zoning were made for the property, though the plan did note that the property could be located within the potential neighborhood design overlay area (Ch. 4 Page 32). In general, the Plan discusses the need for walkability and improved/maintained tree canopy within Rosewood.

STAFF RECOMMENDATION

Staff recommends confirmation of the future land classification of Urban Core Residential Small Lot (UCR-1) for the property.



02/08/2021

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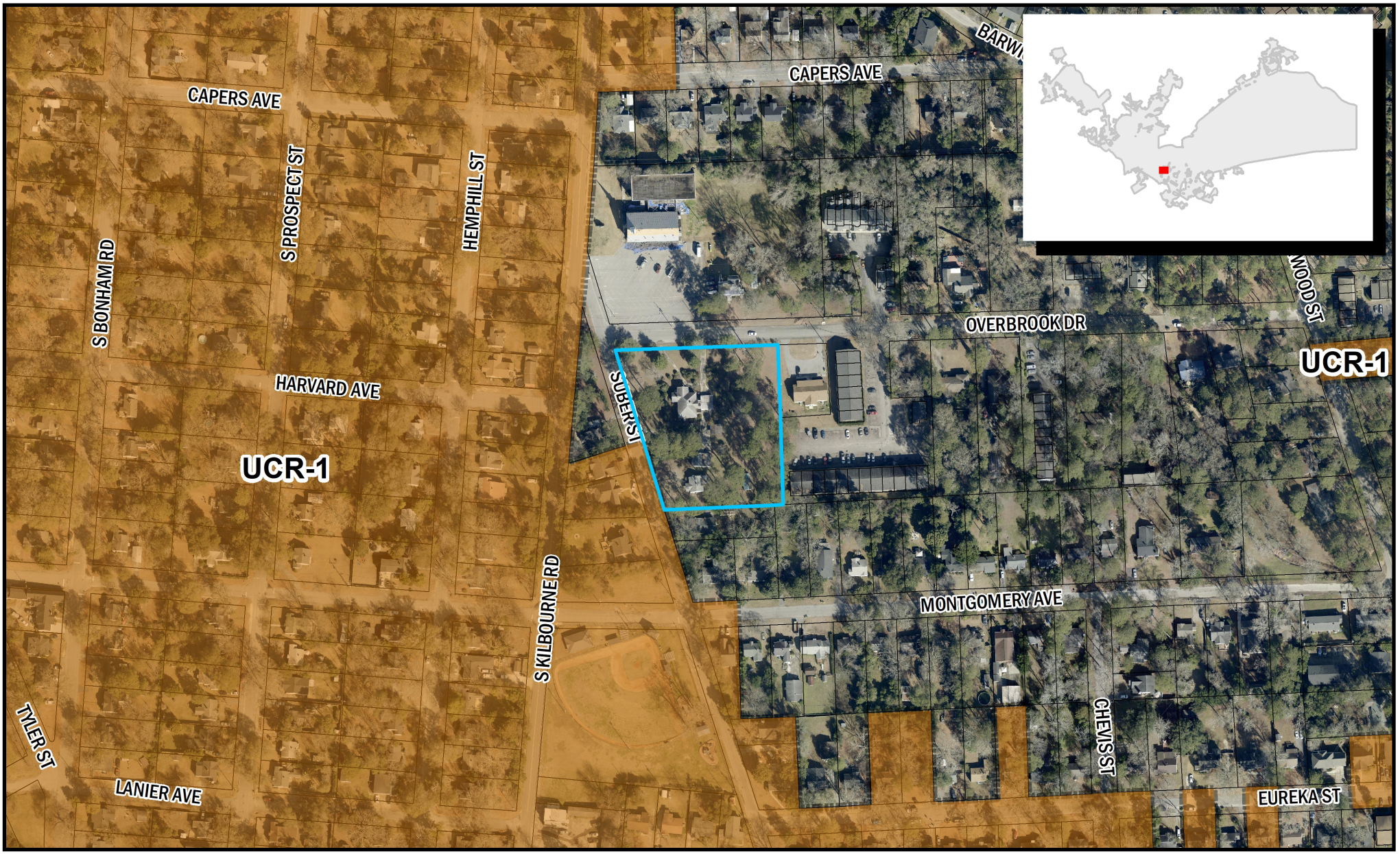
Future Land Use Map

3800 Overbrook Dr. and 616 Suber St., TMS# 13
Current Interim FLU: UCR-1, Proposed FLU: UCR-1



Department of Planning & Development Services

ORIGINAL PREPARATION/DATE:
This map was prepared by:

Shane Shaughnessy
Date: 12/5/2022

We Are Columbia

0 62.5 125 250 Feet

CITY OF COLUMBIA PLANNING DEPARTMENT
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*** DATA SOURCE - CITY OF COLUMBIA, GIS DIVISION*

Proposed Future Land Use Classification

Development Types

URBAN CORE RESIDENTIAL SMALL LOT (UCR-1)

Urban Core Residential Small Lot neighborhoods are common just outside the urban center; most were subdivided before 1950 and many continue the grid or street network from the original planned portion of the City. This development type may represent existing neighborhoods and is a development form appropriate for medium to large-scale redevelopments or infill sites. Traditional and contemporary architectural styles have a place in these neighborhoods. When infill development is designed, scale and orientation of existing structures on the block should act as design presets.

UCR-1 BUILDING TYPES/LAND USES

PRIMARY TYPES

- Single-family Detached

SECONDARY TYPES

- Single-family Attached
- Two-family
- Three-family

TERTIARY TYPES

- Multi-family Small
- Civic/Institutional Small
- Business/Employment Small (excl. Flex)
- Cemeteries & Mausoleums

See matrix for appropriate park/open space types.

Development Types

UCR-1 DEVELOPMENT PATTERN/CONTEXT

- Streets and rights-of-way are wide and typically straight; they include sidewalks and tree lawns, preferably lining both sides of the street. Local streets may be narrower than the principal and minor arterial roads.
- Transit may be found along principal and minor arterials or in adjacent activity corridors or centers.
- Blocks are square or rectangular and are commonly smaller than the blocks in the urban center. Alleyways are not common but can be used in redevelopment or infill to increase accessibility.
- The subdivision of blocks is regular and results in equally sized lots that average less than 8,700 square feet. Multiple smaller lots are consolidated to accommodate larger buildings like schools. Deeper lots may be found along major roads.
- Buildings are set back from the street by small to medium front yards with front doors or entrances located on the main façade. Front yard setbacks are typically consistent along a block. Exceptions are for larger buildings like schools that occupy the majority of a block.
- Individual lots may have only one narrow side yard and have a zero lot line setback from front or side property lines, however buildings set in the center of the lot are also common.
- Housing is primarily single family residential, and most buildings are of a similar size, height, and style within a block. Building sizes vary, but most are one to two stories in height with less than 2,000 square feet of livable space per unit.
- Some lots have dedicated parking areas - in driveways, or detached garages located in the interior of the block. On-street parking is also common.

- Open spaces for community gardens or informal passive neighborhood and community scale parks are important open space elements in a more densely developed neighborhood.
- Architecture is vernacular and detailing is human scale with frequent windows, front entrances, porches, stoops, and/or balconies. Neighborhoods display era-specific architectural styles which should be used as a reference for scale and massing for any infill buildings.

LEGAL DEPARTMENT DRAFT

ORDINANCE NO.: 2023-020

Amending the Columbia Compass: Envision 2036 Map to confirm the future land use classification for 3800 Overbrook Drive and 616 Suber Street; Richland County TMS# 13708-05-01; annexed by Ordinance No 2022-124 enacted December 20, 2022

WHEREAS, the City of Columbia and community at large recognize the value of planning for future development and growth; and,

WHEREAS, City Council adopted Columbia Compass: Envision 2036 as the City of Columbia Comprehensive Plan by Ordinance No.: 2020-028 adopting Columbia Compass: Envision 2036 along with all the maps and policies contained therein, and amended from time to time, in accordance with the South Carolina Comprehensive Planning Act of 1994 (Title 6, Chapter 29 of the SC Code); and,

WHEREAS, the City of Columbia Planning Commission has provided input and recommendations in response to the public input and findings; and,

WHEREAS, the Columbia City Council has held a public hearing in accordance with §6-29-760 of the SC Code; and,

WHEREAS, the Columbia City Council has determined that the future land use classification of Urban Core Residential Small Lot (UCR-1) is appropriate for the subject property; NOW, THEREFORE,

BE IT ORDAINED by the Mayor and City Council of the City of Columbia this __ day of _____, 2023, that:

1. The above recitals and findings are incorporated herein by reference and made a part of this Ordinance.
2. The property identified as 3800 Overbrook Drive and 616 Suber Street; Richland County TMS# 13708-05-01, annexed into the City of Columbia by Ordinance No.: 2022-124 enacted on December 20, 2022, and as shown in Attachment A, shall be incorporated into Columbia Compass: Envision 2036 adopted by Ordinance No.: 2020-028 on August 4, 2020, with a future land use classification of Urban Core Residential Small Lot (UCR-1).

Requested by:

Assistant City Manager Gentry

Approved by:

_____
City Manager

Approved as to form:

_____
Deputy City Attorney

_____
Mayor

ATTEST:

_____
City Clerk

Introduced:
Final Reading:

Last revised: 1/6/2023
23015387

Attachment A

Future Land Use Map

3800 Overbrook Dr. and 616 Suber St., TMS# 13708-05-01;
Current Interim FLU: UCR-1, Proposed FLU: UCR-1

Department of Planning & Development Services

ORIGINAL PREPARATION/DATE:
This map was prepared by:
Shane Shaughnessy
Date: 12/5/2022

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*** DATA SOURCE - CITY OF COLUMBIA, GIS DIVISION*

Last revised: 1/6/2023
23015387

We Are Columbia

MEETING DATE: **February 21, 2023**

DEPARTMENT: **Planning and Development Services**

FROM: ***Krista Hampton, Director***

SUBJECT: **ZONING MAP AMENDMENT CONFIRMATION for 3800 Overbook Drive and 616 Suber Street; TMS# 13708-05-01**

FUNDING SOURCE & ORIGINAL BUDGET:

CLEAN WATER 2020?: **No**

PURPOSE:

Ordinance No.: 2023-022 - Amending the Official Zoning Map to confirm the zoning for 3800 Overbrook Drive and 616 Suber Street, Richland County TMS# 13708-05-01; annexed by Ordinance No. 2022-124 enacted December 20, 2022

Council District: 3

Proposal: Request to confirm the zoning of Residential Mixed District (RM-2). The property currently has interim zoning of Residential Mixed District (RM-2).

Applicant: Bowers Property Management, LLC

Staff Recommendation: Approval

PC Recommendation: 11/10/2022; Approval (7-0)

First reading approval was given on February 7, 2023.

ATTACHMENTS:

- **#a:** ZMA-2022-0021_Overbrook3800_ZMAConfirm_ZPH (PDF)
- #b: 2023-022 confirm zoning 3800 Overbrook Drive and 616 Suber Street (PDF)
- #c: 2023-022 - Zoning Map 3800 Overbrook Dr and 616 Suber St (PDF)

HISTORY:

02/07/23	**Columbia City Council**	**APPROVED ON FIRST READING.**

CITY COUNCIL

February 7, 2023 at 4:00pm
City Hall, 3rd floor Council Chambers, 1737 Main Street, Columbia, SC 29201

ZONING MAP AMENDMENT CONFIRMATION CASE SUMMARY
3800 Overbrook Drive and 616 Suber Street; TMS# 13708-05-01

Council District: 3

Proposal: Request to confirm the zoning of Residential Mixed District (RM-2). The property currently has interim zoning of Residential Mixed District (RM-2).

Applicant: Bowers Property Management, LLC

Staff Recommendation: Approval

Annexation
PC Recommendation: 11/10/2022; Approval (7-0)
First Reading: 12/06/2022; Approval
Second Reading: 12/20/2022; Approval

ZMA, FLU Confirmation
PC Recommendation: 01/12/2023; Approval (8-0)
1st Reading: 02/07/2023; Pending
2nd Reading: 02/21/2023; Pending

CURRENT PARCEL CHARACTERISTICS/CONDITIONS

Acreage: 1.89 acres
Current Use: Residential
Proposed Use: Residential
Current Interim Land Use Classification: Urban Core Residential Small Lot (UCR-1)
Proposed Land Use Classification: Urban Core Residential Small Lot (UCR-1)
Current Interim Zoning: Residential Mixed District (RM-2)
Proposed Zoning: Residential Mixed District (RM-2)
Census Tract: 26.05

PLANS, POLICIES, AND LAND USE

Comprehensive Plan Land Use Classification

The proposed interim future land use classification for the subject property is Urban Core Residential Small Lot (UCR-1) in the *Columbia Compass: Envision 2036* Future Land Use Map. The property is assigned an interim future land use classification of Urban Core Residential Small Lot (UCR-1).

Urban Core Residential Small Lot neighborhoods are common just outside the urban center; most were subdivided before 1950 and many continue the grid or street network from the original planned portion of the City. This development type may represent existing neighborhoods and is a development form appropriate for medium to large-scale redevelopments or infill sites. Traditional and contemporary architectural styles have a place in these neighborhoods. When infill development is designed, scale and orientation of existing structures on the block should act as design presets.

Primary Types

- Single-family Detached

Secondary Types

- Single-family Attached
- Two-family
- Three-family

Tertiary Types

- Multi-family Small
- Civic/Institutional Small
- Business/Employment Small (excl. Flex)
- Cemeteries & Mausoleums

Existing Neighborhood, Small Area, Community, and/or Corridor Plans

The subject property is located within the study area of the *Rosewood Corridor & Neighborhood Plan* (2012). As the subject property was not located within the City limits at the time of the planning effort, no specific recommendations for future land use or zoning were made for the property, though the plan did note that the property could be located within the potential neighborhood design overlay area (Ch. 4 Page 32). In general, the Plan discusses the need for walkability and improved/maintained tree canopy within Rosewood.

PROPOSED ZONING DISTRICT SUMMARY

The parcel currently has interim zoning of Residential Mixed District (RM-2). Surrounding parcels within the City of Columbia are currently zoned Residential Mixed District (RM-2) to the West. Surrounding parcels in unincorporated Richland County are currently zoned RM-HD to the West, North, and East and RS-HD to the South.

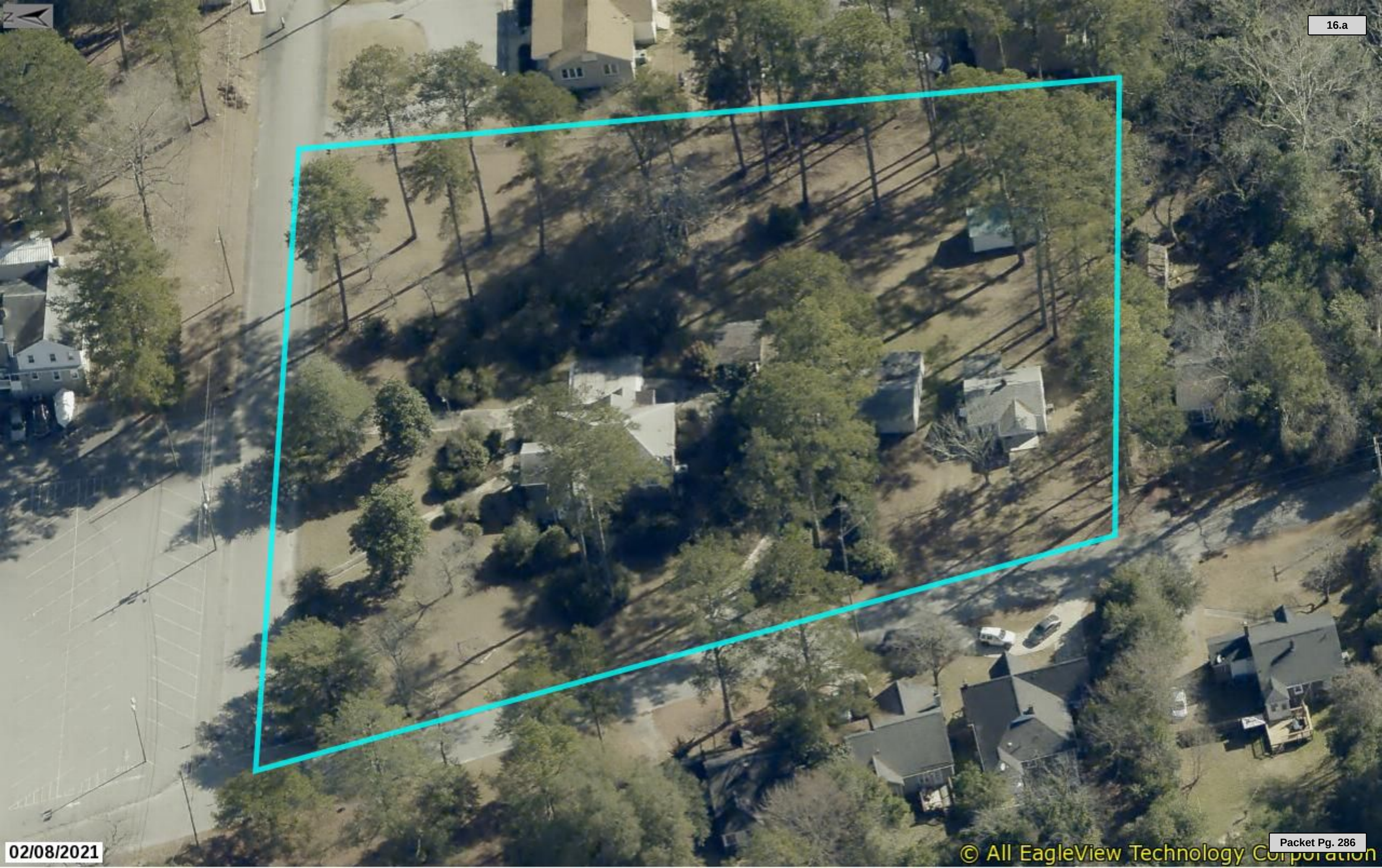
The proposed City of Columbia zoning district is Residential Mixed District (RM-2).

Residential Mixed District (RM-2)

The purpose of the Residential Mixed (RM-2) District is to provide lands that accommodate moderate-density mixed residential development that allows single-family, two-family, townhouse, and medium-scale multi-family dwellings. The street network is gridded and buildings are located close to, and oriented toward, the street.

STAFF RECOMMENDATION

Staff recommends the confirmation of the zoning of Residential Mixed District (RM-2) on the property.



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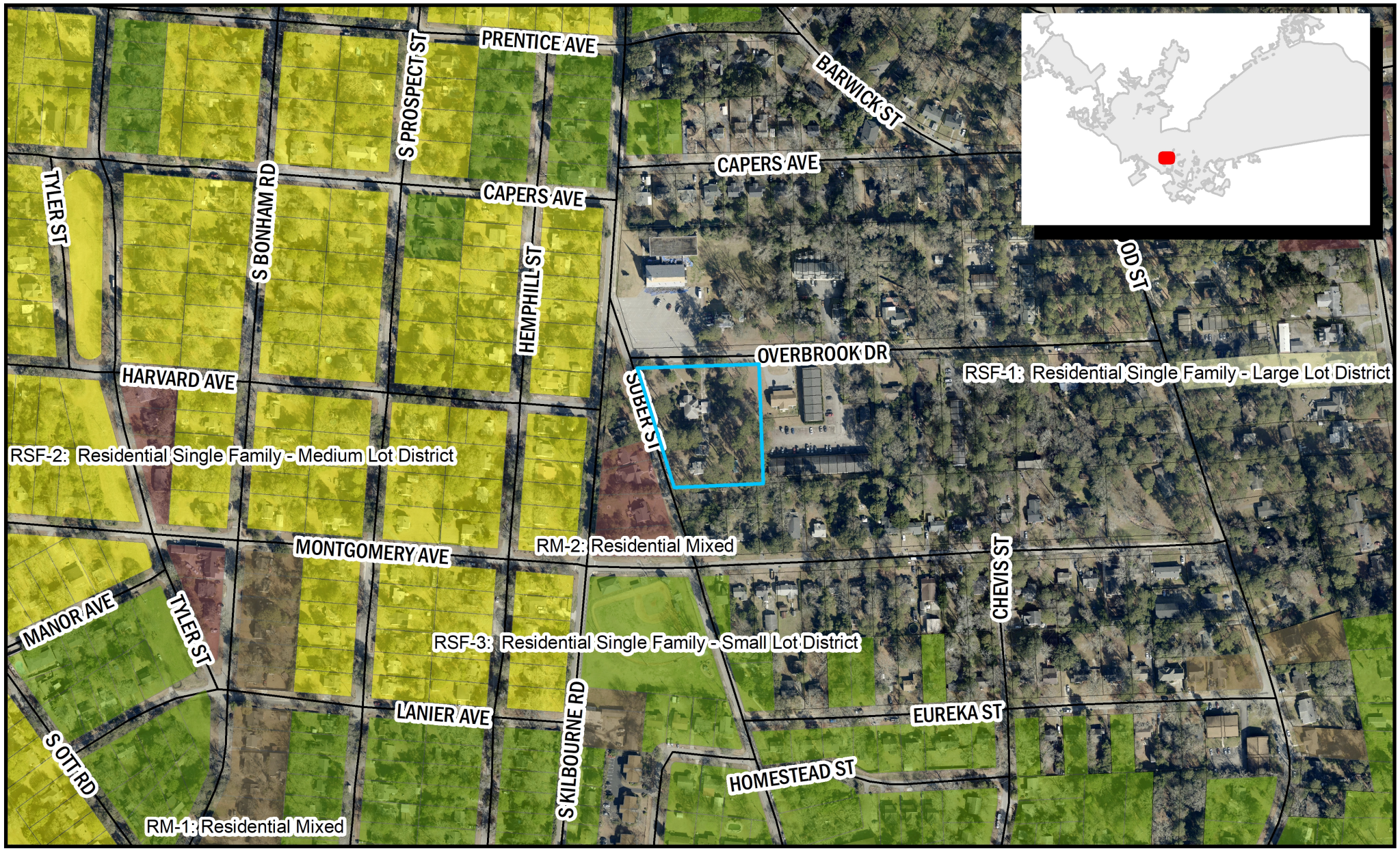
Zoning Map

3800 Overbrook Dr. and 616 Suber St., TMS# 137
Current Interim Zoning: RM-2, Proposed Zoning: RM-2



Department of Planning & Development Services

ORIGINAL PREPARATION/DATE:
This map was prepared by:

Shane Shaughnessy
Date: 12/5/2022

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** DATA SOURCE - CITY OF COLUMBIA, GIS DIVISION

Proposed Zoning District

(k) RM-2: Residential Mixed District

(1) Purpose

The purpose of the Residential Mixed (RM-2) District is to provide lands that accommodate moderate-density mixed residential development that allows single-family, two-family, townhouse, and medium-scale multi-family dwellings.

The street network is gridded and buildings are located close to, and oriented toward, the street.

(2) Use Standards

Allowed uses and use-specific standards for principal, accessory, and temporary uses are established in Article 4: Use Regulations.

(3) Intensity and Dimensional Standards

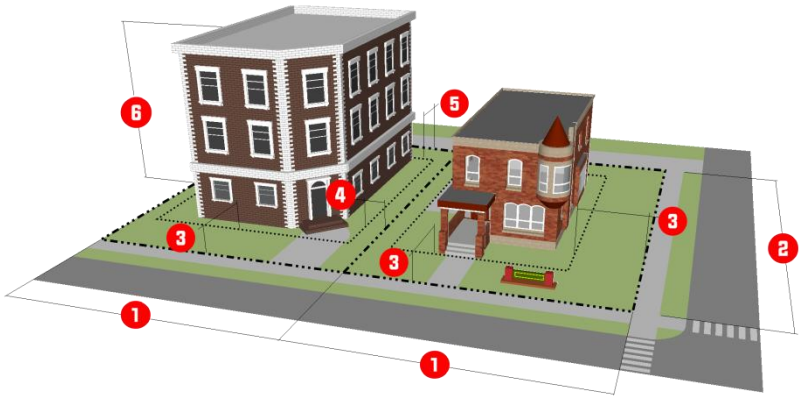
	Standard	Townhouse	All Other Uses
	Lot Area, min. (sf.)	8,000[1]/1,500[2]	3,000
1	Lot Width, min. (ft.)	75[1]/18[2]	40
2	Lot Depth, min. (ft.)	60	60
	Lot Coverage, max. (% of site area)	50	50
	Density, max. (du/acre)	N/A	17.2
3	Front Yard Setback, min. (ft.)	15	15
4	Side Yard Setback, min. (ft.)	[3]	5
5	Rear Yard Setback, min. (ft.)	10	10
6	Building Height, max. (ft.)	50	50

Notes: ft. = feet sf. = square feet du. = dwelling unit

[1] Applies to the development lot as a whole rather than individual lots under individual units.

[2] Applies to individual lots under individual units.

[3] A minimum of five feet required between end units and side yard and ten feet between end units and any secondary front yard.



(4) Reference to Other Standards			
Sec. 17-5.1	Access, Mobility, and Circulation	Sec. 17-5.8	Fences and Walls
Sec. 17-5.2	Off-Street Parking, Bicycle Parking	0	Exterior Lighting
Sec. 17-5.3	Landscaping	0	Signs
Sec. 17-5.4	Tree Protection	Sec. 17-5.11	Green Building Standards
Sec. 17-5.5	Open Space	Sec. 17-6.2	Minimum Design Standards
Sec. 17-5.6	Neighborhood Compatibility	0	Improvements and Sureties
Sec. 17-5.7	Form and Design Standards	Article 9	Definitions and Rules of Measurement

ORDINANCE NO.: 2023-022

Amending the Official Zoning Map to confirm the zoning for 3800 Overbrook Drive and 616 Suber Street, Richland County TMS# 13708-05-01; annexed by Ordinance No. 2022-124 enacted December 20, 2022

WHEREAS, an application has been made to amend the Official Zoning Map of the City of Columbia, S.C. to confirm the zoning for 3800 Overbrook Drive and 616 Suber Street, Richland County TMS# 13708-05-01; and,

WHEREAS, City Council adopted *Columbia Compass: Envision 2036* as the City of Columbia Comprehensive Plan by Ordinance No.: 2020-028 along with all the maps and policies contained therein, and amended from time to time, in accordance with the South Carolina Comprehensive Planning Act of 1994 (§6-29 of the SC Code); and,

WHEREAS, the City of Columbia has adopted the Unified Development Ordinance (UDO) by Ordinance No.: 2019-013 and Official Zoning Map of the City of Columbia, S.C. by Ordinance No.: 2021-001, both amended from time to time, in accordance with the authority in Title VI of the SC Code; and

WHEREAS, the City of Columbia Planning Commission has reviewed the application and made a recommendation to City Council regarding the application in accordance with §17-2.5(c)(3)(f) of the UDO; and

WHEREAS, the Columbia City Council has held a public hearing in accordance with §17-2.4(f) of the UDO and §6-29-760 of the SC Code; and

WHEREAS, the Columbia City Council has determined that the proposed rezoning meets one or more of the criteria set forth by §17-2.5(c)(4), Zoning Map Amendment Decision Standards, of the UDO; NOW THEREFORE,

BE IT ORDAINED by the Mayor and City Council of the City of Columbia this __ day of _____, 2023, that:

1. The above recitals and findings are incorporated herein by reference and made a part of this Ordinance.
2. The property identified as 3800 Overbrook Drive and 616 Suber Street and Richland County TMS# 13708-05-01 and as shown in Attachment A, is hereby confirmed as Residential Mixed District (RM-2). The Official Zoning Map of the City of Columbia, S.C. is hereby amended to conform to this change.

Requested by:

Assistant City Manager Gentry

Approved by:

_____
City Manager

Approved as to form:

_____
Deputy City Attorney

_____
Mayor

ATTEST:

_____
City Clerk

Introduced:
Final Reading:

LEGAL DEPARTMENT DRAFT

Zoning Map

3800 Overbrook Dr. and 616 Suber St., TMS# 13708-05-01;
Current Interim Zoning: RM-2, Proposed Zoning: RM-2

Department of Planning & Development Services

ORIGINAL PREPARATION/DATE:
This map was prepared by:

Shane Shaughnessy
Date: 12/5/2022

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** DATA SOURCE - CITY

We Are Columbia

MEETING DATE: **February 21, 2023**

DEPARTMENT: **Planning and Development Services**

FROM: ***Krista Hampton, Director***

SUBJECT: **FUTURE LAND USE MAP AMENDMENT CONFIRMATION for 1921 Pineview Drive; TMS#19100-06-12**

FUNDING SOURCE & ORIGINAL BUDGET:

CLEAN WATER 2020?: **No**

PURPOSE:

Ordinance No.: 2023-019 - Amending the Columbia Compass: Envision 2036 Map to confirm the future land use classification for 1921 Pineview Drive; Richland County TMS# 19100-06-12; annexed by Ordinance No.: 2022-125 enacted December 20, 2022

Council District: 3

Proposal: Request to confirm the future land use classification of Urban Edge Community Activity Center (UEAC-1). The property is currently assigned an interim future land use classification of Urban Edge Community Activity Center (UEAC-1).

Applicant: SAFE Federal Credit Union

Staff Recommendation: Approval

PC Recommendation: 11/10/2022; Approval (7-0)

First reading approval was given on February 7, 2023.

ATTACHMENTS:

- **#a:** LUMA-2022-0007_Pineview1921_LUMAConfirm_ZPH (PDF)
- #b: 2023-019 - Annex only 1921 Pineview LUMA Confirm (PDF)

HISTORY:

02/07/23	**Columbia City Council**	**APPROVED ON FIRST READING.**

CITY COUNCIL

February 7, 2023 at 4:00pm
City Hall, 3rd floor Council Chambers, 1737 Main Street, Columbia, SC 29201

FUTURE LAND USE MAP AMENDMENT CONFIRMATION CASE SUMMARY
1921 Pineview Drive; TMS# 19100-06-12

Council District: 3

Proposal: Request to confirm the future land use classification of Urban Edge Community Activity Center (UEAC-1). The property is currently assigned an interim future land use classification of Urban Edge Community Activity Center (UEAC-1).

Applicant: SAFE Federal Credit Union

Staff Recommendation: Approval

Annexation
PC Recommendation: 11/10/2022; Approval (7-0)
First Reading: 12/06/2022; Approved
Second Reading: 12/20/2022; Approved

ZMA, FLU Confirmation
PC Recommendation: 01/12/2023; Approval (8-0)
1st Reading: 02/07/2023; Pending
2nd Reading: 02/21/2023; Pending

CURRENT PARCEL CHARACTERISTICS/CONDITIONS

Acreage: 3.59 acres
Current Use: Undeveloped
Proposed Use: Commercial
Current Interim Land Use Classification Urban Edge Community Activity Center (UEAC-1)
Proposed Land Use Classification: Urban Edge Community Activity Center (UEAC-1)
Current Interim Zoning: General Commercial District (GC)
Proposed Zoning: General Commercial District (GC)
Census Tract: 116.07

PLANS, POLICIES, AND LAND USE

Comprehensive Plan Land Use Classification

The proposed future land use classification for the subject property is Urban Edge Community Activity Center (UEAC-1) in the *Columbia Compass: Envision 2036* Future Land Use Map. The property is currently designated as Neighborhood (Medium Density) in a Neighborhood Activity Center by Richland County.

Urban Edge Community Activity Centers are small to medium scale, mixed-use activity centers with community-serving commercial uses and a medium to high intensity residential component, typically with a significant open space element. They provide a daily retail and service destination for a portion of the City, typically within a three-mile to five-mile radius or drive distance. These activity centers are found in the outer areas of the City, frequently near highway interchanges, and are subdivided from large, undeveloped tracts or as redevelopment of

larger commercial sites. They typically are found at major intersections of major corridors and may occupy all quadrants of the intersection.

Primary Types

- Multi-family Mixed-use Small & Medium
- Business/Employment Small & Medium (excl. Flex)

Secondary Types

- Multi-family Small & Medium
- Flex Small & Medium

Tertiary Types

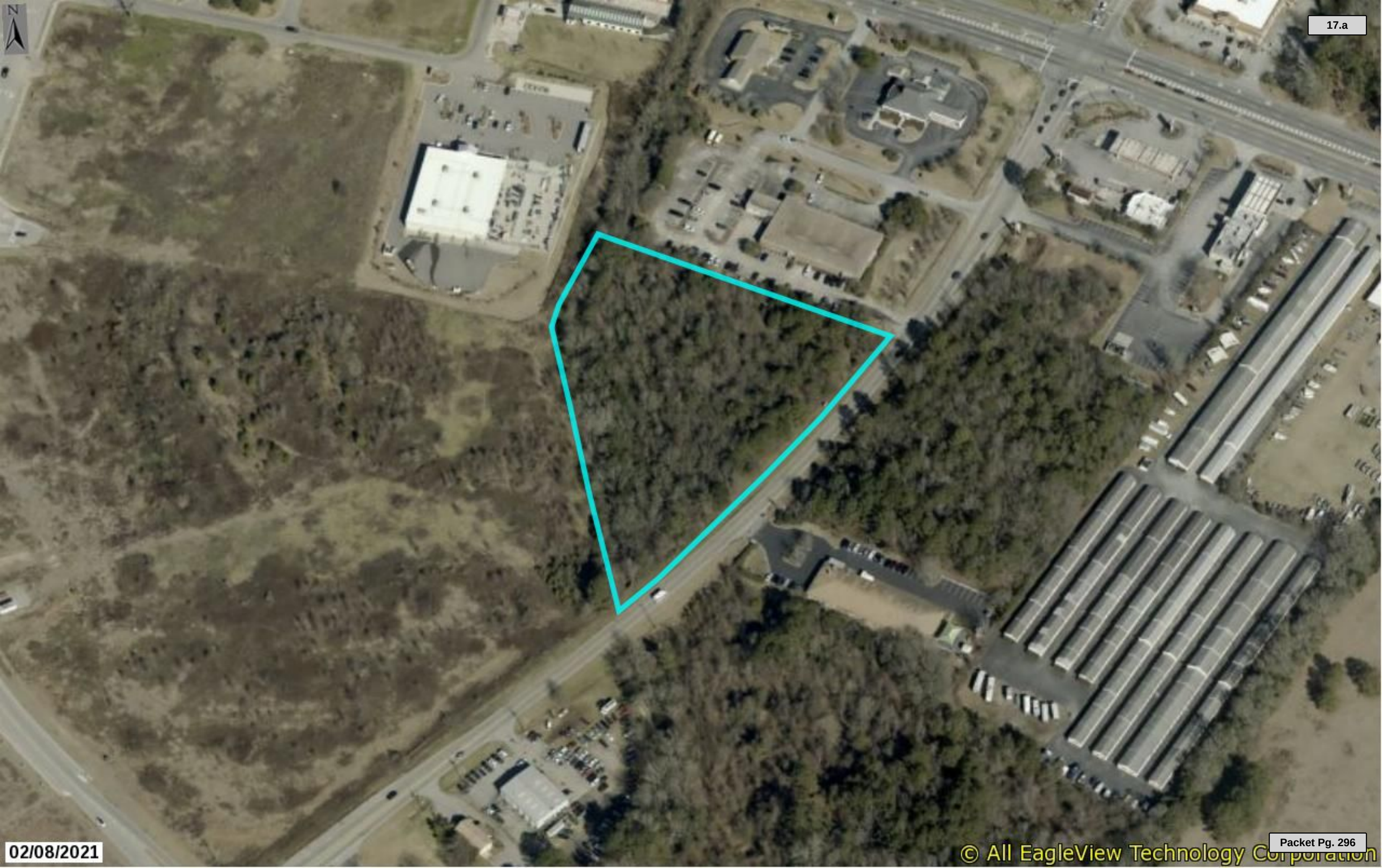
- Single-family Attached
- Civic/Institutional Small & Large
- Commercial Large
- Cemeteries & Mausoleums
- Parking Structures & Lots

Existing Neighborhood, Small Area, Community, and/or Corridor Plans

The subject property is not located within the study area of an area, neighborhood, or corridor plan adopted by the City of Columbia or Richland County.

STAFF RECOMMENDATION

Staff recommends confirmation of the future land classification of Urban Edge Community Activity Center (UEAC-1) for the property.



02/08/2021

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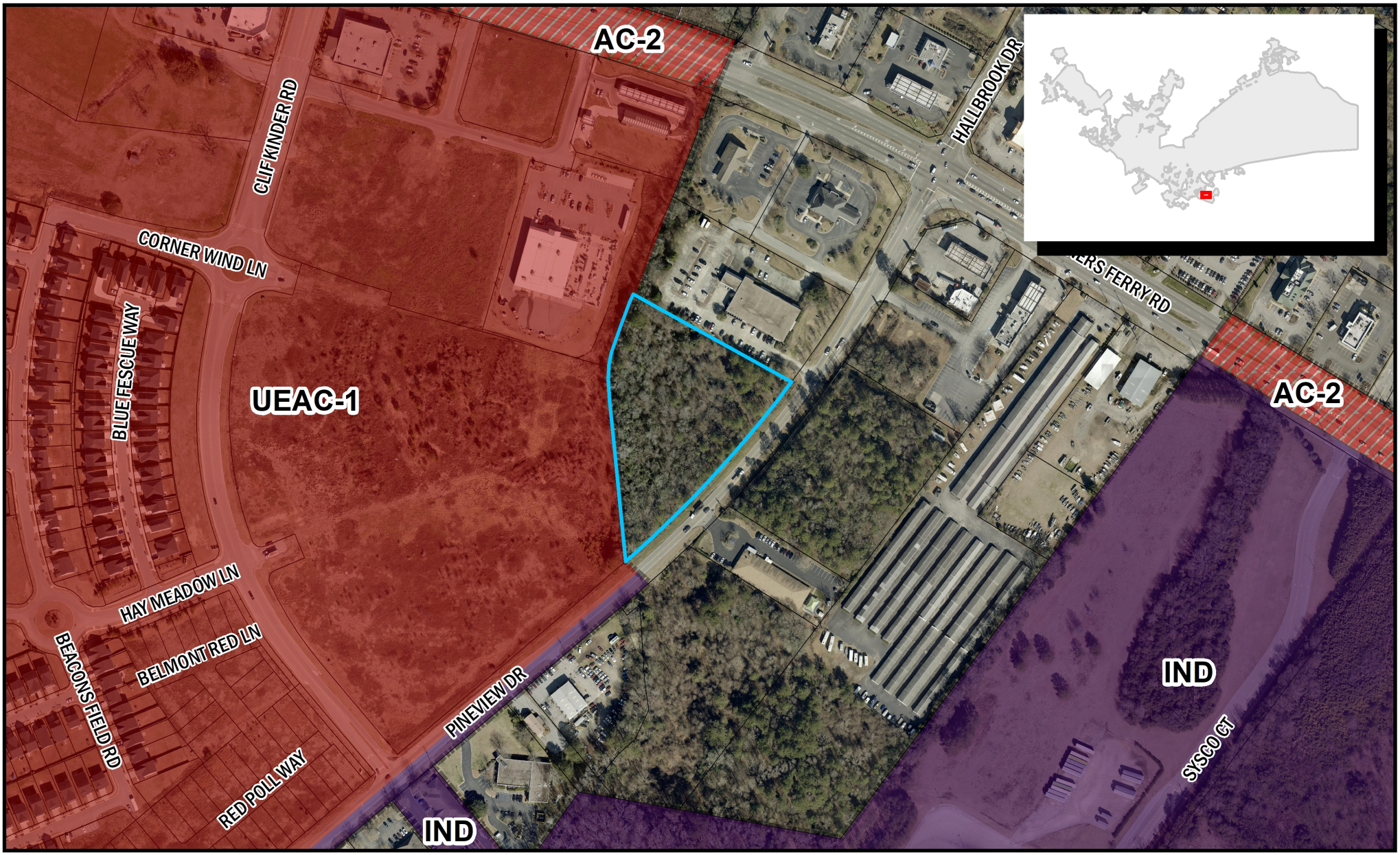
Future Land Use Map

1921 Pineview Dr., TMS# 19100-06-12;
Current Interim FLU: UEAC-1, Proposed FLU: UEAC-1



Department of Planning & Development Services

ORIGINAL PREPARATION/DATE:
This map was prepared by:

Shane Shaughnessy
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*** DATA SOURCE - CITY OF COLUMBIA, GIS DIVISION*

Proposed Future Land Use Classification

Development Types

URBAN EDGE COMMUNITY ACTIVITY CENTER (UEAC-1)

Urban Edge Community Activity Centers are small to medium scale, mixed-use activity centers with community-serving commercial uses and a medium to high intensity residential component, typically with a significant open space element. They provide a daily retail and service destination for a portion of the City, typically within a three-mile to five-mile radius or drive distance. These activity centers are found in the outer areas of the City, frequently near highway interchanges, and are subdivided from large, undeveloped tracts or as redevelopment of larger commercial sites. They typically are found at major intersections of major corridors and may occupy all quadrants of the intersection.

UEAC-1 BUILDING TYPES/LAND USES

PRIMARY TYPES

- Multi-family Mixed-use Small & Medium
- Business/Employment Small & Medium (excl. Flex)

SECONDARY TYPES

- Multi-family Small & Medium
- Flex Small & Medium

TERTIARY TYPES

- Single-family Attached
- Civic/Institutional Small & Large
- Commercial Large
- Cemeteries & Mausoleums
- Parking Structures & Lots

See matrix for appropriate park/open space types.

Development Types

UEAC-1 DEVELOPMENT PATTERN/CONTEXT

- Internal street networks may be laid out in a grid to create various block sizes and shapes, but typically do not continue the urban street grid. Connections to the primary road network are somewhat limited. Wide sidewalks on both sides of the street are common.
- Blocks vary in size based on the tenant mix; subdivision beyond blocks may be non-existent if shopping centers and multi-family buildings are owned by a single entity.
- Buildings are oriented toward internal streets of the development. Commercial/retail structures are set up to the sidewalk line, and residential buildings may also be set to the sidewalk or have small lawns or front yards.
- Buildings range from a small to medium scale footprint and are typically one to three stories.
- Design of these activity centers should fully accommodate pedestrians and cyclists as well as automobiles.
- Transit facilities should be located near or within these activity centers.
- Depending on the density of uses within a Community Activity Center, parking for businesses should be accommodated in inner block surface parking, or in parking structures and on-street parking. Parking for residential uses should be accommodated in attached parking structures, inner block surface lots, on streets, and in individual rear-loaded garages.
- Plazas, street trees and plantings, greens, neighborhood parks, and outdoor event venues can provide open spaces and outdoor recreation opportunities in Community Activity Centers.
- Open spaces for buffering from adjacent development may be used; however transitions in building scale, use, and orientation, as well as street connectivity, are all preferred methods of connecting developments of different types rather than buffering them from one another.
- Typically an architectural theme or range of styles is established at the time of planning; most Community Activity Centers are built in phases with a master plan and a single developer/builder. Neo-Traditional styles or modern architecture can be appropriate in these developments.

LEGAL DEPARTMENT DRAFT

ORDINANCE NO.: 2023-019

Amending the Columbia Compass: Envision 2036 Map to confirm the future land use classification for 1921 Pineview Drive; Richland County TMS# 19100-06-12; annexed by Ordinance No 2022-125 enacted December 20, 2022

WHEREAS, the City of Columbia and community at large recognize the value of planning for future development and growth; and,

WHEREAS, City Council adopted Columbia Compass: Envision 2036 as the City of Columbia Comprehensive Plan by Ordinance No.: 2020-028 adopting Columbia Compass: Envision 2036 along with all the maps and policies contained therein, and amended from time to time, in accordance with the South Carolina Comprehensive Planning Act of 1994 (Title 6, Chapter 29 of the SC Code); and,

WHEREAS, the City of Columbia Planning Commission has provided input and recommendations in response to the public input and findings; and,

WHEREAS, the Columbia City Council has held a public hearing in accordance with §6-29-760 of the SC Code; and,

WHEREAS, the Columbia City Council has determined that the future land use classification of Urban Edge Community Activity Center (UEAC-1) is appropriate for the subject property; NOW, THEREFORE,

BE IT ORDAINED by the Mayor and City Council of the City of Columbia this __ day of _____, 2023, that:

1. The above recitals and findings are incorporated herein by reference and made a part of this Ordinance.
2. The property identified as 1921 Pineview Drive; Richland County TMS# 19100-06-12, annexed into the City of Columbia by Ordinance No.: 2022-125 enacted on December 20, 2022, and as shown in Attachment A, shall be incorporated into Columbia Compass: Envision 2036 adopted by Ordinance No.: 2020-028 on August 4, 2020, with a future land use classification of Urban Edge Community Activity Center (UEAC-1).

Requested by:

Assistant City Manager Gentry

Approved by:

_____
City Manager

Approved as to form:

_____
Deputy City Attorney

_____
Mayor

ATTEST:

_____
City Clerk

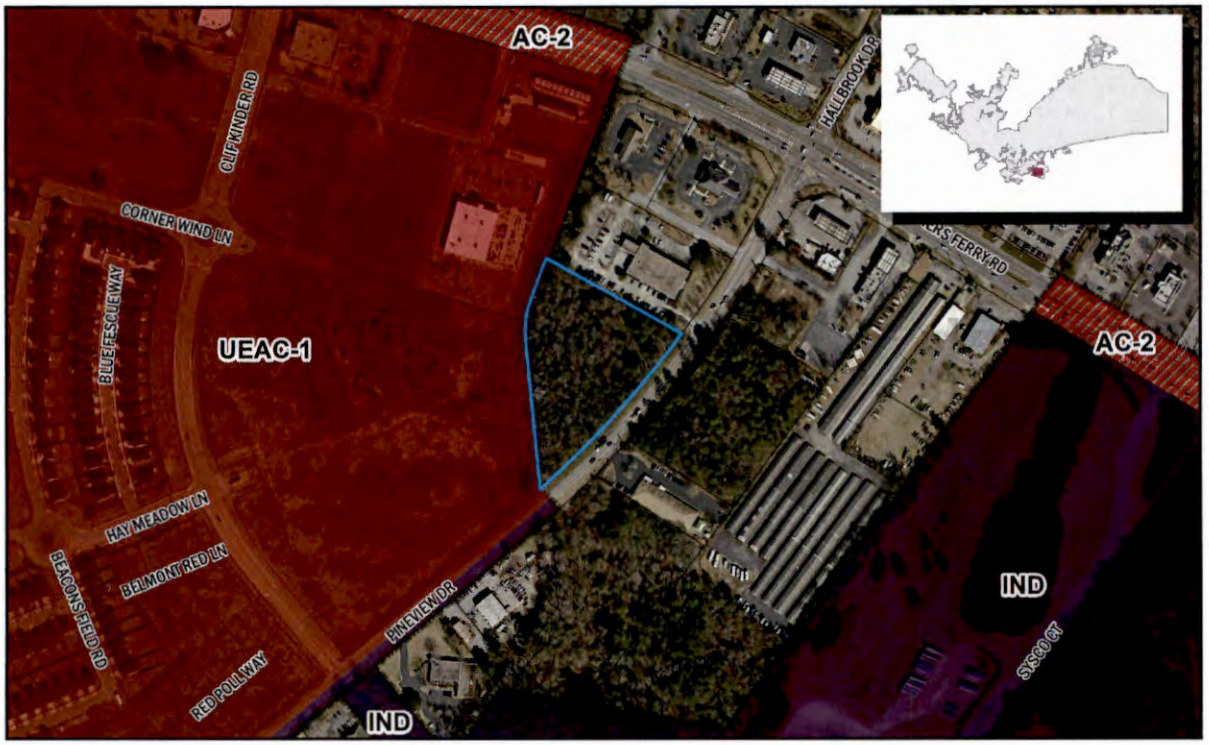
Introduced:
Final Reading:

Last revised 1/6/2023
23015385

Attachment A

Future Land Use Map

1921 Pineview Dr., TMS# 19100-06-12;
Current Interim FLU: UEAC-1, Proposed FLU: UEAC-1



Department of Planning & Development Services

ORIGINAL PREPARATION/DATE:
This map was prepared by:
Shane Shaughnessy
Date: 12/5/2022

We Are Columbia

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CITY OF COLUMBIA PLANNING DEPARTMENT
THIS MAP IS THE PRODUCT OF COMPILATION, OR WAS PRODUCED BY OTHERS. IT IS FOR INFORMATION ONLY AND THE CITY OF COLUMBIA MAKES NO REPRESENTATIONS AS TO ITS ACCURACY OR USE WITHOUT FIELD VERIFICATION IS AT THE SOLE RISK OF THE USER.

** DATA SOURCE - CITY OF COLUMBIA, GIS DIVISION

Last revised: 1/6/2023
23015385

We Are Columbia

MEETING DATE: **February 21, 2023**

DEPARTMENT: **Planning and Development Services**

FROM: ***Krista Hampton, Director***

SUBJECT: **ZONING MAP AMENDMENT CONFIRMATION for 1921 Pineview Drive; TMS# 19100-06-12**

FUNDING SOURCE & ORIGINAL BUDGET:

CLEAN WATER 2020?: **No**

PURPOSE:

Ordinance No.: 2023-021 - Amending the Official Zoning Map to confirm the zoning for 1921 Pineview Drive, Richland County TMS# 19100-06-12; annexed by Ordinance No.: 2022-125 enacted December 20, 2022

Council District: 3

Proposal: Request to confirm the zoning of General Commercial District (GC). The property currently has interim zoning of General Commercial District (GC).

Applicant: SAFE Federal Credit Union

Staff Recommendation: Approval

PC Recommendation: 11/10/2022; Approval (7-0)

First reading approval was given on February 7, 2023.

ATTACHMENTS:

- **#a:** ZMA-2022-0020_Pineview1921_ZMAConfirm_ZPH (PDF)
- #b: 2023-021 confirm zoning 1921 Pineview Drive (PDF)
- #c: 2023-021 - Zoning Map 1921 Pineview Drive (PDF)

HISTORY:

02/07/23	**Columbia City Council**	**APPROVED ON FIRST READING.**

CITY COUNCIL

February 7, 2023 at 4:00pm
City Hall, 3rd floor Council Chambers, 1737 Main Street, Columbia, SC 29201

ZONING MAP AMENDMENT CONFIRMATION CASE SUMMARY
1921 Pineview Drive; TMS# 19100-06-12

Council District: 3

Proposal: Request to confirm the zoning of General Commercial District (GC). The property currently has interim zoning of General Commercial District (GC).

Applicant: SAFE Federal Credit Union

Staff Recommendation: Approval

Annexation
PC Recommendation: 11/10/2022; Approval (7-0)
First Reading: 12/06/2022; Approval
Second Reading: 12/20/2022; Approval

ZMA, FLU Confirmation
PC Recommendation: 01/12/2023; Approval (8-0)
1st Reading: 02/07/2023; Pending
2nd Reading: 02/21/2023; Pending

CURRENT PARCEL CHARACTERISTICS/CONDITIONS

Acreage: 3.59 acres
Current Use: Undeveloped
Proposed Use: Commercial
Current Interim Land Use Classification Urban Edge Community Activity Center (UEAC-1)
Proposed Land Use Classification: Urban Edge Community Activity Center (UEAC-1)
Current Interim Zoning: General Commercial District (GC)
Proposed Zoning: General Commercial District (GC)
Census Tract: 116.07

PLANS, POLICIES, AND LAND USE

Comprehensive Plan Land Use Classification

The proposed future land use classification for the subject property is Urban Edge Community Activity Center (UEAC-1) in the *Columbia Compass: Envision 2036* Future Land Use Map. The property is currently designated as Neighborhood (Medium Density) in a Neighborhood Activity Center by Richland County.

Urban Edge Community Activity Centers are small to medium scale, mixed-use activity centers with community-serving commercial uses and a medium to high intensity residential component, typically with a significant open space element. They provide a daily retail and service destination for a portion of the City, typically within a three-mile to five-mile radius or drive distance. These activity centers are found in the outer areas of the City, frequently near highway interchanges, and are subdivided from large, undeveloped tracts or as redevelopment of larger commercial sites. They typically are found at major intersections of major corridors and may occupy all

quadrants of the intersection.

Primary Types

- Multi-family Mixed-use Small & Medium
- Business/Employment Small & Medium (excl. Flex)

Secondary Types

- Multi-family Small & Medium
- Flex Small & Medium

Tertiary Types

- Single-family Attached
- Civic/Institutional Small & Large
- Commercial Large
- Cemeteries & Mausoleums
- Parking Structures & Lots

Existing Neighborhood, Small Area, Community, and/or Corridor Plans

The subject property is not located within the study area of an area, neighborhood, or corridor plan adopted by the City of Columbia or Richland County.

PROPOSED ZONING DISTRICT SUMMARY

The parcel currently has interim zoning of General Commercial District (GC). Surrounding parcels within the City of Columbia are currently zoned Planned Development District (PD) to the West. Surrounding parcels in unincorporated Richland County are currently zoned M-1 to the North and GC to the East and South.

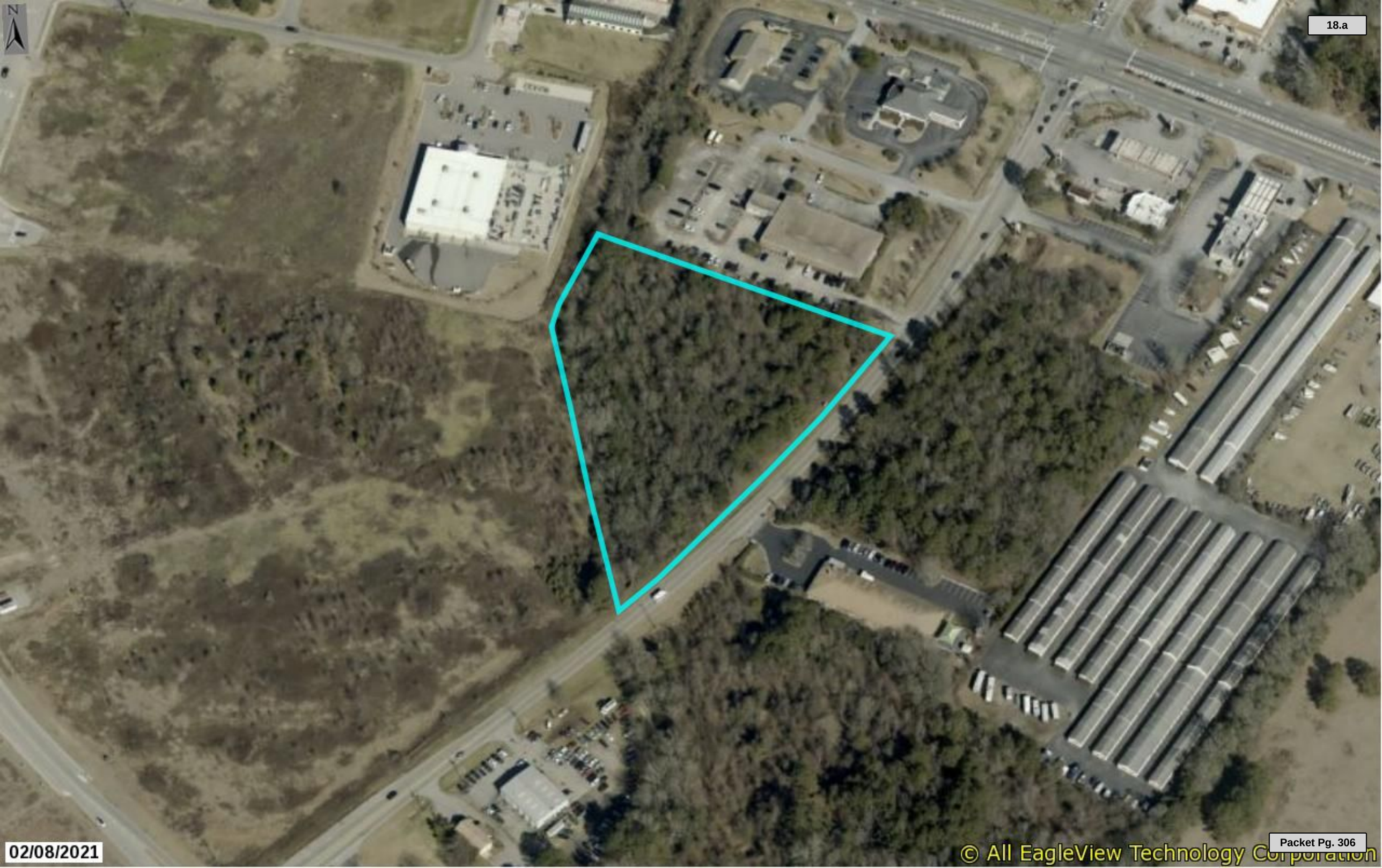
The proposed City of Columbia zoning district is General Commercial District (GC).

General Commercial District (GC)

The purpose of the General Commercial (GC) District is to provide lands that accommodate a broad range of nonresidential uses characterized primarily by retail, office, and service establishments. Development is primarily auto-oriented, serving isolated commercial areas outside of the activity centers. Allowed uses include personal services, retail sales, recreation/entertainment, commercial services, eating and drinking establishments, visitor accommodation, and vehicle sales and services.

STAFF RECOMMENDATION

Staff recommends the confirmation of the zoning of General Commercial District (GC) on the property.

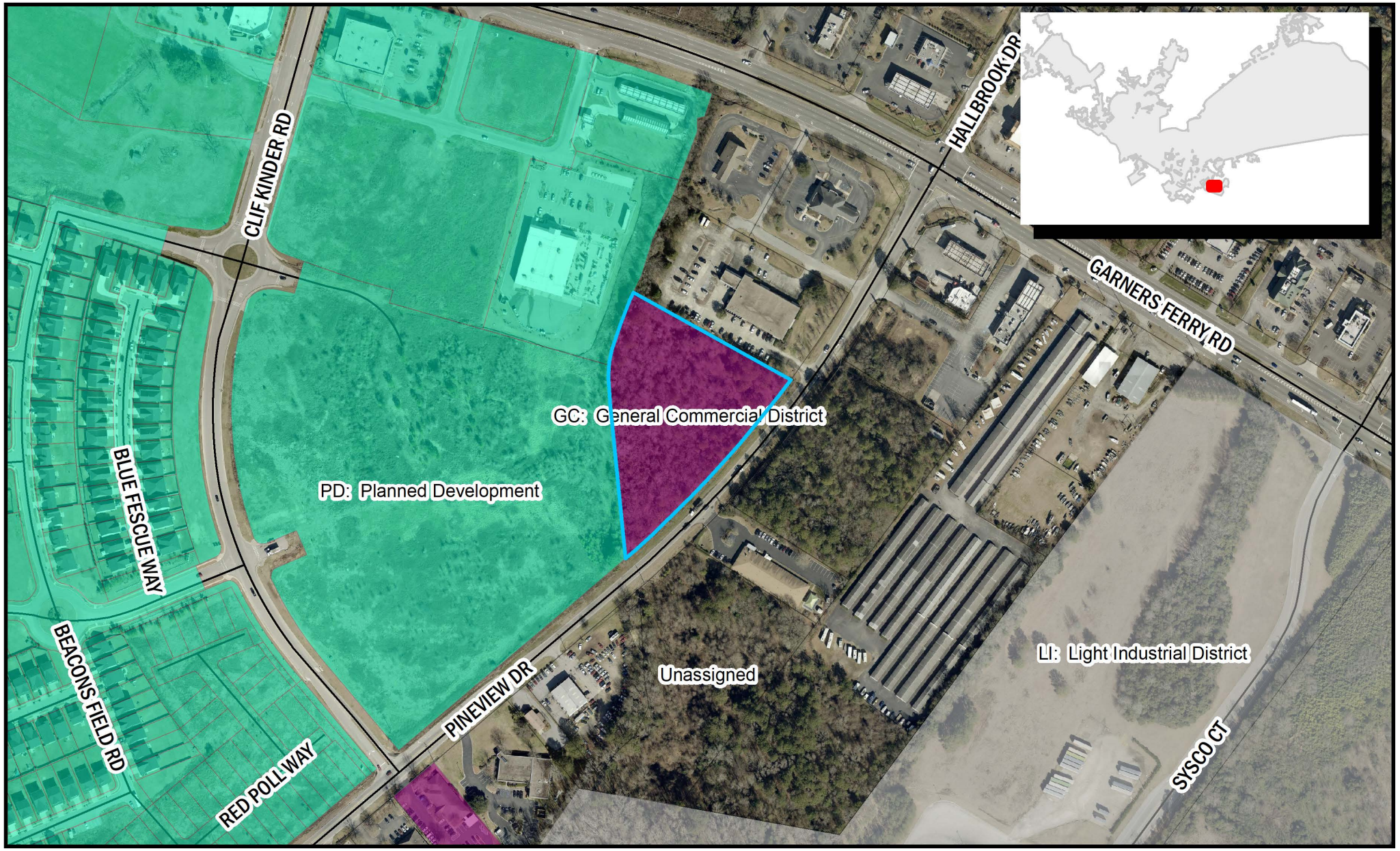


02/08/2021

© All EagleView Technology Corporation

Zoning Map

1921 Pineview Dr., TMS# 19100-06-12;
Current Interim Zoning: GC, Proposed Zoning: GC



Department of Planning & Development Services

ORIGINAL PREPARATION/DATE:
This map was prepared by:

Shane Shaughnessy
Date: 12/21/2022

We Are Columbia

0 100 200 400 Feet

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*** DATA SOURCE - CITY OF COLUMBIA, GIS DIVISION*

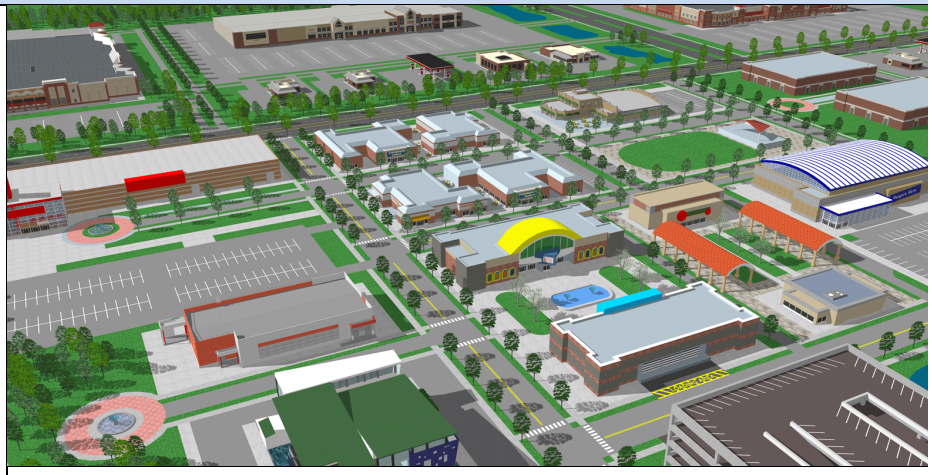
Proposed Zoning District

(j) GC: General Commercial District

(1) Purpose

The purpose of the General Commercial (GC) District is to provide lands that accommodate a broad range of nonresidential uses characterized primarily by retail, office, and service establishments. Development is primarily auto-oriented, serving isolated commercial areas outside of the activity centers.

Allowed uses include personal services, retail sales, recreation/entertainment, commercial services, eating and drinking establishments, visitor accommodation, and vehicle sales and services.



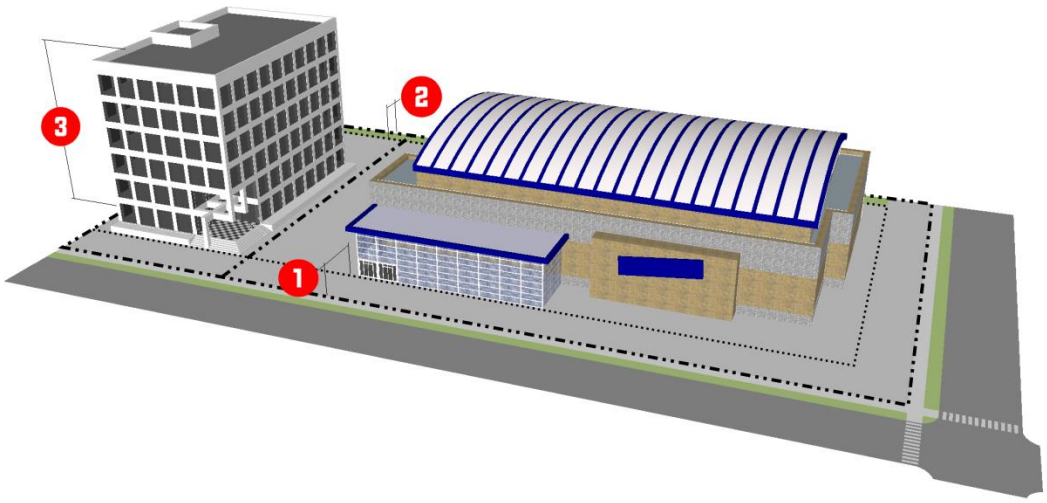
(2) Use Standards

Allowed uses and use-specific standards for principal, accessory, and temporary uses are established in Article 4: Use Regulations.

(3) Intensity and Dimensional Standards

Standard	All Uses
Lot Area, min. (sf.)	N/A
Lot Width, min. (ft.)	N/A
Lot Coverage, max. (% of site area)	N/A
Density, max. (du/acre)	N/A
1 Front Yard Setback, min. (ft.)	20
Side Yard Setback, min. (ft.)	N/A
2 Rear Yard Setback, min. (ft.)	10
3 Building Height, max. (ft.)	75

Notes: ft. = feet sf. = square feet du. = dwelling unit



(4) Reference to Other Standards			
Sec. 17-5.1	Access, Mobility, and Circulation	Sec. 17-5.8	Fences and Walls
Sec. 17-5.2	Off-Street Parking, Bicycle Parking	0	Exterior Lighting
Sec. 17-5.3	Landscaping	0	Signs
Sec. 17-5.4	Tree Protection	Sec. 17-5.11	Green Building Standards
Sec. 17-5.5	Open Space	Sec. 17-6.2	Minimum Design Standards
Sec. 17-5.6	Neighborhood Compatibility	0	Improvements and Sureties
Sec. 17-5.7	Form and Design Standards	Article 9	Definitions and Rules of Measurement

ORDINANCE NO.: 2023-021

Amending the Official Zoning Map to confirm the zoning for 1921 Pineview Drive, Richland County TMS# 19100-06-12; annexed by Ordinance No. 2022-125 enacted December 20, 2022

WHEREAS, an application has been made to amend the Official Zoning Map of the City of Columbia, S.C. to confirm the zoning for 1921 Pineview Drive, Richland County TMS# 19100-06-12; and,

WHEREAS, City Council adopted *Columbia Compass: Envision 2036* as the City of Columbia Comprehensive Plan by Ordinance No.: 2020-028 along with all the maps and policies contained therein, and amended from time to time, in accordance with the South Carolina Comprehensive Planning Act of 1994 (§6-29 of the SC Code); and,

WHEREAS, the City of Columbia has adopted the Unified Development Ordinance (UDO) by Ordinance No.: 2019-013 and Official Zoning Map of the City of Columbia, S.C. by Ordinance No.: 2021-001, both amended from time to time, in accordance with the authority in Title VI of the SC Code; and

WHEREAS, the City of Columbia Planning Commission has reviewed the application and made a recommendation to City Council regarding the application in accordance with §17-2.5(c)(3)(f) of the UDO; and

WHEREAS, the Columbia City Council has held a public hearing in accordance with §17-2.4(f) of the UDO and §6-29-760 of the SC Code; and

WHEREAS, the Columbia City Council has determined that the proposed rezoning meets one or more of the criteria set forth by §17-2.5(c)(4), Zoning Map Amendment Decision Standards, of the UDO; NOW THEREFORE,

BE IT ORDAINED by the Mayor and City Council of the City of Columbia this __ day of _____, 2023, that:

1. The above recitals and findings are incorporated herein by reference and made a part of this Ordinance.
2. The property identified as 1921 Pineview Drive and Richland County TMS# 19100-06-12 and as shown in Attachment A, is hereby confirmed as General Commercial District (GC). The Official Zoning Map of the City of Columbia, S.C. is hereby amended to conform to this change.

Requested by:

Assistant City Manager Gentry

Approved by:

_____
City Manager

Approved as to form:

_____
Deputy City Attorney

Introduced:
Final Reading:

_____
Mayor

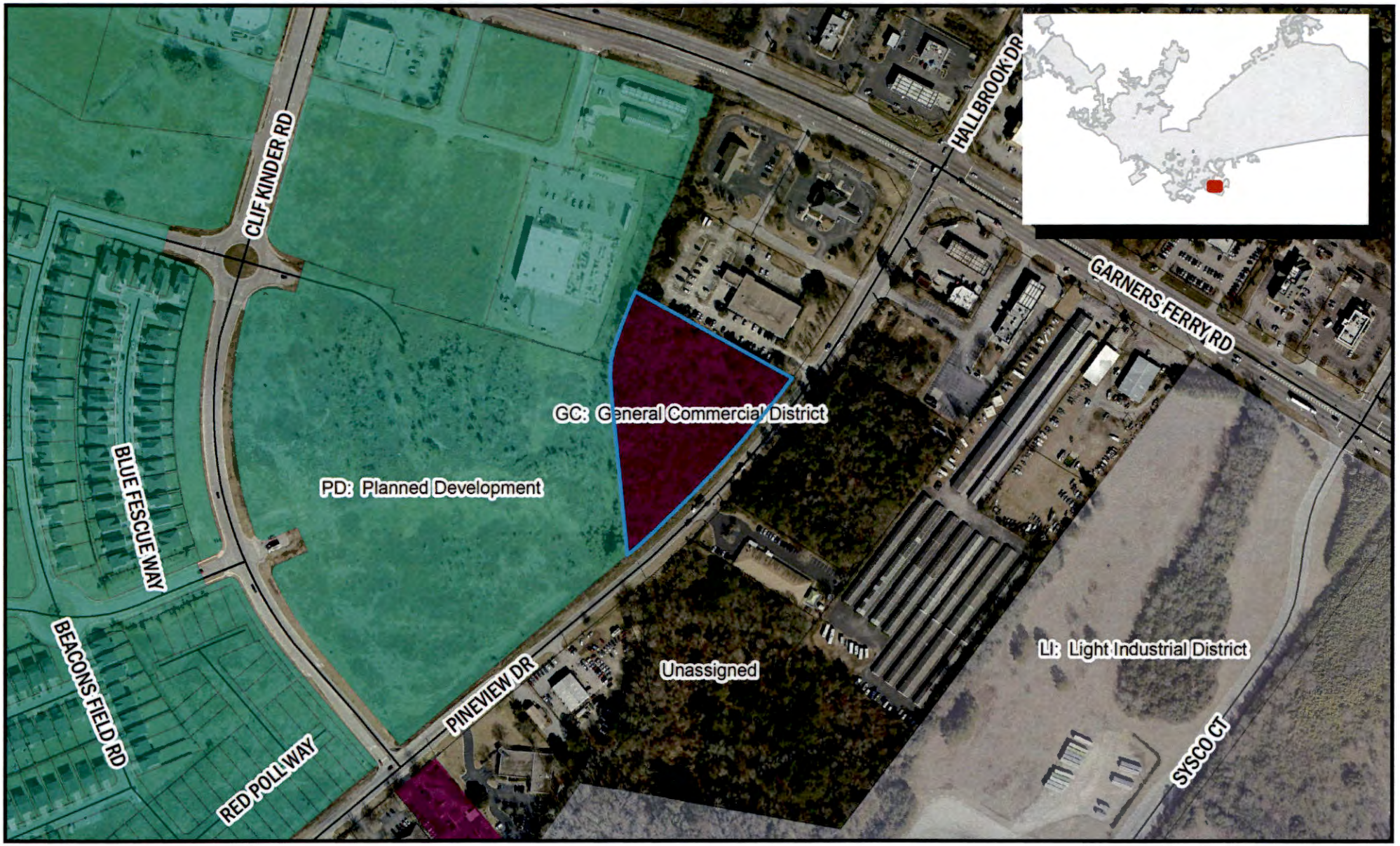
ATTEST:

_____
City Clerk

LEGAL DEPARTMENT DRAFT

Zoning Map

1921 Pineview Dr., TMS# 19100-06-12;
Current Interim Zoning: GC, Proposed Zoning: GC



Department of Planning & Development Services

ORIGINAL PREPARATION/DATE:
This map was prepared by:

Shane Shaughnessy
Date: 12/21/2022

We Are Columbia

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** DATA SOURCE - CITY

We Are Columbia

MEETING DATE: **February 21, 2023**

DEPARTMENT: **Planning and Development Services**

FROM: ***Krista Hampton, Director***

SUBJECT: **AMENDMENT TO THE UNIFIED DEVELOPMENT ORDINANCE for Vape Shops**

FUNDING SOURCE & ORIGINAL BUDGET:

CLEAN WATER 2020?: **No**

PURPOSE:

Ordinance No.: 2023-004 - Amending the 1998 Code of Ordinances of the City of Columbia, South Carolina, Chapter 17, (Unified Development Ordinance), Article 4, Use Regulations, Section 17-4.2, Principal Uses, to add Provisions Governing Smoke or Vape Shops, and Article 9, Definitions and Measurements, to add Definitions concerning Smoke or Vape Shops

Proposal: Request to amend Chapter 17 Article 4 of the Columbia Code of Ordinances to add Provisions governing Smoke or Vape Shops, and Article 9, Definitions and Measurements, to add Definition concerning Smoke or Vape Shops.

Applicant: Unanimous Resolution of Columbia City Council

Staff Recommendation: City Council Sponsored

PC Recommendation: 11/10/2022; Approval (7-0)

First reading approval was given on February 7, 2023.

ATTACHMENTS:

- **#a:** TA-2022-0007_VapeShops_ZPH (PDF)
- #b: 2023-004 - Amending Chapter 17 to Add Vape Shop Definitions (PDF)

HISTORY:

02/07/23	**Columbia City Council**	**APPROVED ON FIRST READING.**

CITY COUNCIL

February 7, 2023 at 4:00pm
City Hall, 3rd floor Council Chambers, 1737 Main Street, Columbia, SC 29201

AMENDMENT TO THE UNIFIED DEVELOPMENT ORDINANCE
Vape Shops

Proposal:	Request to amend Chapter 17 Article 4 of the Columbia Code of Ordinances to add Provisions Governing Smoke or Vape Shops, and Article 9, Definitions and Measurements, to add Definitions concerning Smoke or Vape Shops.
Applicant:	Unanimous Resolution of Columbia City Council
PC Recommendation:	11/10/2022; Approval (7-0)
ZPH, 1st Reading:	02/07/2023; Pending
2nd Reading:	02/21/2023; Pending

DETAIL

City Council, at its October 4, 2022 meeting, passed a resolution referring to Planning Commission a text amendment to add regulations related to smoke or vape shops. This action came after discussion and study in the Council Public Safety Committee. The amendment will add definitions and a conditional use to govern the establishment and operation of smoke or vape shops to address the negative impacts a proliferation of these businesses can impose on the community while providing a reasonable number of areas for them to locate within the City. The new conditions include a requirement that in the districts in which these shops are permitted to operate, that smoke or vape shops locate no closer than 1,000 feet from a public or private K-12 school, child day care facility, youth center, recreational facility, park, church or religious institution, or community center or another smoke of vape shop.

ORDINANCE NO.: 2022-081

Amending the 1998 Code of Ordinances of the City of Columbia, South Carolina, Chapter 17, (Unified Development Ordinance), Article 4, Use Regulations, Section 17-4.2, Principal Uses, *to add Provisions Governing Smoke or Vape Shops, and Article 9, Definitions and Measurements, to add Definitions concerning Smoke or Vape Shops*

WHEREAS, the regulation of smoke and vape shops is necessary and in the interests of the public health, safety and general welfare because there has been an increase of the establishment and operation of smoke and vape shops in the City of Columbia. The proliferation of smoke and vape shops in the City would result in undesirable impacts to the community. Among these impacts are increased potential for minors to be exposed to and therefore use or aspire to use tobacco products, nicotine products and vape products; adverse health consequences of using tobacco products and vape products; and heightened risk of negative aesthetic impacts, blight, and loss of property values of residential neighborhoods and businesses in close proximity to such uses. This ordinance contains amendments consistent with good zoning and planning practices to address such negative impacts of smoke and vape shops while providing a reasonable number of locations and zones for such shops/stores to locate within the City of Columbia.

NOW THEREFORE, BE IT ORDAINED by the Mayor and Council this _____ day of _____, 2022, that the City of Columbia's *Unified Development Ordinance,* Article 4, Use Regulations, Section 17-4.2, Principal Uses, and Article 9, Definitions and Rules of Measurement, Section 17-9.4, is amended to add the following:

Section 17-9.4, Definitions

ALTERNATIVE NICOTINE PRODUCT
A product or device not consisting of or containing tobacco that provides for the ingestion into the body of nicotine, whether by chewing, absorbing, dissolving, inhaling, snorting, sniffing, or by any other means. An "Alternative Nicotine Product" does not include Tobacco Products, or any product approved by the United States Food and Drug Administration as a non-tobacco product for sale as a tobacco cessation product, as a tobacco dependence product, or for other medical purposes, which is being marketed and sold solely for that approved purpose.

CANNABIS
Any derivatives, compounds, extracts, cannabinoids, isomers, acids, salts, or salts of isomers of the species Cannabis Sativa L., excluding marijuana as defined by S.C. Code Ann. § 44-53-110(27)(a), with a tetrahydrocannabinol (THC) concentration of not more than 0.3 percent on a dry weight basis, or the THC concentration for hemp as defined in 7 U.S.C. § 5940, whichever is greater. "Cannabis" includes, but is not limited to, full-spectrum Cannabidiol (CBD), Delta-8 THC, Delta-9 THC, Delta-10 THC and HHC.

INCIDENTAL OR ANCILLARY USE
A display or sale by a grocery store, supermarket, convenience store, gas station, or similar retail business that uses no more than two percent (2%) of its gross floor area, or 200 square feet, whichever is less, for the display, sale, distribution, delivery, offering, furnishing, or marketing of one or more of the following: Tobacco Products, Alternative Nicotine Products, cigarettes containing Cannabis, Smoking Paraphernalia, and/or Vape Products. For any grocery store, market, retail kiosk or similar business consisting of 250 square feet or less, "Incidental or Ancillary Use" is defined as no more than five (5) square feet being used for the display, sale, distribution, delivery, offering, furnishing, or marketing of Tobacco Products, cigarettes containing Cannabis, Smoking Paraphernalia, and/or Vape Products.

LEGAL DEPARTMENT DRAFT

SMOKE OR VAPE SHOP
Any retail store located within the City of Columbia, with more than an Incidental or Ancillary Use, that displays, sells, distributes, delivers, offers, furnishes or markets one or more of the following: 1) Alternative Nicotine Products; 2) Vape Products; 3) Tobacco Products; 4) cigarettes, cigars, dried or shredded plant material, flowers, smoking blends, and similar products that are smoked or inhaled and contain Cannabis or Synthetic Cannabinoids; or 5) Smoking Paraphernalia.

SYNTHETIC CANNABINOIDS
A class of artificially-made chemicals that are cannabinoid receptor agonists intended to replicate, mimic, or cause a similar reaction to the psychoactive effects of marijuana. These compounds may be found in products marketed as incense, herbal blends or mixtures, synthetic marijuana, or potpourri, and labeled as Spice, K2, Green Giant, Smacked, Wicked X, AK-47, Geeked Up, Ninja, Caution, Red Giant, Keisha Kole, XXX Ultra, Skunk, Atomic and other names, however named.

TOBACCO PRODUCT
Any product containing, made, or derived from tobacco that is intended for human consumption, whether chewed, smoked, absorbed, dissolved, inhaled, snorted, sniffed, or ingested by any other means, or any component, part, or accessory of a tobacco product including but not limited to cigarettes; cigars; cheroots; stogies; perique; granulated, plug-cut, crimp-cut, ready rubbed and other smoking tobacco; snuff; snuff flowers; cavendish; plug and twist tobacco; fine-cut and other chewing tobaccos; shorts; refuse scraps, clippings, cuttings and sweepings of tobacco and other kinds and forms of tobacco, prepared in such a manner as to be suitable for chewing or smoking in a pipe, or other tobacco related devices. Tobacco Products do not include any tobacco product that has been approved by the United States Food and Drug Administration for sale as a tobacco cessation product, as a tobacco dependence product, or for other medical purposes, and is being marketed and sold solely for such an approved purpose.

SMOKING PARAPHERNALIA
Any paraphernalia, equipment, device, or instrument that is designed or manufactured for the smoking, chewing, absorbing, dissolving, inhaling, snorting, sniffing, or ingesting by any other means into the body of Tobacco Products, Cannabis Products, Synthetic Cannabinoids, or controlled substances as defined in S.C. Code Ann. § 44-53-110. Items classified as Smoking Paraphernalia include but are not limited to: pipes, ice pipes or chillers, air-driven pipes, water pipes, bongs, water bongs, hookahs, punctured metal bowls, and roach clips.

VAPE PRODUCT
Any non-combustible product, which may or may not use or contain a Cannabis Product, Alternative Nicotine Product, or Synthetic Marijuana, that employs a heating element, power source, electronic circuit, or other electronic, chemical or mechanical means, regardless of shape or size, that can be used to produce vapor from a liquid solution or any other form. “Vape Product” includes devices called e-cigarettes, electronic cigars, electronic pipes, vaporizers, vaporizer cartridges, vapes, e-hookahs, vape pens, pod mods, box mods, puff bars, tanks or mods, sub-ohm tanks, vaporizers, dab pen, or similar product or device. “Vape Product” also includes e-juice, vape juice, and e-liquid containing an Alternative Nicotine Product, Cannabis, or Synthetic Cannabinoids. “Vape Product” does not include any product regulated as a drug or device by the United States Food and Drug Administration under Chapter V of the United States Food, Drug, and Cosmetic Act.

LEGAL DEPARTMENT DRAFT

Section 17-4.2(B)(4), Principal Use Table

Retail Sales Uses
…

Smoke or Vape Shop, allowed conditionally in Zoning Districts NAC, CAC, RAC, DAC, GC, MC, and LI.

Section 17-4.2(c)(3)(e), Standards for Specific Principal Uses, Commercial Uses, Retail Sales Uses

…

3. Smoke or Vape Shops
   (i) All Smoke or Vape Shops wishing to operate within the Zoning Districts NAC, CAC, RAC, DAC, GC, MC, and LI must meet the following conditions:
      a. Smoke or Vape Shops shall not be located within 1,000 feet from a public or private K-12 school, child day care facility, youth center, recreational facility, park, church or religious institution, or community center.
      b. Smoke or Vape Shops shall not be located within 1,000 feet from another Smoke or Vape Shop.

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

This ordinance shall take effect upon the date of final reading.

Requested by:

Councilman Howard Duvall _____ _____
Mayor

Approved by:

_____
City Manager

Approved as to form: ATTEST:

_____ _____
City Attorney City Clerk

Introduced:
Final Reading:

LEGAL DEPARTMENT DRAFT

ORDINANCE NO.: 2023-004

Amending the 1998 Code of Ordinances of the City of Columbia, South Carolina, Chapter 17, (Unified Development Ordinance), Article 4, Use Regulations, Section 17-4.2, Principal Uses, *to add Provisions Governing Smoke or Vape Shops, and Article 9, Definitions and Measurements, to add Definitions concerning Smoke or Vape Shops*

WHEREAS, the regulation of smoke and vape shops is necessary and in the interests of the public health, safety and general welfare because there has been an increase of the establishment and operation of smoke and vape shops in the City of Columbia. The proliferation of smoke and vape shops in the City would result in undesirable impacts to the community. Among these impacts are increased potential for minors to be exposed to and therefore use or aspire to use tobacco products, nicotine products and vape products; adverse health consequences of using tobacco products and vape products; and heightened risk of negative aesthetic impacts, blight, and loss of property values of residential neighborhoods and businesses in close proximity to such uses. This ordinance contains amendments consistent with good zoning and planning practices to address such negative impacts of smoke and vape shops while providing a reasonable number of locations and zones for such shops/stores to locate within the City of Columbia.

NOW THEREFORE, BE IT ORDAINED by the Mayor and Council this _____ day of _____, 2023, that the City of Columbia's *Unified Development Ordinance,* Article 4, Use Regulations, Section 17-4.2, Principal Uses, and Article 9, Definitions and Rules of Measurement, Section 17-9.4, is amended to add the following:

Section 17-9.4, Definitions

ALTERNATIVE NICOTINE PRODUCT

A product or device not consisting of or containing tobacco that provides for the ingestion into the body of nicotine, whether by chewing, absorbing, dissolving, inhaling, snorting, sniffing, or by any other means. An "Alternative Nicotine Product" does not include Tobacco Products, or any product approved by the United States Food and Drug Administration as a non-tobacco product for sale as a tobacco cessation product, as a tobacco dependence product, or for other medical purposes, which is being marketed and sold solely for that approved purpose.

CANNABIS

Any derivatives, compounds, extracts, cannabinoids, isomers, acids, salts, or salts of isomers of the species Cannabis Sativa L., excluding marijuana as defined by S.C. Code Ann. § 44-53-110(27)(a), with a tetrahydrocannabinol (THC) concentration of not more than 0.3 percent on a dry weight basis, or the THC concentration for hemp as defined in 7 U.S.C. § 5940, whichever is greater. "Cannabis" includes, but is not limited to, full-spectrum Cannabidiol (CBD), Delta-8 THC, Delta-9 THC, Delta-10 THC and HHC.

INCIDENTAL OR ANCILLARY USE

A display or sale by a grocery store, supermarket, convenience store, gas station, or similar retail business that uses no more than two percent (2%) of its gross floor area, or 200 square feet, whichever is less, for the display, sale, distribution, delivery, offering, furnishing, or marketing of one or more of the following: Tobacco Products, Alternative Nicotine Products, cigarettes containing Cannabis, Smoking Paraphernalia, and/or Vape Products. For any grocery store, market, retail kiosk or similar business consisting of 250 square feet or less, "Incidental or Ancillary Use" is defined as no more than five (5) square feet being used for the display, sale, distribution, delivery, offering, furnishing, or marketing of Tobacco Products, cigarettes containing Cannabis, Smoking Paraphernalia, and/or Vape Products.

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SMOKE OR VAPE SHOP
Any retail store located within the City of Columbia, with more than an Incidental or Ancillary Use, that displays, sells, distributes, delivers, offers, furnishes or markets one or more of the following: 1) Alternative Nicotine Products; 2) Vape Products; 3) Tobacco Products; 4) cigarettes, cigars, dried or shredded plant material, flowers, smoking blends, and similar products that are smoked or inhaled and contain Cannabis or Synthetic Cannabinoids; or 5) Smoking Paraphernalia.

SYNTHETIC CANNABINOIDS
A class of artificially-made chemicals that are cannabinoid receptor agonists intended to replicate, mimic, or cause a similar reaction to the psychoactive effects of marijuana. These compounds may be found in products marketed as incense, herbal blends or mixtures, synthetic marijuana, or potpourri, and labeled as Spice, K2, Green Giant, Smacked, Wicked X, AK-47, Geeked Up, Ninja, Caution, Red Giant, Keisha Kole, XXX Ultra, Skunk, Atomic and other names, however named.

TOBACCO PRODUCT
Any product containing, made, or derived from tobacco that is intended for human consumption, whether chewed, smoked, absorbed, dissolved, inhaled, snorted, sniffed, or ingested by any other means, or any component, part, or accessory of a tobacco product including but not limited to cigarettes; cigars; cheroots; stogies; perique; granulated, plug-cut, crimp-cut, ready rubbed and other smoking tobacco; snuff; snuff flowers; cavendish; plug and twist tobacco; fine-cut and other chewing tobaccos; shorts; refuse scraps, clippings, cuttings and sweepings of tobacco and other kinds and forms of tobacco, prepared in such a manner as to be suitable for chewing or smoking in a pipe, or other tobacco related devices. Tobacco Products do not include any tobacco product that has been approved by the United States Food and Drug Administration for sale as a tobacco cessation product, as a tobacco dependence product, or for other medical purposes, and is being marketed and sold solely for such an approved purpose.

SMOKING PARAPHERNALIA
Any paraphernalia, equipment, device, or instrument that is designed or manufactured for the smoking, chewing, absorbing, dissolving, inhaling, snorting, sniffing, or ingesting by any other means into the body of Tobacco Products, Cannabis Products, Synthetic Cannabinoids, or controlled substances as defined in S.C. Code Ann. § 44-53-110. Items classified as Smoking Paraphernalia include but are not limited to: pipes, ice pipes or chillers, air-driven pipes, water pipes, bongs, water bongs, hookahs, punctured metal bowls, and roach clips.

VAPE PRODUCT
Any non-combustible product, which may or may not use or contain a Cannabis Product, Alternative Nicotine Product, or Synthetic Marijuana, that employs a heating element, power source, electronic circuit, or other electronic, chemical or mechanical means, regardless of shape or size, that can be used to produce vapor from a liquid solution or any other form. "Vape Product" includes devices called e-cigarettes, electronic cigars, electronic pipes, vaporizers, vaporizer cartridges, vapes, e-hookahs, vape pens, pod mods, box mods, puff bars, tanks or mods, sub-ohm tanks, vaporizers, dab pen, or similar product or device. "Vape Product" also includes e-juice, vape juice, and e-liquid containing an Alternative Nicotine Product, Cannabis, or Synthetic Cannabinoids. "Vape Product" does not include any product regulated as a drug or device by the United States Food and Drug Administration under Chapter V of the United States Food, Drug, and Cosmetic Act.

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Section 17-4.2(B)(4), Principal Use Table

Retail Sales Uses

...

Smoke or Vape Shop, allowed conditionally in Zoning Districts NAC, CAC, RAC, DAC, GC, MC, and LI.

Section 17-4.2(c)(3)(e), Standards for Specific Principal Uses, Commercial Uses, Retail Sales Uses

...

3. Smoke or Vape Shops
   (i) All Smoke or Vape Shops wishing to operate within the Zoning Districts NAC, CAC, RAC, DAC, GC, MC, and LI must meet the following conditions:
      a. Smoke or Vape Shops shall not be located within 1,000 feet from a public or private K-12 school, child day care facility, youth center, recreational facility, park, church or religious institution, or community center.
      b. Smoke or Vape Shops shall not be located within 1,000 feet from another Smoke or Vape Shop.

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

This ordinance shall take effect upon the date of final reading.

Requested by:

Councilman Howard Duvall

Approved by:

_____
City Manager

Approved as to form:

_____
Deputy City Attorney

_____
Mayor

ATTEST:

_____
City Clerk

Introduced:
Final Reading:

Last Revised: 12/15/2022
22015051

LEGAL DEPARTMENT DRAFT

We Are Columbia

MEETING DATE: **February 21, 2023**

DEPARTMENT: **Legal Department**

FROM: ***Teresa Knox, City Attorney***

SUBJECT: **Resolution No.: R-2023-001 - Authorizing consumption of beer, wine and liquor at the "St. Pat's in Five Points Festival" and authorizing the City Manager and the Parks and Recreation Director to sign Park Rules for the St. Pat's in Five Points Festival on Saturday, March 18, 2023**

FUNDING SOURCE & ORIGINAL BUDGET:

FOCUS AREAS: **Planning Together**

ATTACHMENTS:

- **#a:** R-2023-001 - St. Pat's In Five Points (Mar 18) with liquor (PDF)

RESOLUTION NO.: R-2023-001

Authorizing consumption of beer, wine and liquor at the "St. Pat's in Five Points Festival" and authorizing the City Manager and the Parks and Recreation Director to sign Park Rules for the St. Pat's in Five Points Festival on Saturday, March 18, 2023

WHEREAS, the Five Points Association is sponsoring the "St. Pat's in Five Points Festival" to raise funds for charity and beautification and revitalization of the Five Points area on Saturday, March 18, 2023

WHEREAS, the Association has requested the temporary closing and use of the 2100 block of Greene Street from 8:00 a.m. Friday, March 17, 2022 until 11:59 p.m. Saturday, March 18, 2023; the 600 block of Harden Street, from 6:00 p.m. Friday, March 17, 2023 until 11:59 p.m. Saturday, March 18, 2023; the 700 block of Saluda Avenue from 6:00 p.m. Friday, March 17, 2023 until 11:59 p.m., Saturday, March 18, 2023; that Blossom Street between Pickens Street and Heidt Street; Greene Street between Laurens Street and Heidt Street; Devine Street between Laurens Street and Millwood Avenue; Saluda Avenue between Greene Street and Blossom Street; Harden Street between Blossom Street and Pendleton Street, Santee Avenue from Blossom Street to Heidt Street, College Street from Laurens Street to Pine Street on Saturday, March 18, 2023 from 2:00 a.m. until 11:59 p.m. for preparation and staging of the area for an outdoor event to be held on Saturday, March 18, 2023 between 7:30 a.m. and 7:00 p.m., and for patrons to consume liquor, beer and wine beverages at the event during the hours of 9:00 a.m. and 6:30 p.m.; and,

WHEREAS, the Association has requested permission to conduct sidewalk sales as part of the celebration; and,

WHEREAS, the Association has requested that the City Manager and the Parks and Recreation Director be authorized to sign the attached "Park Rules for the Five Points Association and merchants to Conduct Street and Sidewalk Sales for St. Pat's in Five Points Festival" so that the rules may be posted at all entrances into the event area; and,

WHEREAS, to ensure the safety of attendees, Organizer understands and agrees as follows:

1. Firearms shall be prohibited within the festival footprint outlined above on Saturday, March 18, 2023 from 2:00 a.m. until 11:59 p.m. regardless of whether such firearm is carried openly or concealed, and regardless of whether the individual carrying such firearm is a valid concealed weapons permit holder.

2. The Organizer shall establish a boundary line around the event space of the festival footprint and the Organizer shall ensure all entrance points into the permitted event area are posted with signage stating "NO CONCEALABLE WEAPONS ALLOWED" that complies with the size and formatting requirements of section 23-31-235 of the South Carolina Code.

3. When publicizing the event in the community, the Organizer shall include the statement: "NO CONCEALABLE WEAPONS ALLOWED" to ensure the public has prior notice of this restriction.

4. Organizer shall work with the City to develop a written plan and design a footprint of the event area that adheres to COVID-19 pandemic safety and social distancing protocols as published by the CDC and SCDHEC, and Organizer shall modify the plans and footprint as safety protocols published by the CDC and SCDHEC are updated.

5. The City may cancel the event at any time based upon public safety and/or public health concerns. The City shall not be financially responsible for any costs associated with the cancellation of the event.

6. Organizer shall display signs (physical and/or electronic) throughout the event area that discourage physical contact, such as hugs, handshakes, fist bumps, and high-fives during the event.

7. Organizer shall require its agents, employees, vendors, contractors, and event attendees to adhere to all COVID-19 safety protocols in effect at the time of the event, to include, but not be limited to, wearing of face coverings, social distancing, and frequent washing of hands.

8. To the extent the event occurs during a time in which the City has in effect any emergency ordinance or ordinance requiring face coverings or adherence to social distancing requirements, Organizer shall require that its agents, employees, vendors, contractors, and event attendees comply with the requirements of such ordinance(s).

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9. The City strongly encourages Organizer to require that its agents, employees, vendors, contractors, and event attendees provide proof that they have been fully vaccinated against the SARS-CoV-2 virus prior to being granted permission to enter the event.

10. Organizer is required to provide portable restroom facilities at the event unless it can substantiate the sufficient availability of both ADA accessible and non-accessible facilities in the immediate area of the event site which will be available to the public during the event. Organizer is to provide a minimum of four (4) chemical or portable toilets and two (2) wash stations for every 250 people, or portion thereof who attends the event. Ten percent (10%) of these facilities shall be ADA accessible. This figure is based upon the maximum number of attendees at the event during peak time. The City of Columbia may determine the total number of required restroom facilities on a case-by-case basis. Organizer shall post signs or markers to prohibit lines or crowds forming near the restroom without maintaining a distance of at least six (6) feet from other people.

11. Organizer shall post signs or markers to prohibit lines or crowds forming near food vendors. Alcohol, beer and/or wine shall be prohibited at the event without approval of a written resolution of City Council.

12. Organizer shall coordinate with food vendors to offer touchless payment options, if possible and available, or provide a tray for the exchange of payment to avoid hand-to-hand contact. Frequently touched surfaces should be cleaned after each customer and customers are encouraged to use their own pens.

13. At no cost to the City, Organizer shall be responsible for hiring no fewer than two (2) off-duty City of Columbia police officers during the hours of 2:00 a.m. and 11:59 p.m. on Saturday, March 18, 2022.

WHEREAS, it has been determined that such an event would be in the public interest; NOW, THEREFORE,

BE IT RESOLVED by the Mayor and Council this ___ day of _____, 2023, that Blossom Street between Pickens Street and Heidt Street; Greene Street between Laurens Street and Heidt Street; Devine Street between Laurens Street and Millwood Avenue; Saluda Avenue between Greene Street and Blossom Street; Harden Street between Blossom Street and Pendleton Street, Santee Avenue from Blossom Street to Heidt Street, College Street from Laurens Street to Pine Street the merchants in Five Points are authorized to operate sale booths for items normally sold in their course of business on the sidewalks immediately in front of their places of business between the hours of 9:00 a.m. and 6:30 p.m., and that the sale of liquor, beer and wine beverages in plastic containers or cans only is authorized between the hours of 9:00 a.m. and 6:30 p.m. on Saturday, March 18, 2023; and

BE IT FURTHER RESOLVED that all vendors be restricted to stationary location and that the Five Points Association shall approve or disapprove all amplified entertainment activities; and,

BE IT FURTHER RESOLVED that Organizer is responsible or shall make arrangements for the clean-up of all trash and debris within the event area and shall place same in the roll carts provided by the City. Any overflow of trash and debris shall be placed in garbage bags with the top securely closed and placed beside the City roll carts. The number of roll carts needed for the event shall be determined by Organizer and the City's Solid Waste Division prior to the event and placed throughout the event area to ensure that trash and debris are well contained. Organizer shall return the roll carts and bagged trash and debris to the collection point designated by the City in a timely manner. If the Organizer has not opted to use City services to clean up the event area, any costs incurred by the City in removing loose trash and debris within the event area, which the Organizer has failed to clean up, shall be billed to and paid by the Organizer; and,

BE IT FURTHER RESOLVED that outdoor possession and consumption of liquor, beer, wine beverages unless the appropriate permits or licenses, if required are issued by the SCDOR and all outdoor musical performances and use of sound-amplifying devices shall end by 10:00 p.m. due to the proximity of the event to residential properties; and,

BE IT FURTHER RESOLVED that only pedestrian traffic will be allowed within the event area. All other traffic, including, but not limited to, automobiles, trucks, motorcycles, mopeds, bicycles, skate boards, and horses, (except police golf carts or ATVs), and horse-drawn carriages, is prohibited. All pets, including cats, dogs (except police K-9s), horses, birds, lizards, and snakes, are prohibited. Coolers, glass bottles, breakable drinking glasses and/or cups, large bags, and backpacks shall be prohibited inside the event area; and,

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BE IT FURTHER RESOLVED that during the designated time the area shown on the attached map, with the exception of the parking area and any other areas posted as to not allow alcoholic liquors or alcoholic beverages is deemed to be the site of a public festival at which liquor, beer and wine beverages may be consumed and the prohibition against possession or consumption of alcoholic beverages set forth in Sec. 14-99 shall not apply as to the possession and consumption of liquor, beer and/or wine beverages. Possession and consumption of liquor, beer and wine beverages shall be permitted only in plastic cups, plastic or aluminum bottles or aluminum cans provided by vendors within the areas designated.

PROVIDED, FURTHER, the street and sidewalk sale shall be allowed during either of these dates and hours of operation as listed above.

PROVIDED, FURTHER, that the event organizer shall provide the names and cell phone numbers of a least two contact persons who can receive and address complaints during the event, including any set up and breakdown times. The cell phones shall remain on, with ringers and alerts functioning at all times during the event and during any set up and breakdown time.

PROVIDED, FURTHER, that failure of the event Organizer to strictly comply with the time frames and other requirements and responsibilities set forth in this resolution may result in a denial of subsequent requests to allow the event.

PROVIDED, HOWEVER, that sidewalks shall not be obstructed for pedestrian traffic in violation of Sec. 22-72, 1998 Code of Ordinances of the City of Columbia, South Carolina, and that no solicitation or transactions be made in violation of Sec. 14-32, 1998 Code of Ordinances of the City of Columbia, South Carolina, and that no vendor locations be allowed on any street not closed by the Mayor and Council during the period of celebration.

Requested by:

Assistant City Manager Shealy

Approved by:

City Manager

Approved as to form:

Deputy City Attorney

Introduced:
Final Reading:

Mayor

ATTEST:

City Clerk

LEGAL DEPARTMENT DRAFT

Last revised: 1/31/2023
23015698

We Are Columbia

MEETING DATE: **February 21, 2023**

DEPARTMENT: **Legal Department**

FROM: ***Teresa Knox, City Attorney***

SUBJECT: **Resolution No.: R-2023-004 - Authorizing consumption of beer and wine only within Boyd Plaza adjacent to the Columbia Museum of Art for Arts and Draughts on Friday, March 31, 2023**

FUNDING SOURCE & ORIGINAL BUDGET:

FOCUS AREAS: **Planning Together**

ATTACHMENTS:

- **#a:** R-2023-004 - Arts and Draughts (Mar 31) (PDF)
- #b: Arts & Draughts (Mar 31) (PDF)

RESOLUTION NO.: R-2023-004

Authorizing consumption of beer and wine only within Boyd Plaza adjacent to the Columbia Museum of Art for Arts and Draughts on Friday, March 31, 2023

WHEREAS, the Columbia Museum of Art ("CMA") is hosting Arts and Draughts on Friday, March 31, 2023 from 7:00 p.m. until 11:00 p.m.; and,

WHEREAS, the CMA has requested permission for the temporary closing and use of the courtyard/plaza area adjacent to the Museum for Arts and Draughts from 6:00 p.m. until 12:00 a.m. for preparation and staging of the area for an outdoor event to be held between 7:00 p.m. until 11:00 p.m., and for patrons to consume beer and wine beverages only on Friday, March 31, 2023 from 7:00 p.m. until 10:30 p.m.; and,

WHEREAS, to ensure the safety of attendees, Organizer understands and agrees as follows:

1. Firearms shall be prohibited in the Museum for Arts and Draughts, regardless of whether such firearm is carried openly or concealed, and regardless of whether the individual carrying such firearm is a valid concealed weapons permit holder, on Friday, March 31, 2023, 7:00 p.m. until 11:00 p.m. *See* Resolution No. 2021-099 (Sept. 7, 2021).

2. Organizer shall establish a boundary line around the event space at the courtyard/plaza area adjacent to the Museum and the Organizer shall ensure all entrance points into the permitted event area are posted with signage stating "NO CONCEALABLE WEAPONS ALLOWED" that complies with the size and formatting requirements of section 23-31-235 of the South Carolina Code.

3. When publicizing the event in the community, Organizer shall include the statement: "NO CONCEALABLE WEAPONS ALLOWED" to ensure the public has prior notice of this restriction.

4. Organizer shall work with the City to develop a written plan and design a footprint of the event area that adheres to COVID-19 pandemic safety and social distancing protocols, as published by the CDC and SCDHEC, and Organizer shall modify the plans and footprint as safety protocols published by the CDC and SCDHEC are updated.

5. The City may cancel the event at any time based upon public safety and/or public health concerns. The City shall not be financially responsible for any costs associated with the cancellation of the event.

6. Organizer shall display signs (physical and/or electronic) throughout the event area that discourage physical contact, such as hugs, handshakes, fist bumps, and high-fives during the event.

7. Organizer shall require its agents, employees, vendors, contractors, and event attendees to adhere to all COVID-19 safety protocols in effect at the time of the event, to include, but not be limited to, wearing of face coverings, social distancing, and frequent washing of hands.

8. To the extent the event occurs during a time in which the City has in effect any emergency ordinance or ordinance requiring face coverings or adherence to social distancing requirements, Organizer shall require that its agents, employees, vendors, contractors, and event attendees comply with the requirements of such ordinance(s).

9. The City strongly encourages Organizer to require that its agents, employees, vendors, contractors, and event attendees provide proof that they have been fully vaccinated against the SARS-CoV-2 virus prior to being granted permission to enter the event.

10. Organizer shall provide portable restroom facilities at the event unless it can substantiate the sufficient availability of both ADA accessible and non-accessible facilities in the immediate area of the event site which will be available to attendees during the event. Organizer shall provide a minimum of four (4) chemical or portable toilets and two (2) wash stations for every 250 people, or portion thereof, who attend the event. Ten percent (10%) of these facilities shall be ADA accessible. This figure is based upon the maximum number of attendees at the event during peak time. The City may determine the total number of required restroom facilities on a case-by-case basis. Organizer shall post signs or markers to prohibit lines or crowds forming near the event's restroom facilities without maintaining a distance of at least six (6) feet from other people.

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11. Organizer shall post signs or markers to prohibit lines or crowds forming near food vendors and should encourage attendees to bring their own water. Alcohol, beer and/or wine shall be prohibited at the event without approval of a written resolution of City Council.

12. Organizer shall coordinate with food vendors to offer touchless payment options, if possible and available, or provide a tray for the exchange of payment to avoid hand-to-hand contact. Frequently touched surfaces should be cleaned after each customer and customers are encouraged to use their own pens.

13. At no cost to the City, Organizer shall be responsible for hiring no fewer than two (2) off-duty City of Columbia police officers during the hours 7:00 p.m. until 12:00 a.m.

WHEREAS, it has been determined that such an event would be in the public interest; NOW, THEREFORE,

BE IT RESOLVED by the Mayor and Council this _____ day of _____, 2023, that the sale of beer and wine beverages only in plastic containers or cans only is authorized on Friday, March 31, 2023, from 7:00 p.m. until 10:30 p.m.

BE IT FURTHER RESOLVED that all vendors be restricted to stationary location and,

BE IT FURTHER RESOLVED that possession and consumption of alcoholic liquors or alcoholic beverages, other than beer and/or wine beverages only within the event area is prohibited; and,

BE IT FURTHER RESOLVED that VIP tents or VIP areas for the possession and consumption of alcoholic liquors or alcoholic beverages, other than beer and/or wine beverages only, within the event area are prohibited; and,

BE IT FURTHER RESOLVED that Organizer is responsible or shall make arrangements for the clean-up of all trash and debris within the event area and shall place same in the roll carts provided by the City. Any overflow of trash and debris shall be placed in garbage bags with the top securely closed and placed beside the City roll carts. The number of roll carts needed for the event shall be determined by Organizer and the City's Solid Waste Division prior to the event and placed throughout the event area to ensure that trash and debris are well contained. Organizer shall return the roll carts and bagged trash and debris to the collection point designated by the City in a timely manner. If the Organizer has not opted to use City services to clean up the event area, any costs incurred by the City in removing loose trash and debris within the event area, which the Organizer has failed to clean up, shall be billed to and paid by the Organizer; and,

BE IT FURTHER RESOLVED that outdoor possession and consumption of beer and wine beverages only, all outdoor musical performances and use of sound-amplifying devices shall end by 10:00 p.m. due to the proximity of the event to residential properties; and,

BE IT FURTHER RESOLVED that only pedestrian traffic will be allowed within the event area. All other traffic, including, but not limited to, automobiles, trucks, motorcycles, mopeds, bicycles, skate boards, and horses, golf carts (except police golf carts or ATVs), and horse-drawn carriages, is prohibited. All pets, including cats, dogs (except police K-9s), horses, birds, lizards, and snakes, are prohibited. Coolers, glass bottles, breakable drinking glasses and/or cups, large bags, and backpacks shall be prohibited inside the event area; and,

BE IT FURTHER RESOLVED that during the designated time the closed portion of courtyard/plaza area adjacent to the Museum for Arts and Draughts that serves as the designated event area, with the exception of any parking area and/or any other areas posted as to not allow alcoholic beverages, shall be declared to be a Public Park and the provisions of Chapter 15, Parks and Recreation, Sec. 15-1, 15-2, and 15-3, of the Code of Ordinances of the City of Columbia, South Carolina are in effect. Pursuant to Chapter 14, Offenses and Miscellaneous Provisions, Article IV, Offenses Against the Public Peace and Order, Sec. 14-99, of the Code of Ordinances of the City of Columbia, South Carolina, the designated event area of courtyard/plaza area adjacent to the Museum for Arts and Draughts, with the exception of any parking area and/or any other areas posted as to not allow alcoholic beverages, is deemed to be the site of a public festival at which beer and wine beverages only may be consumed and the prohibition against possession or consumption of alcoholic beverages set forth in Sec. 14-99 shall not apply to the possession or consumption of beer or wine within the designated event area. Possession and consumption of beer and wine beverages shall be permitted

LEGAL DEPARTMENT DRAFT

only in containers provided by vendors within the areas designated, and such containers provided by vendors for the sale of beer and wine may only be in plastic containers or cans.

PROVIDED, FURTHER, that the Organizer shall provide the names and cell phone numbers of a least two contact persons who can receive and address complaints during the event, including any set up and breakdown times. The cell phones shall remain on, with ringers and alerts functioning, at all times during the event and during any set up and breakdown time.

PROVIDED, FURTHER, that failure of the event Organizer to strictly comply with the time frames and other requirements and responsibilities set forth in this resolution may result in the immediate cancellation of the event and/or a denial of subsequent requests to allow the event.

PROVIDED, HOWEVER, that no solicitation or transactions be made in violation of Sec. 14-32 of the Code of Ordinances of the City of Columbia, South Carolina.

BE IT FURTHER RESOLVED that should the Organizer reschedule the event for another date beyond one (1) week from the date of the originally scheduled event or inclement weather date, a request for a resolution of City Council approving the new date of the event shall be required.

Requested by:

Assistant City Manager Shealy

Approved by:

_____
City Manager

Approved as to form:

_____
Deputy City Attorney

_____
Mayor

ATTEST:

_____
City Clerk

Introduced:
Final Reading:

LEGAL DEPARTMENT DRAFT

DATE OF REQUEST: 12/28/2022

REQUESTOR'S NAME/CONTACT INFORMATION (E-MAIL/ PHONE#/FAX#): Wilson Bame
wbame@columbiamuseum.org
803-343-2181

ESTIMATED NUMBER OF ATTENDEES ANTICIPATED: 800

EVENT NAME/PURPOSE (i.e., St. Patrick's/Charity Fund-raiser): Arts & Draughts

DATE(S) OF EVENTS: (multiple day can be on one request): March 31, 2023

RAIN CONTINGENCY DATE: (Rescheduling due to inclement weather is allowed once within one week from the date of the originally scheduled event upon 24-hours written notice to the City without a new request. The time of event operation shall remain the same.): NA

LOCATION OF EVENT (i.e., Amphitheater area of Finlay Park; 1300 and 1400 blocks of Main Street between Lady Street and Hampton Street): Columbia Museum of Art
1515 Main St.
Columbia, SC 29201

STREET(S) OR PARK AREA TO BE CLOSED (i.e., 1300 and 1400 blocks of Main Street between Lady Street and Hampton Street; Amphitheater area of Finlay Park; Boyd Plaza): Boyd Plaza

HOURS FOR STREET(S) OR PARK AREA TO BE CLOSED (i.e., 5:00 p.m. - 12:00 a.m.) ALLOW TIME FOR SET UP/CLEAN UP: 6:00 p.m. - 12:00 a.m.

HOURS OF EVENT (i.e., 6:00 p.m. - 10:00 p.m.)*: 7:00 p.m. - 11:00 p.m.

HOURS OF SERVICE OF BEER/WINE/**LIQUOR** BEVERAGES (Service should end one-half hour prior to end of event (i.e., event is 6-10 p.m., beer/wine service is 6-9:30 p.m.)*: 7:00 p.m. - 10:30 p.m.

Do you intend to serve liquor in addition to beer and wine? Yes ☐ No ☐

DUE TO COVID-19 THERE ARE ADDITIONAL REQUIREMENTS AND PROCEDURES THAT MUST BE IN PLACE TO INSURE PUBLIC SAFETY. PLEASE PROVIDE YOUR SAFETY PLAN/PROTOCOL WITH DRAWING DEPICTING CLEANING/SANITIZATION AREAS WITH YOUR SPECIAL EVENT REQUEST FORM* When publicizing the event in the community, the Organizer shall include the statement: "NO CONCEALABLE WEAPONS ALLOWED" to ensure the public has prior notice of this restriction.

Requests should be submitted by mail, e-mail or fax at least ***NINETY (90) days in advance of the event*** to allow for preparation and review of the Resolution and scheduling on Council's agenda. Requests should be faxed to (803-737-4250) or mailed to City Attorney's Office, ATTN: Special Event Request, POB 667, Columbia, SC 29202. A draft Resolution will be prepared and forwarded for review to the event organizer, as well as to the City departments for coordination of City services and requirements (i.e., Police, Solid Waste, Parks and Recreation, etc.). Written approval from the neighborhood president and adjoining business/ property owners must be provided before requests will be submitted to City Council. The event organizer is responsible for obtaining a permit or license if required by the South Carolina Department of Revenue.

***All outdoor musical performances and use of sound-amplifying devices shall end by 10:00 p.m. due to the proximity of events to residential properties. VIP tents or VIP areas for possession and consumption of beer and wine beverages within the event area are PRHOHIBITED.**

NOTE: **This form should only be used for public events where beer and/or wine and/or liquor are to be sold and consumed on City property** (i.e., Main Street Latin Festival, St. Patrick's Festival, Vista Lights,, Rocky Shoals Spider Lily Festival, etc.).

This form **should not** be used to request use of City property for **private** events (birthday, retirement, anniversary parties, etc.) nor for sidewalk sales or neighborhood block parties. Requests for private events at City parks should be made through the Parks and Recreation Department. Requests for sidewalk sales which exclude the sale, possession and consumption of alcoholic beverages should be made to the City Manager. Requests for street closings for private neighborhood block parties should be made to the Police Department Special Events and Public Safety. Possession, distribution and consumption of any type of alcoholic beverage at neighborhood block parties shall be restricted to private property and is prohibited on sidewalks, streets and parks.

Fire Marshal George N. Adams, Jr.; 803-545-3703; george.adams@columbiasc.gov
Legal Department – Jennifer L. Hendrix; 803-737-4242; fax 803-737-4250 - resolution preparation
Parking Services – Tori Salvant; (803) 545-0287; tori.salvant@columbiasc.gov - meter bagging
Parks and Recreation - Pearl Osborne; 803-545-3100; pearl.osborne@columbiasc.gov park reservations
Police Department Special Events - Sgt. Jennifer L. Jordan; (803) 545-3514; jennifer.jordan@columbiasc.gov - parade permit, police, safety protocol
Police Department Community Services - Brenda Murphy; 803-545-3507; brenda.murphy@columbiasc.gov - street closing

Last revised: 8/18/2022

We Are Columbia

MEETING DATE: **February 21, 2023**

DEPARTMENT: **Legal Department**

FROM: ***Teresa Knox, City Attorney***

SUBJECT: **Resolution No.: R-2023-005 - Authorizing consumption of beer and wine only at Artista Vista Crafty Feast on Sunday, April 16, 2023**

FUNDING SOURCE & ORIGINAL BUDGET:

FOCUS AREAS: **Planning Together**

ATTACHMENTS:

- **#a:** R-2023-005 - Artista Vista (Apr 16) (PDF)
- #b: Artista Vista Crafty Feast 2023 (PDF)

RESOLUTION NO.: R-2023-005

Authorizing consumption of beer and wine only at Artista Vista Crafty Feast on Sunday, April 16, 2023

WHEREAS, the Congaree Vista Guild ("Vista") is hosting Artista Vista Crafty Feast in the Vista on Sunday, April 26, 2023 from 11:00 a.m. until 4:00 p.m.; and,

WHEREAS, the Vista has requested permission for the temporary closing and use of the 1300 block of Lincoln Street between Lady Street and Washington Street, and the 800 and 900 blocks of Lady Street east of the Hyatt Place parking lot and west of the Blue Marlin parking from 7:00 a.m. until 5:30 p.m. for preparation and staging of the area for an outdoor event to be held between 11:00 a.m. and 4:00 p.m., and for patrons to consume beer and wine beverages only on Sunday, April 16, 2023 from 11:00 a.m. until 3:30 p.m.; and,

WHEREAS, to insure the safety of attendees Organizer understands and agrees as follows:

1. Firearms shall be prohibited in the 1300 block of Lincoln Street between Lady Street and Washington Street and 820-910 Lady Street between Hyatt Place parking and Blue Marlin parking regardless of whether such firearm is carried openly or concealed, and regardless of whether the individual carrying such firearm is a valid concealed weapons permit holder, on Sunday, April 16, 2023, from 11:00 a.m. until 4:00 p.m. *See* Resolution No. 2021-099 (Sept. 7, 2021).

2. Organizer shall establish a boundary line around the event space at the 1300 block of Lincoln Street between Lady Street and Washington Street and 820-910 Lady Street between Hyatt Place parking and Blue Marlin parking, and the Organizer shall ensure all entrance points into the permitted event area are posted with signage stating "NO CONCEALABLE WEAPONS ALLOWED" that complies with the size and formatting requirements of section 23-31-235 of the South Carolina Code.

3. When publicizing the event in the community, Organizer shall include the statement: "NO CONCEALABLE WEAPONS ALLOWED" to ensure the public has prior notice of this restriction.

4. Organizer shall work with the City to develop a written plan and design a footprint of the event area that adheres to COVID-19 pandemic safety and social distancing protocols, as published by the CDC and SCDHEC, and Organizer shall modify the plans and footprint as safety protocols published by the CDC and SCDHEC are updated.

5. The City may cancel the event at any time based upon public safety and/or public health concerns. The City shall not be financially responsible for any costs associated with the cancellation of the event.

6. Organizer shall display signs (physical and/or electronic) throughout the event area that discourage physical contact, such as hugs, handshakes, fist bumps, and high-fives during the event.

7. Organizer shall require that its agents, employees, vendors, contractors, and event attendees adhere to all COVID-19 safety protocols in effect at the time of the event, to include, but not be limited to, wearing of face masks, social distancing, and frequent washing of hands.

8. To the extent the event occurs during a time in which the City has in effect any emergency ordinance or ordinance requiring face coverings or adherence to social distancing requirements, Organizer shall require that its agents, employees, vendors, contractors, and event attendees comply with the requirements of such ordinance(s).

9. The City strongly encourages Organizer to require that its agents, employees, vendors, contractors, and event attendees provide proof that they have been fully vaccinated against the SARS-CoV-2 virus prior to being granted permission to enter the event.

10. Organizer shall provide portable restroom facilities at the event unless it can substantiate the sufficient availability of both ADA accessible and non-accessible facilities in the immediate area of the event site which will be available to attendees during the event. Organizer shall provide a minimum of four (4) chemical or portable toilets and two (2) wash stations for every 250 people, or portion thereof, who attend the event. Ten percent (10%) of these facilities shall be ADA accessible. This figure is based upon the maximum number of attendees at the event during peak time. The City may determine the total number of required restroom facilities on a case-by-case basis. Organizer shall post signs or markers to prohibit lines or crowds forming near the event's restroom facilities without maintaining a distance of at least six (6) feet from other people.

LEGAL DEPARTMENT DRAFT

11. Organizer shall post signs or markers to prohibit lines or crowds forming near food vendors and should encourage attendees to bring their own water. Alcohol, beer and/or wine shall be prohibited at the event without approval of a written resolution of City Council.

12. Organizer shall coordinate with food vendors to offer touchless payment options, if possible and available, or provide a tray for the exchange of payment to avoid hand-to-hand contact. Frequently touched surfaces should be cleaned after each customer and customers are encouraged to use their own pens.

13. At no cost to the City, Organizer shall be responsible for hiring no fewer than two (2) off-duty City of Columbia police officers during the hours of 7:00 a.m. until 5:30 p.m.

WHEREAS, it has been determined that such an event would be in the public interest; NOW, THEREFORE,

BE IT RESOLVED by the Mayor and Council this _____ day of _____, 2023, that the sale of beer and wine beverages only in plastic containers or cans only is authorized between the hours of 11:00 a.m. and 3:30 p.m. on Sunday, April 16, 2023; and,

BE IT FURTHER RESOLVED that all vendors be restricted to stationary location and that the Guild shall approve or disapprove all amplified entertainment activities; and,

BE IT FURTHER RESOLVED that possession and consumption of alcoholic liquors or alcoholic beverages other than beer and/or wine beverages only within the event area is prohibited; and,

BE IT FURTHER RESOLVED that VIP tents or VIP areas for the possession and consumption of alcoholic liquors or alcoholic beverages, other than beer or wine beverages only, within the event area are prohibited; and,

BE IT FURTHER RESOLVED that organizer is responsible or shall make arrangements for the cleanup of all trash and debris within the festival area and shall place same in the roll carts provided by the City. Any overflow of trash and debris shall be placed in garbage bags with the top securely closed and placed beside the City roll carts. The number of roll carts needed for the event shall be determined by organizer and the City Solid Waste Division prior to the event and placed throughout the event area to ensure that trash and debris are well contained. Roll carts and bagged trash and debris shall be returned to the collection point designated by the City in a timely manner. If the organizer has not opted to use City services to clean up the festival area, any costs incurred by the City in removing loose trash and debris within the festival area, which the organizer has failed to clean up, shall be billed to and paid by the organizer; and,

BE IT FURTHER RESOLVED that outdoor possession and consumption of beer and wine beverages only, all outdoor musical performances and use of sound-amplifying devices shall end by 10:00 p.m. due to the proximity of the event to residential properties; and,

BE IT FURTHER RESOLVED that only pedestrian traffic will be allowed within the area. All other traffic, including, but not limited to, automobiles, trucks, motorcycles, mopeds, bicycles, skate boards, and horses, except police horses, police golf carts, and horse-drawn carriages, is prohibited. All pets, including snakes, shall be prohibited. Coolers, glass bottles, breakable glasses and/or cups, large bags and backpacks shall be prohibited; and,

BE IT FURTHER RESOLVED that during the designated time the closed portion of the 1300 block of Lincoln Street between Lady Street and Washington Street and the 800 and 900 blocks of Lady Street east of the Hyatt Place parking lot and west of the Blue Marlin parking, with the exception of the parking area and any other areas posted as to not allow alcoholic beverages, shall be declared to be a Public Park and provisions of Chapter 15, Parks and Recreation, Sec. 15-1, 15-2 and 15-3, Code of Ordinances of the City of Columbia, South Carolina are in effect. Pursuant to Chapter 14, Offenses and Miscellaneous Provisions, Article IV, Offenses Against the Public Peace and Order, Sec. 14-99, 1998 Code of Ordinances of the City of Columbia, South Carolina, the closed portion of the 1300 block of Lincoln Street between Lady Street and Washington Street and the 800 and 900 blocks of Lady Street east of the Hyatt Place parking lot and west of the Blue Marlin parking, with the exception of the parking area and any other areas posted as to not allow alcoholic beverages, is deemed to be the site of a public festival at which beer and wine beverages only may be consumed and the prohibition against possession or consumption of alcoholic beverages set forth in Sec. 14-99 shall not apply. Possession and consumption of beer and wine beverages only shall be permitted only in containers provided by vendors within the areas designated.

LEGAL DEPARTMENT DRAFT

PROVIDED, FURTHER, that the event organizer shall provide the names and cell phone numbers of a least two contact persons who can receive complaints during the event, including any set up and breakdown times. The cell phones shall remain on at all times during the event and during any set up and breakdown time.

PROVIDED, FURTHER, that failure of the event organizer to strictly comply with the time frames and other requirements and responsibilities set forth in this resolution may result in a denial of subsequent requests to allow the event.

PROVIDED, HOWEVER, that no solicitation or transactions be made in violation of Sec. 14-32, 1998 Code of Ordinances of the City of Columbia, South Carolina.

BE IT FURTHER RESOLVED that should the organizer reschedule the event for another date beyond one (1) week from the date of the originally scheduled event, a request for a resolution of City Council approving the new date of the event shall be required.

Requested by:

Assistant City Manager Shealy

Approved by:

City Manager

Approved as to form:

Deputy City Attorney

Introduced:
Final Reading:

Mayor

ATTEST:

City Clerk

LEGAL DEPARTMENT DRAFT

DATE OF REQUEST: 1/9/2023

REQUESTOR'S NAME/CONTACT INFORMATION (E-MAIL/ PHONE#/FAX#): Abby Anderson abby@vistacolumbia.com 803-269-5946

ESTIMATED NUMBER OF ATTENDEES ANTICIPATED: 2000

EVENT NAME/PURPOSE (i.e., St. Patrick's/Charity Fund-raiser): Artista Vista - Crafty Feast Annual arts festival

DATE(S) OF EVENTS: (multiple day can be on one request): Sunday, April 16, 2023

RAIN CONTINGENCY DATE: (Rescheduling due to inclement weather is allowed once within one week from the date of the originally scheduled event upon 24-hours written notice to the City without a new request. The time of event operation shall remain the same.): none

LOCATION OF EVENT (i,e., Amphitheater area of Finlay Park; 1300 and 1400 blocks of Main Street between Lady Street and Hampton Street): Lincoln Street from Lady to Washington
Lady Street from 820-910
Lincoln Street Tunnel

STREET(S) OR PARK AREA TO BE CLOSED (i.e., 1300 and 1400 blocks of Main Street between Lady Street and Hampton Street; Amphitheater area of Finlay Park; Boyd Plaza): 1300 block of Lincoln Street (between Lady and Washington)
820-910 Lady Street (between Hyatt Place parking and Blue Marlin parking)

HOURS FOR STREET(S) OR PARK AREA TO BE CLOSED (i.e., 5:00 p.m. - 12:00 a.m.) ALLOW TIME FOR SET UP/CLEAN UP: 7:00am - 5:30pm

HOURS OF EVENT (i.e., 6:00 p.m. - 10:00 p.m.)*: 11:00am - 4:00pm

HOURS OF SERVICE OF BEER/WINE/LIQUOR BEVERAGES (Service should end one-half hour prior to end of event (i.e., event is 6-10 p.m., beer/wine service is 6-9:30 p.m.)*: 11:00am - 3:30pm

Do you intend to serve liquor in addition to beer and wine? Yes ☐ No ☒

DUE TO COVID-19 THERE ARE ADDITIONAL REQUIREMENTS AND PROCEDURES THAT MUST BE IN PLACE TO INSURE PUBLIC SAFETY. PLEASE PROVIDE YOUR SAFETY PLAN/PROTOCOL WITH DRAWING DEPICTING CLEANING/SANITIZATION AREAS WITH YOUR SPECIAL EVENT REQUEST FORM. When publicizing the event in the community, the Organizer shall include the statement "NO DISPOSABLE WEATHONS ALLOWED" to ensure the public has prior notice of this restriction.

Requests should be submitted by mail, e-mail or fax at least [redacted] ***days in advance of the event*** to allow for preparation and review of the Resolution and scheduling on Council's agenda. Requests should be faxed to (803-737-4250), mailed to City Attorney's Office, ATTN: Special Event Request, POB 667, Columbia, SC 29202 or e-mailed to Jennifer.Hendrix@columbiasc.gov . A draft Resolution will be prepared and forwarded for review to the event organizer, as well as to the City departments for coordination of City services and requirements (i.e., Police, Solid Waste, Parks and Recreation, etc.). Written approval from the neighborhood president and adjoining business/ property owners must be provided before requests will be submitted to City Council. The event organizer is responsible for obtaining a permit or license if required by the South Carolina Department of Revenue.

***All outdoor musical performances and use of sound-amplifying devices shall end by 10:00 p.m. due to the proximity of events to residential properties. VIP tents or VIP areas for possession and consumption of beer and wine beverages within the event area are PRHOHIBITED.**

NOTE: **This form should only be used for public events where beer and/or wine and/or liquor are to be sold and consumed on City property** (i.e., Main Street Latin Festival, St. Patrick's Festival, Vista Lights,, Rocky Shoals Spider Lily Festival, etc.).

This form **should not** be used to request use of City property for **private** events (birthday, retirement, anniversary parties, etc.) nor for sidewalk sales or neighborhood block parties. Requests for private events at City parks should be made through the Parks and Recreation Department. Requests for sidewalk sales which exclude the sale, possession and consumption of alcoholic beverages should be made to the City Manager. Requests for street closings for private neighborhood block parties should be made to the Police Department Special Events and Public Safety. Possession, distribution and consumption of any type of alcoholic beverage at neighborhood block parties shall be restricted to private property and is prohibited on sidewalks, streets and parks.

Fire Marshal George N. Adams, Jr.; 803-545-3703; george.adams@columbiasc.gov
Legal Department – Jennifer L. Hendrix; 803-737-4242; fax 803-737-4250; Jennifer.hendrix@columbiasc.gov - resolution preparation
Parking Services – Tori Salvant; (803) 545-0287; tori.salvant@columbiasc.gov - meter bagging
Parks and Recreation - Pearl Osborne; 803-545-3100; pearl.osborne@columbiasc.gov park reservations
Police Department Special Events - Sgt. Jennifer L. Jordan; (803) 545-3514; jennifer.jordan@columbiasc.gov - parade permit, police, safety protocol
Police Department Community Services - Brenda Murphy; 803-545-3507; brenda.murphy@columbiasc.gov - street closing
Last revised: 8/18/2022

ARTISTA VISTA SAFETY PLAN/PROTOCOLS

Artista Vista will take place on April 14-16, 2023 in the Congaree Vista Guild business district. Each day is comprised of specific events where protocols will be in place to ensure the safety of patrons.

- Friday, April 14 is the annual art crawl where patrons are encouraged to visit local Vista galleries and stay in the district for dinner. Friday will also feature the Light and Lantern parade through The Vista.
- Saturday, April 15 is the art day celebration at the Vista Arts River campus off Huger Street.
- Sunday, April 16 will host the Crafty Feast art fair outdoors as well as Live on Lincoln.

Patron and Vendor Behavior

1. All vendors and patrons are asked to please stay home if you are positive for COVID-19, are showing symptoms of COVID-19 or have had close contact with a person with symptoms in the past 14 days.
2. All vendors and patrons are asked to maintain 6+ feet of social distancing at all times at Artista Vista events.
3. All patrons, vendors and businesses participating in Artista Vista events are encouraged to properly wear a face mask. (Masks are not required for children age 2 and younger.)
4. Please refrain from all hand and body contact with other patrons and vendors.
5. We ask all patrons to please refrain from handling products at vendor booths at Crafty Feast and local businesses. Please ask the business for assistance.

Crafty Feast Protocols

1. Vendors will be supplied with a 10'x10' space. Each vendor booth will be separated by 6 feet for proper social distancing.
2. There will be no more than 53 vendors at Crafty Feast.
3. All patrons and vendors will be required to maintain 6+ feet to adhere to social distancing.
4. All patrons and vendors are encouraged to wear masks at the event. (Masks are not required for children age 2 and younger.)
5. Vendor booths may have wrapped samples for patrons only.
6. Vendors are encouraged to have sanitizer at their booth. Patrons and vendors are encouraged to use hand sanitizer often during the event.
7. All vendors are asked to sanitize and clean equipment after each patron's use (pens, equipment, etc).
8. All vendors are encouraged to use touch-free payments and are discouraged from taking cash.
9. Signage will be placed throughout the event reminding patrons and vendors to properly wear masks, social distance and use hand sanitizer.
10. Any vendor who must cancel the market due to COVID-19 exposure is asked to let the Congaree Vista Guild staff know as soon as possible. A refund for vendor fees will be issued. Please give staff time to select another vendor to take your place.

We Are Columbia

MEETING DATE: **February 21, 2023**

DEPARTMENT: **Legal Department**

FROM: ***Teresa Knox, City Attorney***

SUBJECT: **Resolution No.: R-2023-007 - Authorizing consumption of beer, wine and liquor at Live on Lincoln Fundraiser for the Arts on Sunday, April 16, 2023 with a rain contingency date of Sunday, April 23, 2023**

FUNDING SOURCE & ORIGINAL BUDGET:

FOCUS AREAS: **Planning Together**

ATTACHMENTS:

- **#a:** R-2023-007 - Live on Lincoln (Apr 16) (PDF)
- #b: Street Closure Request Form (completed) 2023 (PDF)

RESOLUTION NO.: R-2023-007

Authorizing consumption of beer, wine and liquor at Live on Lincoln Fundraiser for the Arts on Sunday, April 16, 2023 with a rain contingency date of Sunday, April 23, 2023

WHEREAS, the Columbia City Ballet is hosting Live on Lincoln in the Vista on Sunday, April 16, 2023 from 5:00 p.m. until 8:00 p.m., with a rain contingency date of Sunday, April 23, 2023; and,

WHEREAS, the Columbia City Ballet has requested permission for the temporary closing and use of the 1200 block of Lincoln Street between Lady Street and Gervais Street from 10:00 a.m. until 10:00 p.m. for preparation and staging of the area for an outdoor event to be held between 5:00 p.m. and 8:00 p.m., and for patrons to consume liquor, beer and wine beverages at on Sunday, April 16, 2023 from 5:00 p.m. until 7:30 p.m., with a rain contingency date of Sunday, April 23, 2023; and,

WHEREAS, to insure the safety of attendees Organizer understands and agrees as follows:

1. Firearms shall be prohibited in the 1200 block of Lincoln Street between Lady Street and Gervais Street regardless of whether such firearm is carried openly or concealed, and regardless of whether the individual carrying such firearm is a valid concealed weapons permit holder, on Sunday, April 16, 2023, from 5:00 p.m. until 8:00 p.m. *See* Resolution No. 2021-099 (Sept. 7, 2021).

2. Organizer shall establish a boundary line around the event space at the 1200 block of Lincoln Street between Lady Street and Gervais Street, and the Organizer shall ensure all entrance points into the permitted event area are posted with signage stating "NO CONCEALABLE WEAPONS ALLOWED" that complies with the size and formatting requirements of section 23-31-235 of the South Carolina Code.

3. When publicizing the event in the community, Organizer shall include the statement: "NO CONCEALABLE WEAPONS ALLOWED" to ensure the public has prior notice of this restriction.

4. Organizer shall work with the City to develop a written plan and design a footprint of the event area that adheres to COVID-19 pandemic safety and social distancing protocols, as published by the CDC and SCDHEC, and Organizer shall modify the plans and footprint as safety protocols published by the CDC and SCDHEC are updated.

5. The City may cancel the event at any time based upon public safety and/or public health concerns. The City shall not be financially responsible for any costs associated with the cancellation of the event.

6. Organizer shall display signs (physical and/or electronic) throughout the event area that discourage physical contact, such as hugs, handshakes, fist bumps, and high-fives during the event.

7. Organizer shall require that its agents, employees, vendors, contractors, and event attendees adhere to all COVID-19 safety protocols in effect at the time of the event, to include, but not be limited to, wearing of face masks, social distancing, and frequent washing of hands.

8. To the extent the event occurs during a time in which the City has in effect any emergency ordinance or ordinance requiring face coverings or adherence to social distancing requirements, Organizer shall require that its agents, employees, vendors, contractors, and event attendees comply with the requirements of such ordinance(s).

9. The City strongly encourages Organizer to require that its agents, employees, vendors, contractors, and event attendees provide proof that they have been fully vaccinated against the SARS-CoV-2 virus prior to being granted permission to enter the event.

10. Organizer shall provide portable restroom facilities at the event unless it can substantiate the sufficient availability of both ADA accessible and non-accessible facilities in the immediate area of the event site which will be available to attendees during the event. Organizer shall provide a minimum of four (4) chemical or portable toilets and two (2) wash stations for every 250 people, or portion thereof, who attend the event. Ten percent (10%) of these facilities shall be ADA accessible. This figure is based upon the maximum number of attendees at the event during peak time. The City may determine the total number of required restroom facilities on a case-by-case basis. Organizer shall post signs or markers to prohibit lines or crowds forming near the event's restroom facilities without maintaining a distance of at least six (6) feet from other people.

LEGAL DEPARTMENT DRAFT

11. Organizer shall post signs or markers to prohibit lines or crowds forming near food vendors and should encourage attendees to bring their own water. Alcohol, beer and/or wine shall be prohibited at the event without approval of a written resolution of City Council.

12. Organizer shall coordinate with food vendors to offer touchless payment options, if possible and available, or provide a tray for the exchange of payment to avoid hand-to-hand contact. Frequently touched surfaces should be cleaned after each customer and customers are encouraged to use their own pens.

13. At no cost to the City, Organizer shall be responsible for hiring no fewer than two (2) off-duty City of Columbia police officers during the hours of 10:00 a.m. until 10:00 p.m.

WHEREAS, it has been determined that such an event would be in the public interest; NOW, THEREFORE,

BE IT RESOLVED by the Mayor and Council this _____ day of _____, 2023, that the sale of liquor, beer and wine beverages in plastic containers or cans only is authorized between the hours of 5:00 p.m. and 7:30 p.m. on April 16, 2023, with a rain contingency date of Sunday, April 23, 2023; and,

BE IT FURTHER RESOLVED that all vendors be restricted to stationary location and that the Columbia City Ballet shall approve or disapprove all amplified entertainment activities; and,

BE IT FURTHER RESOLVED that organizer is responsible or shall make arrangements for the cleanup of all trash and debris within the festival area and shall place same in the roll carts provided by the City. Any overflow of trash and debris shall be placed in garbage bags with the top securely closed and placed beside the City roll carts. The number of roll carts needed for the event shall be determined by organizer and the City Solid Waste Division prior to the event and placed throughout the event area to ensure that trash and debris are well contained. Roll carts and bagged trash and debris shall be returned to the collection point designated by the City in a timely manner. If the organizer has not opted to use City services to clean up the festival area, any costs incurred by the City in removing loose trash and debris within the festival area, which the organizer has failed to clean up, shall be billed to and paid by the organizer; and,

BE IT FURTHER RESOLVED that outdoor possession and consumption of liquor, beer, wine beverages unless the appropriate permits or licenses, if required are issued by the SCDOR and all outdoor musical performances and use of sound-amplifying devices shall end by 10:00 p.m. due to the proximity of the event to residential properties; and,

BE IT FURTHER RESOLVED that only pedestrian traffic will be allowed within the area. All other traffic, including, but not limited to, automobiles, trucks, motorcycles, mopeds, bicycles, skate boards, and horses, except police horses, police golf carts, and horse-drawn carriages, is prohibited. All pets, including snakes, shall be prohibited. Coolers, glass bottles, breakable glasses and/or cups, large bags and backpacks shall be prohibited; and,

BE IT FURTHER RESOLVED that during the designated time the closed portion of the 1200 block of Lincoln Street between Lady Street and Gervais Street, with the exception of the parking area and any other areas posted as to not allow alcoholic liquors or alcoholic beverages is deemed to be the site of a public festival at which liquor, beer and wine beverages may be consumed and the prohibition against possession or consumption of alcoholic beverages set forth in Sec. 14-99 shall not apply as to the possession and consumption of liquor, beer and/or wine beverages. Possession and consumption of liquor, beer and wine beverages shall be permitted only in plastic cups, plastic or aluminum bottles or aluminum cans provided by vendors within the areas designated.

PROVIDED, FURTHER, that the event organizer shall provide the names and cell phone numbers of a least two contact persons who can receive complaints during the event, including any set up and breakdown times. The cell phones shall remain on at all times during the event and during any set up and breakdown time.

PROVIDED, FURTHER, that failure of the event organizer to strictly comply with the time frames and other requirements and responsibilities set forth in this resolution may result in a denial of subsequent requests to allow the event.

PROVIDED, HOWEVER, that no solicitation or transactions be made in violation of Sec. 14-32, 1998 Code of Ordinances of the City of Columbia, South Carolina.

LEGAL DEPARTMENT DRAFT

BE IT FURTHER RESOLVED that in the event of inclement weather on Sunday, April 16, 2023, closed portion of the 1200 block of Lincoln Street between Lady Street and Gervais Street shall be closed on Sunday, April 23, 2023. The hours of operation for the event, service of beer and wine at the event and closing of streets for set up, clean up and crowd control of the event shall remain as outlined above.

BE IT FURTHER RESOLVED that should the organizer reschedule the event for another date beyond one (1) week from the date of the originally scheduled event, a request for a resolution of City Council approving the new date of the event shall be required.

Requested by:

Assistant City Manager Shealy

Approved by:

City Manager

Approved as to form:

Deputy City Attorney

Introduced:
Final Reading:

Mayor

ATTEST:

City Clerk

LEGAL DEPARTMENT DRAFT

Last revised: 1/10/2023
23015416

DATE OF REQUEST: 1/9/23

ESTIMATED NUMBER OF ATTENDEES ANTICIPATED: 400

REQUESTOR'S NAME/CONTACT INFORMATION (E-MAIL/ PHONE#/FAX#): Brandon Funk
bfunk@columbiacityballet.com
803-769-8258

EVENT NAME/PURPOSE (i.e., St. Patrick's/Charity Fund-raiser): "Live on Lincoln"/ Fundraiser for the Arts

DATE(S) OF EVENTS: (multiple day can be on one request): 4/16/23

RAIN CONTINGENCY DATE: (Rescheduling due to inclement weather is allowed once within one week from the date of the originally scheduled event upon 24-hours written notice to the City without a new request. The time of event operation shall remain the same.): 4/23/23

LOCATION OF EVENT (i.e., Amphitheater area of Finlay Park; 1300 and 1400 blocks of Main Street between Lady Street and Hampton Street): 1200 block of Lincoln Street between Gervais Street and Lady Street

STREET(S) OR PARK AREA TO BE CLOSED (i.e., 1300 and 1400 blocks of Main Street between Lady Street and Hampton Street; Amphitheater area of Finlay Park; Boyd Plaza): Lincoln Street between Gervais Street and Lady Street

HOURS FOR STREET(S) OR PARK AREA TO BE CLOSED (i.e., 5:00 p.m. - 12:00 a.m.) ALLOW TIME FOR SET UP/CLEAN UP: 10:00 am to 10:00 pm

HOURS OF EVENT (i.e., 6:00 p.m. - 10:00 p.m.)*: 5:00 pm to 8:00 pm

HOURS OF SERVICE OF BEER/WINE/LIQUOR BEVERAGES (Service should end one-half hour prior to end of event (i.e., event is 6-10 p.m., beer/wine service is 6-9:30 p.m.)*: 5:00 pm to 7:30 pm

Do you intend to serve liquor in addition to beer and wine? Yes ☑ No ☐

DUE TO COVID-19 THERE ARE ADDITIONAL REQUIREMENTS AND PROCEDURES THAT MUST BE IN PLACE TO INSURE PUBLIC SAFETY. PLEASE PROVIDE YOUR SAFETY PLAN/PROTOCOL WITH DRAWING DEPICTING CLEANING/SANITIZATION AREAS WITH YOUR SPECIAL EVENT REQUEST FORM When publicizing the event in the community, the Organizer shall include the statement: "NO CONCEALABLE WEAPONS ALLOWED" to ensure the public has prior notice of this restriction.*

Requests should be submitted by mail, e-mail or fax at least NINETY (90) ***days in advance of the event*** to allow for preparation and review of the Resolution and scheduling on Council's agenda. Requests should be faxed to (803-737-4250), mailed to City Attorney's Office, ATTN: Special Event Request, POB 667, Columbia, SC 29202 or e-mailed to Jennifer.Hendrix@columbiasc.gov . A draft Resolution will be prepared and forwarded for review to the event organizer, as well as to the City departments for coordination of City services and requirements (i.e., Police, Solid Waste, Parks and Recreation, etc.). Written approval from the neighborhood president and adjoining business/ property owners must be provided before requests will be submitted to City Council. The event organizer is responsible for obtaining a permit or license if required by the South Carolina Department of Revenue.

***All outdoor musical performances and use of sound-amplifying devices shall end by 10:00 p.m. due to the proximity of events to residential properties. VIP tents or VIP areas for possession and consumption of beer and wine beverages within the event area are PRHOHIBITED.**

NOTE: **This form should only be used for public events where beer and/or wine and/or liquor are to be sold and consumed on City property** (i.e., Main Street Latin Festival, St. Patrick's Festival, Vista Lights,, Rocky Shoals Spider Lily Festival, etc.).

This form **should not** be used to request use of City property for **private** events (birthday, retirement, anniversary parties, etc.) nor for sidewalk sales or neighborhood block parties. Requests for private events at City parks should be made through the Parks and Recreation Department. Requests for sidewalk sales which exclude the sale, possession and consumption of alcoholic beverages should be made to the City Manager. Requests for street closings for private neighborhood block parties should be made to the Police Department Special Events and Public Safety. Possession, distribution and consumption of any type of alcoholic beverage at neighborhood block parties shall be restricted to private property and is prohibited on sidewalks, streets and parks.

Fire Marshal George N. Adams, Jr.; 803-545-3703; george.adams@columbiasc.gov
Legal Department – Jennifer L. Hendrix; 803-737-4242; fax 803-737-4250; Jennifer.hendrix@columbiasc.gov - resolution preparation
Parking Services – Tori Salvant; (803) 545-0287; tori.salvant@columbiasc.gov - meter bagging
Parks and Recreation - Pearl Osborne; 803-545-3100; pearl.osborne@columbiasc.gov park reservations
Police Department Special Events - Sgt. Jennifer L. Jordan; (803) 545-3514; jennifer.jordan@columbiasc.gov - parade permit, police, safety protocol
Police Department Community Services - Brenda Murphy; 803-545-3507; brenda.murphy@columbiasc.gov - street closing
Last revised: 8/18/2022

We Are Columbia

MEETING DATE: **February 21, 2023**

DEPARTMENT: **Legal Department**

FROM: ***Teresa Knox, City Attorney***

SUBJECT: **Resolution No.: R-2023-011 - Authorizing consumption of beer and wine beverages only at the Official Kick-Off to St. Pat's in Five Points at the Five Points Fountain on Thursday, March 2, 2023**

FUNDING SOURCE & ORIGINAL BUDGET:

FOCUS AREAS: **Planning Together**

ATTACHMENTS:

- **#a:** R-2023-011 - St. Pat's Kickoff (Mar 2) (PDF)
- #b: Event Request-Resolution to Allow Beer Wine Liquor on City Property - 9-19-2022_ (PDF)

RESOLUTION NO.: R-2023-011

Authorizing consumption of beer and wine beverages only at the Official Kick-Off to St. Pat's in Five Points at the Five Points Fountain on Thursday, March 2, 2023

WHEREAS, the Five Points Association is sponsoring the Official Kick-Off to St. Pat's in Five Points on Thursday, March 2, 2023 on Saluda Avenue at the fountain plaza; and,

WHEREAS, the Association has requested permission for the temporary closing and use of Saluda Avenue between the fountain plaza and Starbuck's building at the intersection of Greene Street from 2:00 p.m. until 10:00 p.m., for preparation of the area for an outdoor event to be held during the hours of 5:00 p.m. and 8:00 p.m., and for patrons to consume beer and wine beverages at the event during the hours of 5:00 p.m. and 7:30 p.m.; and,

WHEREAS, to ensure the safety of attendees, Organizer understands and agrees as follows:

1. Firearms shall be prohibited on the fountain plaza, on Saluda Avenue adjacent to the fountain plaza on Thursday, March 2, 2023 from 2:00 p.m. until 10:00 p.m. regardless of whether such firearm is carried openly or concealed, and regardless of whether the individual carrying such firearm is a valid concealed weapons permit holder.

2. The Organizer shall establish a boundary line around the event space of the fountain plaza, Saluda Avenue adjacent to the fountain plaza and the Organizer shall ensure all entrance points into the permitted event area are posted with signage stating "NO CONCEALABLE WEAPONS ALLOWED" that complies with the size and formatting requirements of section 23-31-235 of the South Carolina Code.

3. When publicizing the event in the community, the Organizer shall include the statement: "NO CONCEALABLE WEAPONS ALLOWED" to ensure the public has prior notice of this restriction.

4. Organizer shall work with the City to develop a written plan and design a footprint of the event area that adheres to COVID-19 pandemic safety and social distancing protocols as published by the CDC and SCDHEC, and Organizer shall modify the plans and footprint as safety protocols published by the CDC and SCDHEC are updated.

5. The City may cancel the event at any time based upon public safety and/or public health concerns. The City shall not be financially responsible for any costs associated with the cancellation of the event.

6. Organizer shall display signs (physical and/or electronic) throughout the event area that discourage physical contact, such as hugs, handshakes, fist bumps, and high-fives during the event.

7. Organizer shall require that its agents, employees, vendors, contractors, and event attendees adhere to all COVID-19 safety protocols in effect at the time of the event, to include, but not be limited to, wearing of face masks, social distancing, and frequent washing of hands.

8. To the extent the event occurs during a time in which the City has in effect any emergency ordinance or ordinance requiring face coverings or adherence to social distancing requirements, Organizer shall require that its agents, employees, vendors, contractors, and event attendees comply with the requirements of such ordinance(s).

9. The City strongly encourages Organizer to require that its agents, employees, vendors, contractors, and event attendees provide proof that they have been fully vaccinated against the SARS-CoV-2 virus prior to being granted permission to enter the event.

10. Organizer is required to provide portable restroom facilities at the event unless it can substantiate the sufficient availability of both ADA accessible and non-accessible facilities in the immediate area of the event site which will be available to the public during the event. Organizer is to provide a minimum of four (4) chemical or portable toilets and two (2) wash stations for every 250 people, or portion thereof who attends the event. Ten percent (10%) of these facilities shall be ADA accessible. This figure is based upon the maximum number of attendees at the event during peak time. The City of Columbia may determine the total number of required restroom facilities on a case-by-case basis. Organizer shall post signs or markers to prohibit lines or crowds forming near the restroom without maintaining a distance of at least six (6) feet from other people.

11. Organizer shall post signs or markers to prohibit lines or crowds forming near food vendors and should encourage attendees to bring their own water. Alcohol, beer and/or wine shall be prohibited at the event without approval of a written resolution of City Council.

LEGAL DEPARTMENT DRAFT

12. Organizer shall coordinate with food vendors to offer touchless payment options, if possible and available, or provide a tray for the exchange of payment to avoid hand-to-hand contact. Frequently touched surfaces should be cleaned after each customer and customers are encouraged to use their own pens.

13. At no cost to the City, Organizer shall be responsible for hiring no fewer than two (2) off-duty City of Columbia police officers during the hours of 2:00 p.m. and 10:00 p.m.

WHEREAS, it has been determined that such an event would be in the public interest; NOW, THEREFORE,

BE IT RESOLVED by the Mayor and Council this ___ day of _____, 2023, that the sale of beer and wine beverages only in plastic containers or cans only is authorized between the hours of 5:00 p.m. and 7:30 p.m. on March 2, 2023; and,

BE IT FURTHER RESOLVED that possession and consumption of alcoholic liquors or alcoholic beverages other than beer and/or wine beverages only within the event area is prohibited; and,

BE IT FURTHER RESOLVED that VIP tents or VIP areas for the possession and consumption of alcoholic liquors or alcoholic beverages, other than beer or wine beverages only, within the event area are prohibited; and,

BE IT FURTHER RESOLVED that Organizer is responsible or shall make arrangements for the clean-up of all trash and debris within the event area and shall place same in the roll carts provided by the City. Any overflow of trash and debris shall be placed in garbage bags with the top securely closed and placed beside the City roll carts. The number of roll carts needed for the event shall be determined by Organizer and the City's Solid Waste Division prior to the event and placed throughout the event area to ensure that trash and debris are well contained. Organizer shall return the roll carts and bagged trash and debris to the collection point designated by the City in a timely manner. If the Organizer has not opted to use City services to clean up the event area, any costs incurred by the City in removing loose trash and debris within the event area, which the Organizer has failed to clean up, shall be billed to and paid by the Organizer; and,

BE IT FURTHER RESOLVED that outdoor possession and consumption of beer and wine beverages only, all outdoor musical performances and use of sound-amplifying devices shall end by 10:00 p.m. due to the proximity of the event to residential properties; and,

BE IT FURTHER RESOLVED that only pedestrian traffic will be allowed within the event area. All other traffic, including, but not limited to, automobiles, trucks, motorcycles, mopeds, bicycles, skate boards, and horses, golf carts (except police golf carts or ATVs), and horse-drawn carriages, is prohibited. All pets with the exception of dogs, including horses, birds, lizards, and snakes, are prohibited. Coolers, glass bottles, breakable drinking glasses and/or cups, large bags, and backpacks shall be prohibited inside the event area; and,

BE IT FURTHER RESOLVED that during the designated event's dates and times from 5:00 p.m. until 8:00 p.m. on Thursday, March 2, 2023, the fountain plaza, Saluda Avenue adjacent to the fountain plaza with the exception of the parking area and any other areas posted as to not allow alcoholic beverages, shall be declared to be a Public Park and the provisions of Chapter 15, Parks and Recreation, Sec. 15-1, 15-2, and 15-3, of the Code of Ordinances of the City of Columbia, South Carolina are in effect. Pursuant to Chapter 14, Offenses and Miscellaneous Provisions, Article IV, Offenses Against the Public Peace and Order, Sec. 14-99, of the Code of Ordinances of the City of Columbia, South Carolina, the designated event area of the fountain plaza, Saluda Avenue adjacent to the fountain plaza with the exception of the parking area and any other areas posted as to not allow alcoholic beverages, is deemed to be the site of a public festival at which beer and wine beverages only may be consumed and the prohibition against possession or consumption of alcoholic beverages set forth in Sec. 14-99 shall not apply to the possession or consumption of beer or wine within the designated event area. Possession and consumption of beer and wine beverages shall be permitted only in containers provided by vendors within the areas designated, and such containers provided by vendors for the sale of beer and wine may only be in plastic containers or cans.

PROVIDED, FURTHER, that the event organizer shall provide the names and cell phone numbers of a least two contact persons who can receive and address complaints during the event, including any set up and breakdown times. The cell phones shall remain on, with ringers and alerts functioning at all times during the event and during any set up and breakdown time.

LEGAL DEPARTMENT DRAFT

PROVIDED, FURTHER, that failure of the event Organizer to strictly comply with the time frames and other requirements and responsibilities set forth in this resolution may result in a denial of subsequent requests to allow the event.

PROVIDED, HOWEVER, that no solicitation or transactions be made in violation of Sec. 14-32 of the Code of Ordinances of the City of Columbia, South Carolina.

BE IT FURTHER RESOLVED that should the Organizer reschedule the event for another date beyond one (1) week from the date of the originally scheduled event or inclement weather date, a request for a resolution of City Council approving the new date of the event shall be required.

Requested by:

Assistant City Manager Shealy

Approved by:

_____
City Manager

Approved as to form:

_____
Deputy City Attorney

Introduced:
Final Reading:

_____
Mayor

ATTEST:

_____
City Clerk

LEGAL DEPARTMENT DRAFT

DATE OF REQUEST: 02/01/2023

REQUESTOR'S NAME/CONTACT INFORMATION (E-MAIL/ PHONE#/FAX#): Heather McDonald
Five Points Association
heather@fivepointscolumbia.com
803.748.7373 (o) 803.315.5557 (c)

ESTIMATED NUMBER OF ATTENDEES ANTICIPATED: 300

EVENT NAME/PURPOSE (i.e., St. Patrick's/Charity Fund-raiser): Official Kick-Off to St. Pat's in Five Points

DATE(S) OF EVENTS: (multiple day can be on one request): Thursday, March 2nd, 2023

RAIN CONTINGENCY DATE: (Rescheduling due to inclement weather is allowed once within one week from the date of the originally scheduled event upon 24-hours written notice to the City without a new request. The time of event operation shall remain the same.)

LOCATION OF EVENT
(i.e., Amphitheater area of Finlay Park; 1300 and 1400 blocks of Main Street between Lady Street and Hampton Street): Saluda Avenue at the Five Points fountain plaza, perimeter and loading zone

STREET(S) OR PARK AREA TO BE CLOSED
(i.e., 1300 and 1400 blocks of Main Street between Lady Street and Hampton Street; Amphitheater area of Finlay Park; Boyd Plaza): Saluda Avenue at the Five Points fountain plaza, the perimeter of the fountain, space in fron of Starbucks and CJ's, as well as the loading zone at the fountain

HOURS FOR STREET(S) OR PARK AREA TO BE CLOSED
(i.e., 5:00 p.m. - 12:00 a.m.) ALLOW TIME FOR SET UP/CLEAN UP: 2pm-10pm

HOURS OF EVENT
(i.e., 6:00 p.m. - 10:00 p.m.)*: 5pm-8pm

HOURS OF SERVICE OF BEER/WINE/LIQUOR BEVERAGES
(Service should end one-half hour prior to end of event
(i.e., event is 6-10 p.m., beer/wine service is 6-9:30 p.m.)*: 5pm-7:30pm

Do you intend to serve liquor in addition to beer and wine? Yes ☐ No ☐

DUE TO COVID-19 THERE ARE ADDITIONAL REQUIREMENTS AND PROCEDURES THAT MUST BE IN PLACE TO INSURE PUBLIC SAFETY. PLEASE PROVIDE YOUR SAFETY PLAN/PROTOCOL WITH DRAWING DEPICTING CLEANING/SANITIZATION AREAS WITH YOUR SPECIAL EVENT REQUEST FORM* When publicizing the event in the community, the Organizer shall include the statement: "NO CONCEALABLE WEAPONS ALLOWED" to ensure the public has prior notice of this restriction.

Requests should be submitted by mail, e-mail or fax at least ***NINETY (90) days in advance of the event*** to allow for preparation and review of the Resolution and scheduling on Council's agenda. Requests should be faxed to (803-737-4250), mailed to City Attorney's Office, ATTN: Special Event Request, POB 667, Columbia, SC 29202 or e-mailed to Jennifer.Hendrix@columbiasc.gov . A draft Resolution will be prepared and forwarded for review to the event organizer, as well as to the City departments for coordination of City services and requirements (i.e., Police, Solid Waste, Parks and Recreation, etc.). Written approval from the neighborhood president and adjoining business/ property owners must be provided before requests will be submitted to City Council. The event organizer is responsible for obtaining a permit or license if required by the South Carolina Department of Revenue.

***All outdoor musical performances and use of sound-amplifying devices shall end by 10:00 p.m. due to the proximity of events to residential properties. VIP tents or VIP areas for possession and consumption of beer and wine beverages within the event area are PRHOHIBITED.**

NOTE: **This form should only be used for public events where beer and/or wine and/or liquor are to be sold and consumed on City property** (i.e., Main Street Latin Festival, St. Patrick's Festival, Vista Lights,, Rocky Shoals Spider Lily Festival, etc.).

This form **should not** be used to request use of City property for **private** events (birthday, retirement, anniversary parties, etc.) nor for sidewalk sales or neighborhood block parties. Requests for private events at City parks should be made through the Parks and Recreation Department. Requests for sidewalk sales which exclude the sale, possession and consumption of alcoholic beverages should be made to the City Manager. Requests for street closings for private neighborhood block parties should be made to the Police Department Special Events and Public Safety. Possession, distribution and consumption of any type of alcoholic beverage at neighborhood block parties shall be restricted to private property and is prohibited on sidewalks, streets and parks.

Fire Marshal George N. Adams, Jr.; 803-545-3703; george.adams@columbiasc.gov
Legal Department – Jennifer L. Hendrix; 803-737-4242; fax 803-737-4250; Jennifer.hendrix@columbiasc.gov - resolution preparation
Parking Services – Tori Salvant; (803) 545-0287; tori.salvant@columbiasc.gov - meter bagging
Parks and Recreation - Pearl Osborne; 803-545-3100; pearl.osborne@columbiasc.gov park reservations
Police Department Special Events - Sgt. Jennifer L. Jordan; (803) 545-3514; jennifer.jordan@columbiasc.gov - parade permit, police, safety protocol
Police Department Community Services - Brenda Murphy; 803-545-3507; brenda.murphy@columbiasc.gov - street closing

Last revised: 8/18/2022

We Are Columbia

MEETING DATE: **February 21, 2023**

DEPARTMENT: **Legal Department**

FROM: ***Teresa Knox, City Attorney***

SUBJECT: **Ordinance No.: 2023-015 - Granting an encroachment to Naman Gervais, LLC for the use of the right of way areas of the 400 block of Gervais Street, the 1100 block of Huger Street, the 400 block of Senate Street and the 1100 block of Williams Street for the installation and maintenance of sidewalks, curb cuts, four on-street parking spaces, landscaping and irrigation adjacent to 400 Gervais Street, Richland County TMS# 08912-11-01, 08912-11-02 and 08912-11-04**

FUNDING SOURCE & ORIGINAL BUDGET:

FOCUS AREAS: **Planning Together**

ATTACHMENTS:

- **#a:** 2023-015 - TruByHilton Encroachment (PDF)
- #b: TruByHiltonEncroachmentcasepacket (PDF)

LEGAL DEPARTMENT DRAFT

ORDINANCE NO.: 2023-015

Granting an encroachment to Naman Gervais, LLC for the use of the right of way areas of the 400 block of Gervais Street, the 1100 block of Huger Street, the 400 block of Senate Street and the 1100 block of Williams Street for the installation and maintenance of sidewalks, curb cuts, four on-street parking spaces, landscaping and irrigation adjacent to 400 Gervais Street, Richland County TMS# 08912-11-01, 08912-11-02 and 08912-11-04

WHEREAS, Naman Gervais, LLC, (hereinafter "Grantee") desires to utilize a portion of the right of way areas of the 400 block of Gervais Street, the 1100 block of Huger Street, the 400 block of Senate Street and the 1100 block of Williams Street for the installation and maintenance of sidewalks measuring approximately eight (8') feet in width eight hundred twenty five (825') feet in length, two (2) curb cuts, four (4) on-street parking spaces measuring approximately eight (8') feet in width eighteen (18') feet in length, landscaping and irrigation adjacent to 400 Gervais Street, as shown on the attached drawings; and,

WHEREAS, it appears that the encroachment will not interfere with the use of the medians or street for traffic, utility locations or other uses within the foreseeable future; NOW, THEREFORE,

BE IT ORDAINED by the Mayor and City Council of the City of Columbia, South Carolina, this _____ day of _____, 2023, that Grantee is hereby granted the right to use the right of way areas of the 400 block of Gervais Street, the 1100 block of Huger Street, the 400 block of Senate Street and the 1100 block of Williams Street adjacent to 400 Gervais Street, Richland County TMS# 08912-11-01, 08912-11-02 and 08912-11-04, for the installation and maintenance of sidewalks measuring approximately eight (8') feet in width eight hundred twenty five (825') feet in length, two (2) curb cuts, four (4) on-street parking spaces measuring approximately eight (8') feet in width eighteen (18') feet in length, landscaping and irrigation as shown on the attached drawings.

PROVIDED FURTHER that all work shall comply with the requirements of The City of Columbia, South Carolina Department of Transportation (SCDOT) and Federal Emergency Management Agency (FEMA) now in existence or hereafter enacted. The materials and type of finish to be used are to be approved by the City Engineer prior to installation. Any damage to the street or sidewalk caused by Grantee's construction shall be repaired to the satisfaction of the City Manager. Improvements within the encroachment shall be maintained by the grantee at no cost to the City in a manner approved by the City Manager; and,

PROVIDED further that in the event the City has to make repairs or maintain utility lines located within the encroachment area the City will replace any items removed for the utility repair or maintenance with like items to those removed; and,

PROVIDED FURTHER that the privilege granted hereby may be modified or terminated by Columbia City Council at any time without notice to the Grantee, its successors and assigns; and,

PROVIDED FURTHER that a certificate of insurance be issued as evidence of general liability insurance with at least the minimum amount of $600,000.00 for personal injury and property damage and naming the City as an insured, be provided to and filed annually with the City Clerk by Grantee, his successors and assigns, as required by Chapter 11, Licenses, Permits, Business Regulations, Article III, Contractors, Sec. 11-71, 1998 Code of Ordinances of the City of Columbia, South Carolina.

PROVIDED FURTHER that the privilege granted hereby is subject to the Grantee complying with the following conditions, restrictions or limitations:

1. No item, including landscaping, shall be placed, planted or allowed to grow such that it creates a visual impediment to persons safely entering or exiting the driveway or to persons safely walking along the sidewalk. The City reserves the right to remove or cut any item located within the right of way which it deems to be a safety hazard.

2. Grantee is responsible for all maintenance and assuring that all accessibility and ADA requirements are met and maintained.

3. Grantee is responsible for maintaining landscaping and improvements.

4. Irrigation must be designed to avoid spraying walkways, sidewalks and streets and/or creating hazardous conditions upon the walkways, sidewalks and streets.

5. Obstructions of more than be four (4') feet in height are prohibited within the sight-visibility triangle.

6. Forestry and Beautification shall be provided access to trees within the right of way for maintenance purposes.

7. All trees shall be protected and no large tree roots shall be removed from any existing trees.

BE IT FURTHER ORDAINED that Grantee, in consideration of the above privilege, shall at its expense provide for protection and relocation of all utilities that might be within this area to the satisfaction of the City Manager.

Requested by:

Assistant City Manager Gentry

_____
Mayor

Approved by:

_____
City Manager

Approved as to form:

_____
Deputy City Attorney

ATTEST:

_____
City Clerk

Introduced:
Final Reading:

CITY COUNCIL
ENCROACHMENT SUMMARY
2023-015

400 BLOCK OF GERVAIS STREET, 1100 BLOCK OF HUGER SREET, 400 BLOCK OF SENATE STREET, 1100 BLOCK OF WILLIAMS STREET ADJACENT TO 400 GERVAIS STREET SIDEWALKS, CURB CUTS, ON-STREET PARKING SPACES, LANDSCAPING AND IRRIGATION

Subject Property:	Right-of-way adjacent to 400 Gervais Street
Council District:	3
Proposal:	The applicant is requesting an encroachment for installation and maintenance of sidewalks, curb cuts, on-street parking spaces, landscaping and irrigation.
Applicant:	Naman Gervais, LLC
Staff Recommendation:	Approval.

Detail:	The applicant is requesting an encroachment for installation and maintenance of sidewalks measuring approximately eight (8') feet in width eight hundred twenty five (825') feet in length, two (2) curb cuts, four (4) on-street parking spaces measuring approximately eight (8') feet in width eighteen (18') feet in length, landscaping and irrigation adjacent to 400 Gervais Street, as shown on the attached drawings; and, Conditions of the proposed encroachment are as follows: 1. No item, including landscaping, shall be placed, planted or allowed to grow such that it creates a visual impediment to persons safely entering or exiting the driveway or to persons safely walking along the sidewalk. The City reserves the right to remove or cut any item located within the right of way which it deems to be a safety hazard. 2. Grantee is responsible for all maintenance and assuring that all accessibility and ADA requirements are met and maintained. 3. Grantee is responsible for maintaining landscaping and improvements. 4. Irrigation must be designed to avoid spraying walkways, sidewalks and streets and/or creating hazardous conditions upon the walkways, sidewalks and streets. 5. Obstructions of more than be four (4') feet in height are prohibited within the sight-visibility triangle. 6. Forestry and Beautification shall be provided access to trees within the right of way for maintenance purposes. 7. All trees shall be protected and no large tree roots shall be removed from any existing trees.

City of Columbia

This map was prepared using the City GIS Viewer:

City of Columbia - GIS Division
Wednesday, January 25, 2023

Address Point
- Active
- Vacant
- Tax Parcel

Street & Ownership
- Interstate
- Highway
- City Maintained
- State Maintained
- Private
- Others
- Columbia City Limits

Bailey Bill
- Bailey Bill Property
- National Register of Historic Places

FEMA Flood Hazard Area
- AE - Floodway
- AE - 100yr Flood Plain
- A - No Base Flood Elevation
- X - 500yr Flood Plain

Red: Band_1
Green: Band_2
Blue: Band_3

CITY OF COLUMBIA
GIS DATA DISCLAIMER:
The City of Columbia GIS data represented on this map or plan is the product of the compilation of data produced by others. It is provided for informati
the City of Columbia makes no representation as to its accuracy. Its use without field verification is at the sole risk of the user.

Permanent Encroachment
Application and Checklist

Checklist for All Applications

A complete site plan application shall include the following information. Refer to the Procedures Manual for additional information about these requirements. Please initial to signify that the requested information has been provided.

		Applicant Initials	Staff Initials
A copy of this Application Checklist, completed by the applicant.			
A completed and signed Application Form			
Letters of Agency for all applications where the applicant is not the owner of the subject property			
Pictures or specification sheet of the items to permanently encroach the Right-of-way			
Existing Site Plan Please see page 4 below for required content.	1 copy: min. 18 x 24 inches or 1 digital copy (pdf format) – may be 8 ½ inches x 11 inches if legible		
Proposed Site Plan Please see page 4 below for required content.	1 copy: min. 18 x 24 inches or 1 digital copy (pdf format) – may be 8 ½ inches x 11 inches if legible		

Permanent Encroachment
Application and Checklist

4. Project Description

Provide a brief description of the project and list all items that will placed in the right-of-way (walls, fences, columns, steps, irrigation systems, landscaping, driveways, pavers, sidewalks/walkways, planters, awnings, etc.)

The project site is located on the east side of William Street between Gervais Street and Senate Street. The encroachment within Williams Street and Senate Street includes concrete sidewalks, asphalt driveways, stormwater drainage pipe, 6-inch water line, 10-inch sanitary sewer line, light poles, planters, irrigation.

For staff use only

Date received (M/D/Y): ____/____/_____ By: _____

Permanent Encroachment
Application and Checklist

5. Additional Submission Requirements

Existing Site Plan
This shall be a site plan of the existing conditions or a plat of survey, to scale and fully dimensioned.

Proposed Site Plan
The proposed site plan shall be prepared to scale and fully dimensioned, and include the following:

	Applicant	Staff
Total acreage	☑	☐
Location of lots and outlets (numbered and area in square feet)	☑	☐
Location of buildings (including setbacks from property lines and distances between buildings)	☑	☐
Location of parking and access/driveways	☑	☐
Location of rights-of-way and/or easements for streets, railroads, and utility	☑	☐
Lines upon and abutting subject property	☑	☐
Location of streets, alleys, railroads, and utility lines upon and abutting subject property	☑	☐
Section of sidewalk or right-of-way to be used for the encroachment	☑	☐
Proposed placement of permanent items and furnishings on the sidewalk	☑	☐
Proposed placement of permanent items and furnishings in the right-of-way	☑	☐
Location and height of all fences, walls, and exterior lighting in the right-of-way	☑	☐
North arrow	☑	☐
Scale	☑	☐
Vicinity map (at 1 inch equals 1,000 feet)	☑	☐

6. Acknowledgement
For a continuing encroachment on any type of property in which the City has an interest (i.e., rights of way, tree zone, sidewalk, streets), the person or entity is required to have an encroachment ordinance enacted by City Council permitting the encroachment. Encroachment ordinances are required for but not limited to: irrigation systems; landscaping; fencing; walls; pavers; walkways; outdoor dining items (chairs, tables, umbrellas, etc.); awnings; bollards and directional signs (i.e., churches) Business signs are NOT permitted via an encroachment.

Encroachments must comply with all existing City codes, rules and regulations, the Americans with Disabilities Act, if applicable, and are subject to review and approval by City staff. Enactment of the encroachment ordinance by a majority vote of City Council, which is a discretionary legislative act, is also required.

In order to obtain an encroachment ordinance from the City of Columbia, it will be necessary for the City of Columbia to be named as an additional insured on your insurance policy with limits being increased to $600,000 as required by Sec. 11-71. It is recommended that you contact your insurance provider to determine if it will name the City of Columbia as an additional insured prior to submitting your request for an encroachment ordinance. If you have any questions concerning these requirements, please contact Chip Timmons with Risk Management, (803) 733-8306 or catimmons@columbiasc.net.

All work shall comply with the requirements of the City of Columbia and South Carolina Department of Transportation now in existence or hereafter enacted. The materials and type of finish to be used are to be approved by the City Engineer prior to installation.

Permanent Encroachment
Application and Checklist

Any damage to the street or sidewalk caused by construction shall be repaired to the satisfaction of the City Manager. Improvements within the encroachment shall be maintained by the grantee at no cost to the City in a manner approved by the City Manager.

Property owned, operated and maintained by SCDOT shall comply with SCDOT encroachment requirements.

Permittee understands and agrees that the privilege granted may be modified or terminated by the City of Columbia at any time without notice and that the privilege granted hereby is subject to applicant's compliance with the following conditions, restrictions or limitations:

Permittee must comply with all existing City of Columbia and any other state or federal codes, rules and regulations, as applicable including the Americans with Disabilities Act, now in existence or hereafter enacted.

7. Signature

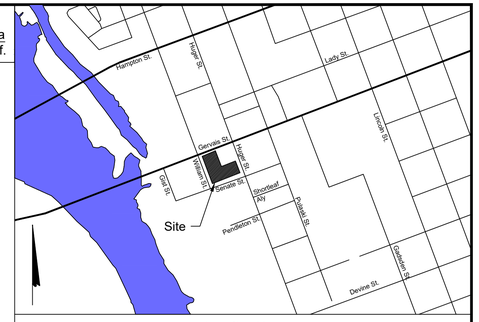
Signature of Applicant	
Print Name Ashok Patel	Date 12/13/22

South Carolina 811 — Call 811 Before You Dig

The utilities are shown for the contractor's convenience only. There may be other utilities not shown on these Plans. The Engineer assumes no responsibility to verify the locations shown and it shall be the contractor's responsibility to verify the locations of all utilities within the limits of the work. All damage made to existing utilities by the contractor shall be the sole responsibility of the contractor.

Building Information

	Max. Height	Gross Area
Homewood Suites / Tru Hotel	92 ft	147,903 s.f.



Location Map
1 inch = 1,000 ft

GERVAIS STREET - US 1
(100' R/W) SCDOT MAINTAINED

WILLIAMS STREET
(100' R/W) CITY MAINTAINED

SENATE STREET
(R/W-VARIES) CITY MAINTAINED

HUGER STREET - US 321
(100' R/W) SCDOT MAINTAINED

N 787283.3254
E 1985989.5742

N 787341.4875
E 1986154.9152

CONTROL POINT ½" REBAR
N:786866.46
E:1986095.34
EL.=173.34

T.B.M. - ARROW ON FH
EL.=175.62 NAVD88 DATUM

West Gervais Street Historic District

315'± from West Gervais Street Historic District to the property corner

Zoning
MC (Mixed Commercial District)

N/F
BARNETT MANAGEMENT COMPANY, LLC.
TMS#R08912-11-03

Homewood Suites / Tru
249 rooms
Refer to architectural drawing for exact building dimensions
7 stories with total 147,903 s.f.
Max. height 92 feet

Coordinate with Dominion Energy for relocation of guy wire

Street lighting, typ.
- Fixtures: Holophane: GVD3 P30 30K MVOLT GL3 RAL6012 PR3 Granville Gen3, P30 Performance Package 3000K CCT, 70 CRI Type 3 distribution, no finial, no trim.
- Pole: WDA 14F5J17 CO3 RAL6012 Breakaway Coupling
- The location of existing power cabinet located on the corner of Gervais and Williams Street where power can be picked up for the lighting.
- City of Columbia contact number for the cabinet is 803-545-3850.
- City of Columbia will inspect installation of fixtures during construction and take ownership of decorative fixtures upon completion of final inspections.

8' wide conc. sidewalk

Tie to existing concrete curb & gutter

Stop sign (R1-1-36)
2' solid white stop bar
Double yellow lines
8" wide concrete sidewalk

Tie to existing concrete curb & gutter

Asphalt pavement
Parking Areas: Light Duty, typ.

Connect to existing sidewalk

3' taper, typ.

Concrete curb & gutter, typ.

Segmental retaining wall w/ handrail, typ.
Designed by others.

5.6' high wall

Asphalt pavement
Drive Areas: Heavy Duty

Asphalt pavement
Parking Areas: Light Duty

Concrete curb & gutter, typ.

CONCRETE 2.5' INSIDE PROPERTY

DUMPSTER PAD

BRICK BUILDING

Sutera SS-6
In-Ground dumpster, typ.

4.0' high wall

8" high wall

5.7' high wall

1.75' high wall

6" high wall

Existing driveway

Asphalt pavement
Drive Areas: Heavy Duty, typ.

Concrete curb

Straight arrow marking, typ.

Light pole, typ.

Ramp (12:1 max. slope), typ.

Ramp partition

Ramp (12:1 max. slope)

8' wide concrete sidewalk with 2% max. cross slope

End of concrete curb and gutter w/ 3' taper

Connect to existing sidewalk

Coordinate w/ utility provider to relocate tele. JB

12' x 33' loading area (8" white marking)

Distance from Senate St. to Existing driveway = 234.42'

CONCRETE MEDIAN

PAINTED MEDIAN

S63°E

TELEPHONE JB

IPF MAG NL

IPF ½" REBAR

IPF ½" PIPE

IPF X SCRIBE

PALM

TELEPHONE CONTROL PANEL

ABANDONED 8" VCP

DI
TOP: 172.86
INV IN: 170.26
INV OUT: 170.16

SSMH
RIM: 173.01
INV IN (A): 163.51
INV IN (B): 165.41
INV OUT: 163.41

JB
RIM: 173.80
INV IN: 170.11
INV OUT: 170.02

SSMH
RIM: 169.75
INV IN (A): 155.64
INV IN (B): 161.95
INV OUT: 155.63

SSMH
RIM: 168.78
INV IN: 155.26
INV OUT: 154.66

SSMH
RIM: 172.84
INV. OUT: 156.98

YI
TOP: 166.06
BOTTOM: 157.56

24" RCP @ 24" RCP

23.2± LF 15" RCP@ 9.2% ±
INV: 165.04

7' ± FROM EXIST. GRADE TO LID
3'± SUMP FROM PIPE (A) INV.
PIPE (C) AND (D) LOCATED AT SUMP

STRUCTURE NOT FOUND

CALC. PT.

SCSTP NORTH

LEGEND

Fire hydrant	Curb & gutter
Water valve	Junction box (JB)
Water meter	Drop inlet (DI)
Gas valve	Drop Inlet & Hood (DI&H)
Sanitary sewer manhole	Yard inlet (YI)
Cleanout (CO)	Storm drain pipe
GAS Natural gas line	Concrete sidewalk
SS Sanitary sewer line	Power pole & guy
WL Water line	Light pole
Fenceline	Electrical box
OE Overhead electric	Sign
UT Underground telephone	Direction of runoff
FO Underground fiber optic	
CTV Underground cable TV	
Telephone pedestal	

Project Summary:
TMS Number: R08912-11-01, R08912-11-04, R08912-11-02
Total Area of parcels: 2.82 acres
Type of development: Hotels
Zoning: MC (Mixed Commercial) district
Building setback:
- Minimum front setback: 0 feet
- Maximum front setback: 10 feet

Open space requirement: minimum 5% (Table 17-5.5(C))
Required open space: 2.81 acres x 5 % = 0.14 acre
Bicycle parking requirement: (Table 17-5.2(i)(1)b)
Minimum 2 short-term spaces
Minimum 1 long-term bicycle parking space for every 20 rooms
Provided bicycle parking space:
- Short-term: 2
- Long-term: 249 room / 20 rooms per 1 space = 13

Off-street loading berths requirement: (Table 17-5.2(j)(1))
- Loading space dimension: 12 ft x 33 ft
- Number of space: 1

⚠1 Parking calculation:
- Parking required: N/A
- Total Parking provided: 194 (172+22)
  - Off-Street Parking provided: 172 including 6 handicap parking spaces
    - Surface parking: 173
  - Street Parking provided: 22
    - William Street: 10
    - Senate Street: 12

Notes:
1. Boundary & topographic information furnished by Chao and Associates, Inc., dated 7/29/2021.
2. Benchmark is based on mean sea level datum.
3. All pavement dimensions are referenced to the face of curb where applicable.
4. All work shall be in accordance with the grading code of the City of Columbia, any special requirements of the permit and the referenced geotechnical report contained in these documents.
5. A pre-construction meeting is required before the start of grading with the following parties present: owner, grading contractor, design civil engineer, and the City of Columbia.
6. Approved copies of the grading and erosion control plans shall be on the permitted site while work is in progress.
7. Refer to architectural drawing for exact dimensions of the proposed buildings.
8. Asphalt pavement thickness design is shown on geotechnical report.
9. Contractor to coordinate the utility providers to relocate existing utility facilities as necessary.
10. All pavement markings shall meet the requirements of the Manual On Uniform Traffic Control Devices (MUTCD) latest edition.

References:
Homewood -Tru Hotel, William & Senate Street, Richland County, Columbia, SC. Geotechnical Investigation Prepared for, or on behalf of: Naman Gervais, LLC, Florence, SC. Prepared by Geo-Systems Design & Testing, Inc. dated August 8, 2022.

GRAPHIC SCALE
30 0 15 30 60 120
(IN FEET)
1 inch = 30 ft.

CHAO & ASSOCIATES, INC.
CONSULTING ENGINEERS & LAND SURVEYORS

Prepared by:
Chao & Associates, Inc.
Civil - Structural - Survey
7 Clusters Court
Columbia, SC 29210
Voice: (803) 772-8420
Fax: (803) 772-9120
Email: consult@chaoinc.com

SOUTH CAROLINA — PROFESSIONAL ENGINEER — No. 21629 — 12/09/2022

SOUTH CAROLINA — CERTIFICATE OF AUTHORIZATION — CHAO & ASSOCIATES, INC. — No. C00357

Site Layout Plan
Homewood Suites / Tru - Columbia Downtown, SC
Prepared For:
Naman Gervais, LLC
In the City of Columbia, Richland County, SC
400 Gervais St., 411 Senate St., 410 Gervais St., Columbia, SC 29201

Drawn: HMC Checked: GAL
Revised:
1 12/07/2022 Revised per owner's comment
2 12/09/2022 Revised per City's street light comment
3 01/09/2023 Revised per City's sidewalk comment

File: 577978C.dwg Project No.: 577978C

C2.0
Sheet Number
April 28, 2022
Date

Drawing File: 577978C.dwg Plotted: Jan 18, 2023 - 3:51pm

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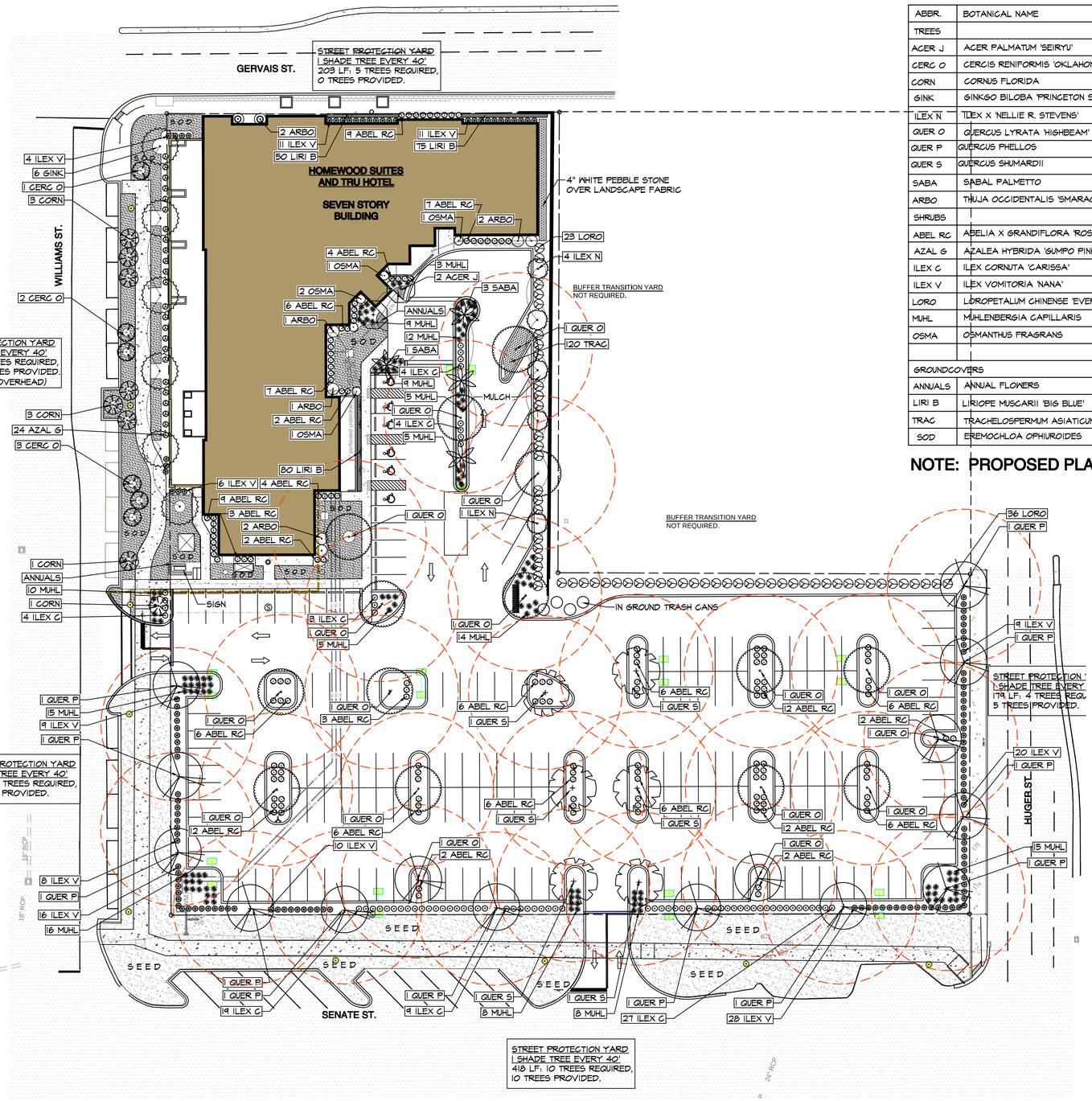

HOMEWOOD SUITES PLANT LIST

ABBR.	BOTANICAL NAME	COMMON NAME	MINIMUM CALIPER	SPREAD	HEIGHT	BALL DIA.	NO. CANES	COMMENTS	QTY.
TREES									
ACER J	ACER PALMATUM 'SEIRYU'	SEIRYU JAPANESE MAPLE	2"	4'	8'	24"	1	SPECIMEN	2
CERC O	CERCIS RENIFORMIS 'OKLAHOMA'	OKLAHOMA REDBUD	2"		6'	20"	1	SPECIMEN	6
CORN	CORNUS FLORIDA	FLOWERING DOGWOOD	2"		6'	20"	1	SPECIMEN	5
GINK	GINKGO BILOBA 'PRINCETON SENTRY'	GINKGO	3"	4'	14'-16'	32"	1	MATCHING, SPECIMEN	6
ILEX N	ILEX X 'NELLIE R. STEVENS'	'NELLIE STEVENS' HOLLY		4'-6'	8'	27"	1	MATCHING, SPECIMEN	5
QUER O	QUERCUS LYRATA 'HIGHBEAM'	'HIGHBEAM' OVERCUP OAK	4"	6'	12'-14'	32"		MATCHING, SPECIMEN	13
QUER P	QUERCUS PHELLOS	WILLOW OAK	4"	6'	12'-14'	32"	1	MATCHING, SPECIMEN	15
QUER S	QUERCUS SHUMARDII	SHUMARD OAK	4"	6'	12'-14'	32"	1	MATCHING, SPECIMEN	6
SABA	SABAL PALMETTO	PALMETTO			10'-12'		1	SPECIMEN	4
ARBO	THUJA OCCIDENTALIS 'SMARAGD'	'EMERALD GREEN' ARBORVITAE			4'			AS SHOWN	6
SHRUBS									
ABEL RC	ABELIA X GRANDIFLORA 'ROSE CREEK'	'ROSE CREEK' ABELIA			15"	12"	3 GAL.	3-5	PLANT 3' O.C.	146
AZAL G	AZALEA HYBRIDA 'GUMPO PINK'	'GUMPO PINK' SATSUKI HYBRID AZALEA			15"	15"	3 GAL.	3-5	PLANT 3' O.C.	24
ILEX C	ILEX CORNUTA 'CARISSA'	CARISSA HOLLY			15"-18"	12"	3 GAL.	3-5	PLANT 3' O.C.	70
ILEX V	ILEX VOMITORIA 'NANA'	DWARF YAUPON HOLLY			18"	18"	3 GAL.	3-5	PLANT 3' O.C.	132
LORO	LOROPETALUM CHINENSE 'EVER RED'	EVER RED LOROPETALUM			24"	24"	3 GAL.	3-5	PLANT 5' O.C.	59
MUHL	MUHLENBERGIA CAPILLARIS	PINK MUHLY GRASS			18"	18"	3 GAL.		PLANT 3' O.C.	130
OSMA	OSMANTHUS FRAGRANS	FRAGRANT TEA OLIVE			24"	24"	3 GAL.	3-5	PLANT 4' O.C.	5
GROUNDCOVERS										
ANNUALS	ANNUAL FLOWERS	(VARIETY TO BE SELECTED)								
LIRI B	LIRIOPE MUSCARII 'BIG BLUE'	'BIG BLUE' LIRIOPE					PINT		PLANT 12" O.C.	205
TRAC	TRACHELOSPERMUM ASIATICUM	ASIATIC JASMINE					PINT	5-7	PLANT 18" O.C.	120
SOD	EREMOCHLOA OPHIUROIDES	CENTIPEDE GRASS						WELL ROOTED		

NOTE: PROPOSED PLANTING REQUIRES INSTALLATION OF MECHANICAL IRRIGATION SYSTEM.

LEGEND

KEY	DESCRIPTION
	LIGHT POST
	STREET LIGHT
	40' RADIUS TREE SHADE IN PARKING AREAS
1 OSMA	PLANT KEY

GRAPHIC SCALE 1" = 30'-0"
0' 15' 30' 60' 90'

Revisions	Date
LIGHT POLES AND TREES REVISION	12.06.2022
Sidewalk added, landscape adjustments	01.16.2023

HOMEWOOD SUITES / THRU Columbia Downtown, SC
Prepared for: Naman Gervais, LLC
PLANTING PLAN

GRIMBALL & ASSOCIATES
COTTERILL
LANDSCAPE ARCHITECTS & LAND PLANNERS
600 BEILTINE BOULEVARD COLUMBIA, SC 29205 (803)738-9525

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Drawn by:	MTM
Checked by:	TMC
Date:	11.08.2022
Drawing No.	L-2
Sheet No.	OF

GRIMBALL COTTERILL & ASSOCIATES No.049 CERTIFICATE OF AUTHORIZATION — STATE OF SOUTH CAROLINA REGISTERED LANDSCAPE ARCHITECT No.470 MARK COTTERILL

Jan 18, 2023 - 3:15pm \\PALMETTO\Grimcott\Active Projects on Maple\F-M Projects\Homewood Suites Tru Hotel\ACAD\Gc-landscape 01.13.2023.dwg

We Are Columbia

MEETING DATE: **February 21, 2023**

DEPARTMENT: **Legal Department**

FROM: ***Teresa Knox, City Attorney***

SUBJECT: **Ordinance No.: 2023-026 - Amending the 1998 Code of Ordinances of the City of Columbia, South Carolina, Chapter 21, Stormwater Management and Sedimentation Control, Article III, Flood Damage Prevention, Division 3, Flood Hazard Reduction, Section 21-172, Specific Standards**

FUNDING SOURCE & ORIGINAL BUDGET:

FOCUS AREAS: **Planning Together**

PURPOSE:

The City of Columbia participates in the Community Rating System (CRS) for FEMA. This update in the ordinance is required to comply with FEMA's standards. Furthermore, it will improve our rating and benefit the City of Columbia citizens who will have to pay less on their flood insurance.

ATTACHMENTS:

- **#a:** 2023-026 - Amending Chapter 21 (PDF)

ORDINANCE NO.: 2023-026

Amending the 1998 Code of Ordinances of the City of Columbia, South Carolina, Chapter 21, Stormwater Management and Sedimentation Control, Article III, Flood Damage Prevention, Division 3, Flood Hazard Reduction, Section 21-172, Specific Standards

BE IT ORDAINED by the Mayor and Council this _____ day of _____, 2023, that the 1998 Code of Ordinances of the City of Columbia, South Carolina, Chapter 21, Stormwater Management and Sedimentation Control, Article III, Flood Damage Prevention, Division 3, Flood Hazard Reduction, Section 21-172, Specific Standards is amended to read as follows:

Sec. 21-172. Specific standards.

In all areas of special flooding hazard where base flood elevation data has been provided, the following provisions are required:

(1) Residential construction. New construction and substantial improvement of any residential structure (including manufactured homes) shall have the lowest floor, including machinery and equipment ~~basement~~, elevated no lower than two feet above the base flood elevation. No basements are permitted. Should solid foundation perimeter walls be used to elevate a structure, flood openings sufficient to facilitate the unimpeded movement of floodwaters shall be provided in accordance with standards of subsection (3) of this section.

(2) Nonresidential construction. New construction and substantial improvement of any commercial, industrial or nonresidential structure (including manufactured homes) shall have the lowest floor, including machinery and equipment ~~basement~~, elevated no lower than two feet above the level of the base flood elevation. No basements are permitted. Structures located in all A zones may be flood proofed in lieu of being elevated provided that all areas of the structure below the required elevation are watertight with walls substantially impermeable to the passage of water, and use structural components having the capability of resisting hydrostatic and hydrodynamic loads and the effects of buoyancy. A registered professional engineer or architect shall certify that the standards of this subsection are satisfied.

Requested by:

Utilities and Engineering

_____
Mayor

Approved by:

_____
City Manager

Approved as to form:

_____
Deputy City Attorney

ATTEST:

_____
City Clerk

Introduced:
Final Reading:
Last revised: 2/2/2023
23015732

LEGAL DEPARTMENT DRAFT

We Are Columbia

MEETING DATE: **February 21, 2023**

DEPARTMENT: **Legal Department**

FROM: ***Teresa Knox, City Attorney***

SUBJECT: **Ordinance No.: 2023-025 - Authorizing the Issuance and Sale by the City of Columbia, South Carolina, of its not exceeding $11,500,000 General Obligation Bonds, Series 2023 or such other appropriate series designation, and, pending the issuance of such bonds, authorizing the issuance and sale of General Obligation Bond Anticipation Notes, in one or more series, issued in anticipation thereof, for the purpose of funding various capital projects to include the Finlay Park Revitalization and Construction Project; fixing the form and details of the bonds or notes; authorizing the Mayor, the City Manager and the Assistant City Manager for Finance and Economic Services, or any two of them acting together, to determine certain matters relating to the bonds or notes; providing for the payment of the bonds or notes and the disposition of the proceeds thereof; and other matters relating thereto**

FUNDING SOURCE & ORIGINAL BUDGET:

FOCUS AREAS: **Planning Together**

PURPOSE:

Attorney Estimated Costs of Issuance		
Service	**Provider**	**Cost**
Co-Bond Counsel, Tax Counsel	Burr & Foreman LLP (*Michael Seezen, Ryan Gentry, Jeff Allen)*	$102,500 - $122,500
Co-Bond Counsel	Johnson, Toal & Battiste, PA (*George Johnson)*	$40,000 - $50,000

ATTACHMENTS:

- **#a:** Memo - GO Bond Series 2023 02.14.2023 (PDF)
- #b: 2023-025 - 2023 GO Bonds (PDF)

We Are Columbia

TO: **Mayor, Members of Council**

FROM: **Jeff Palen, ACM/CFO**

CC: **Teresa Wilson, City Manager**

SUBJECT: **General Obligation Bond Series 2023 -**

DATE: **02/14/2023**

On the City Council agenda for 2/21/2023, City Council is asked to approve an ordinance to authorize the sale of general obligation bonds in an amount not to exceed $11.5 million. Of this amount, $10.5 million is to fund the Finlay Park Revitalization and Construction project that City Council previously approved. The additional one million dollars is for a potential debt service reserve and the costs of issuance. This bond funding provides a portion of the funding for this project. Following is a breakdown of the total funding:

State Allocation	$ 1,000,000
Previous Hospitality Tax	1,500,000
General Fund	2,000,000
Congaree Fund	3,000,000
Current Hospitality Tax	3,500,000
Bond Issue	10,500,000
Total	$ 21,500,000

If approved, the second reading will occur at the next meeting in March. We anticipate the actual issuance of the bond to occur in May. As this is a general obligation bond, this issue will be backed by the full faith and credit of the general fund and its ability to tax. However, per our previous discussion with City Council, this bond will be repaid over a seven year period with funds from the tourism development fee and the state accommodation tax collections. If you have additional questions, please do not hesitate to contact me.

Jeff Palen • Assistant City Manager – Finance and Economic Services
1737 Main Street, P.O. Box 147, Columbia, SC 29217
Office: 803-545-4308 • Email: Jeffery.Palen@columbiasc.gov

ORDINANCE NO.: 2023-025

AUTHORIZING THE ISSUANCE AND SALE BY THE CITY OF COLUMBIA, SOUTH CAROLINA, OF ITS NOT EXCEEDING $11,500,000 GENERAL OBLIGATION BONDS, SERIES 2023 OR SUCH OTHER APPROPRIATE SERIES DESIGNATION, AND, PENDING THE ISSUANCE OF SUCH BONDS, AUTHORIZING THE ISSUANCE AND SALE OF GENERAL OBLIGATION BOND ANTICIPATION NOTES, IN ONE OR MORE SERIES, ISSUED IN ANTICIPATION THEREOF, FOR THE PURPOSE OF FUNDING VARIOUS CAPITAL PROJECTS; TO INCLUDE FINLAY PARK REVITALIZATION AND CONSTRUCTION; FIXING THE FORM AND DETAILS OF THE BONDS OR NOTES; AUTHORIZING THE MAYOR, THE CITY MANAGER AND THE ASSISTANT CITY MANAGER FOR FINANCE AND ECONOMIC SERVICES, OR ANY TWO OF THEM ACTING TOGETHER, TO DETERMINE CERTAIN MATTERS RELATING TO THE BONDS OR NOTES; PROVIDING FOR THE PAYMENT OF THE BONDS OR NOTES AND THE DISPOSITION OF THE PROCEEDS THEREOF; AND OTHER MATTERS RELATING THERETO.

Enacted: _____, 2023

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF COLUMBIA, SOUTH CAROLINA, AS FOLLOWS:

SECTION 1. Definitions. Unless the context shall clearly indicate some other meaning, the terms defined in this Section shall have, for all purposes of this Ordinance, the meanings hereinafter specified, with the definitions equally applicable to both the singular and plural forms and vice versa. The term:

"BAN Act" shall mean Title 11, Chapter 17 of the South Carolina Code.

"Beneficial Owner" shall mean any purchaser who acquires beneficial ownership interest in an Initial Bond or Note held by the Depository. In determining any Beneficial Owner, the City, the Registrar and the Paying Agent may rely exclusively upon written representations made and information given to the City, the Registrar and the Paying Agent, as the case may be, by the Depository or its Participants with respect to any Bond or Note held by the Depository or its Participants in which a beneficial ownership interest is claimed.

"Bonds" shall mean the not exceeding $11,500,000 principal amount City of Columbia, South Carolina, General Obligation Bonds, Series 2023 or such other appropriate series designation, authorized to be issued pursuant to Section 3 hereof.

"Book-Entry Form" or "Book-Entry System" shall mean with respect to the Bonds or Notes, a form or system, as applicable, under which (i) the ownership of beneficial interests in the Bonds or Notes may be transferred only through a book-entry, and (ii) physical Bond or Note certificates in fully registered form are registered only in the name of the Depository or its nominees as Holder, with the physical bond certificates "immobilized" in the custody of the Depository. The book-entry maintained by the Depository is the record that identifies the owners of participatory interests in the Bonds or Notes, when subject to the Book-Entry System.

"Books of Registry" shall mean the registration books maintained by the Registrar in accordance with Section 8 hereof.

"City" shall mean the City of Columbia, South Carolina.

"Code" shall mean the Internal Revenue Code of 1986, as amended.

"Council" shall mean the City Council of the City of Columbia, South Carolina.

"Depository" shall mean any securities Depository that is a "clearing corporation" within the meaning of the New York Uniform Commercial Code and a "clearing agency" registered pursuant to the provisions of Section 17A of the Securities Exchange Act of 1934, operating and maintaining, with its Participants or otherwise, a Book-Entry System to record ownership of beneficial interests in the Bonds or Notes, and to effect transfers of the Bonds or Notes, in Book-Entry Form, and includes and means initially The Depository Trust Company (a limited-purpose trust company), New York, New York.

LEGAL DEPARTMENT DRAFT

"Government Obligations" shall mean cash and, to the extent permitted by Section 6-5-10 of the South Carolina Code or any other authorization relating to the investment of funds of the City, any of the following: (1) United States Treasury Obligations – State and Local Government Series; (2) United States Treasury bills, notes, bonds or zero coupon treasury bonds all as traded on the open market; (3) direct obligations of the U.S. Treasury which have been stripped by the Treasury itself, including CATS, TIGRS and similar securities; (4) obligations of any agencies or instrumentalities which are backed by the full faith and credit of the United States of America; (5) bonds or debentures issued by any Federal Home Loan Bank or consolidated bonds or debentures issued by the Federal Home Loan Bank Board; (6) obligations of the Federal National Mortgage Association; (7) general obligations of the State or any of its political units which, at the time of purchase, carry an AAA rating from Standard & Poor's or an Aaa rating from Moody's Investors Service; or (8) any legally permissible combination of any of the foregoing. Government Obligations must be redeemable only at the option of the holder thereof.

"Holders" or any similar term shall mean the registered owner or owners of any outstanding Bond or Bonds or Note or Notes, as applicable.

"Initial Bonds or Notes" shall mean the Bonds or Notes initially issued in Book-Entry Form as provided in Section 5 hereof.

"Interest Payment Date" shall mean June 1 and December 1 of each year commencing on such dates as determined by the Mayor and the City Manager, or either of them acting alone.

"Letter of Representations" shall mean the Blanket Letter of Representations executed and delivered by the City to the Depository.

"Municipal Bond Act" shall mean Title 5, Chapter 21, Article 5, Code of Laws of South Carolina 1976, as amended.

"Notes" shall mean the General Obligation Bond Anticipation Notes, in one or more series, in the aggregate principal amount of not exceeding $11,500,000 authorized to be issued pursuant to Section 22 hereof.

"Ordinance" shall mean this Ordinance.

"Participant" shall mean any bank, brokerage house or other financial institution for which, from time to time, the Depository effects book-entry transfers and pledges of securities deposited with the Depository.

"Paying Agent" shall mean Regions Bank or such other bank as may be designated by the Mayor and the City Manager (or either of them acting alone) pursuant to Section 7 hereof.

"Record Date" shall mean the fifteenth (15th) day of the month immediately preceding each Interest Payment Date on the Bonds or Notes or the date of notice of any proposed redemption of the Bonds or Notes.

LEGAL DEPARTMENT DRAFT

"Registrar" shall mean Regions Bank or such other bank as may be designated by the Mayor and the City Manager (or either of them acting alone) pursuant to Section 7 hereof.

"South Carolina Code" shall mean South Carolina Code of Laws 1976, as amended.

"State" shall mean the State of South Carolina.

SECTION 2. Findings and Determinations. The Council of the City hereby finds and determines:

(a) The City is an incorporated municipality located in Lexington County and Richland County, South Carolina, and as such possesses all powers granted to municipalities by the Constitution and laws of this State. Section 5-7-30 of the South Carolina Code provides, in part, that municipalities may enact ordinances, not inconsistent with the Constitution and general law of the State, respecting any subject which appears necessary and proper for the security, general welfare, and convenience of the municipality and for the preservation of the general health, peace, order and good government in the municipality. Further, under the case of Williams v. Town of Hilton Head, 429 S.E.2d 802 (1993), a municipality may enact regulations (ordinances) without the requirement for further specific statutory authorization so long as such regulations are not inconsistent with the Constitution and general law of the State.

(b) Article X, Section 14 of the Constitution of the State of South Carolina, 1895, as amended (the "Constitution"), provides that general obligation debt may be incurred by the governing body of each city of the State for any public and corporate purpose in an amount not exceeding eight percent of the assessed value of all taxable property of such city.

(c) Pursuant to the Municipal Bond Act, the municipal council of any municipality may issue general obligation bonds of such municipality for any corporate purpose of such municipality to any amount not exceeding the constitutional debt limit applicable.

(d) The Municipal Bond Act requires that an election be held prior to the issuance of general obligation bonds. Title 11, Chapter 27 of the South Carolina Code, provides that if an election be prescribed by the provisions of the Municipal Bond Act, but is not required by the provisions of Article X of the Constitution, then in every such instance, no election need be held (notwithstanding the requirement therefor) and the remaining provisions of the Municipal Bond Act shall constitute a full and complete authorization to issue bonds in accordance with such remaining provisions. Title 11, Chapter 27 of the South Carolina Code further provides that any municipality of the State may issue bonds in fully registered form.

(e) The assessed value of all taxable property in the City as of June 30, 2022 is not less than $655,458,851, which includes the 1987 assessed value of merchants' inventory in the amount of $6,667,290. Eight percent (8%) of such sum is $52,436,708. As of the date of enactment of this Ordinance, the outstanding general obligation debt of the City subject to the limitation imposed by Article X, Section 14(7)(a) of the Constitution is $13,335,000,

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representing the outstanding principal balances of the following general obligation bonds of the City (the "Outstanding Bonds"):

(i) $7,315,000 original principal amount General Obligation Bonds, Series 2013, dated December 4, 2013, presently outstanding in the principal amount of $215,000;

(ii) $6,260,000 original principal amount General Obligation Refunding Bonds, Series 2015, dated December 30, 2015, presently outstanding in the principal amount of $3,375,000; and

(iii) $10,645,000 original principal amount General Obligation Bonds, Series 2016, dated June 30, 2016, presently outstanding in the principal amount of $9,745,000.

As of the date of enactment of this Ordinance, the City may incur not exceeding $39,101,708 of general obligation debt within its applicable constitutional debt limitation.

(f) The City proposes to defray the cost of any one or more of the projects described in Schedule I attached hereto (the "Projects") and, in connection therewith:

(i) A vibrant tourism industry fosters and enhances the economic growth and well-being of a community and its residents. Tourism has been and continues to be a major industry for the City. The City, through its Convention and Visitors Bureau, as well as surrounding counties and municipalities and community businesses, have taken various steps to promote tourism to the City and surrounding areas and to the City's facilities and attractions. Moreover, as the City's tourism industry expands, the City must make provision to increase municipal services and facilities in order to accommodate the needs of tourists and to attract additional tourism. Tourists enjoy and utilize the special benefits the City provides.

(ii) By imposing hospitality and accommodations taxes under and for the purposes described in Title 6, Chapter 1 of the South Carolina Code and under and for the purposes described in Section 12-36-2630(3) and Title 6, Chapter 4, of the South Carolina Code (together, the "Hospitality and Accommodations Fees"), the City has provided or been availed of several methods to alleviate the increased financial burden on resources of the City and its citizens in providing services and facilities needed to attract and support tourism. Moneys generated by the Hospitality and Accommodations Fees are or may be used to finance the acquisition, construction and renovation of facilities which will serve and attract visitors and tourists or to provide for municipal services and tourism-related expenditures which serve visitors and tourists.

(iii) The Council has been advised and recognizes that Hospitality and Accommodations Fees may be used as a source of revenues to pay all or a portion of the principal and interest requirement on the Bonds and, to the extent required by the

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applicable provisions of the South Carolina Code authorizing such fees, must be exclusively for tourism-related buildings, tourism-related cultural, recreational or historic facilities and roads and streets providing access to tourist destinations, tourism-related expenditures or indebtedness incurred for such purposes.

(iv) The site now known as Finlay Park consists of a total of approximately 17 acres that spans three city blocks by two city blocks in downtown Columbia. Bordered by Laurel Street to the North, Assembly Street to the East, Taylor Street to the South and Gadsden Street to the West, Finlay Park is easily accessed by pedestrians, bicyclists and transit riders. Finlay Park also serves as a crucial link in the Vista Greenway which acts as a continuous pedestrian and cycling connection between the Vista district to the South and residential neighborhoods to the North, and as a lynchpin in the Capital City Passage segment of the Palmetto Trail, a 400+ mile statewide trail that connects the Low Country to the Midlands to the Upstate.

(v) Finlay Park was first built in the 1840s under the supervision of Algernon Sidney Johnston, a local publisher and Council member. It featured trees, paths, reflecting pools, benches and a bandstand, and was named in his honor as "Sydney Park" in 1852. Finlay Park was later sold to Seaboard Airline Railroad, which used the park as a switching yard and an industrial district for other businesses. In the mid-1980s, the City created a tax increment district known as the "Congaree Vista Redevelopment Project Area" and issued $10,000,000 of tax increment bonds (the "TIF Bonds") to fund a variety of redevelopment projects to address blighted conditions in the district, including significant improvements to Finlay Park. The TIF Bonds are no longer outstanding.

(vi) Designed by renowned landscape architect Robert E. Marvin, Finlay Park reopened in 1990 and featured a 40-foot waterfall, a three-acre lake, a large green space, a 2,000-seat amphitheater, plaza/terrace gardens, park overlook, parking and restrooms. Finlay Park was renamed in honor of Mayor Kirkman J. Finlay and was long considered the crown jewel of the City. Mr. Marvin described Finlay Park as the "catalyst for the bigger dream of Congaree Vista" and noted that "the goal was to make Finlay Park so popular and beautiful that everyone brought their out of town guests to Finlay Park to show off their city."

(vii) Finlay Park is one of the only public spaces in downtown Columbia to have a multi-use path that many residents and visitors use for exercise, cycling and recreation. Since reopening in 1990, Finlay Park has served as event space for a large number of downtown events. For example, the City has entertained residents and visitors (on average) at annually recurring events such as Bark in Finlay Park (500), Shakespeare in Finlay Park (10-15 shows per year, for 300 per show), Columbia Kids Day (800-1,000), the Mayor's Easter Eggstravaganza (700-1,200), Mayfest, Pride Parade (2,500), Gospel Fest (4,000), Halloween Carnival (500-1,300 total), the Summer Movie Series (5-10 events per year, for 200-500 each) and the Summer Concert Series (5-10 events per year, for 5,000-8,000 each).

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(viii) Since 1990, Finlay Park has suffered considerable deterioration due to deferred maintenance and challenges in the original design that have led to infrastructure failures. In 2004, the City used the proceeds of a borrowing secured by local hospitality taxes (which was later refinanced in 2012), to fund certain improvements to Finlay Park; however, Finlay Park has continued to deteriorate. The condition of Finlay Park and the extensive amount of sub-standard surface parking in its vicinity creates an impediment to sound growth and redevelopment: this, despite the fact that it is located within walking distance of a revitalized Main Street and Vista area. Another impediment to redevelopment around Finlay Park is the surrounding road network, which acts as a barrier to the flow of cyclists and pedestrians from Main Street or the Vista. Taylor Street is part of a one-way pair of streets that includes Hampton Street, motorists travelling on the six lanes of traffic of these two streets travel at speeds up to or exceeding the posted speed limit. Assembly Street, with its 150-foot right-of-way is a challenge for even the most sprightly of pedestrians to cross.

(ix) Adjacent to Finlay Park and facing Assembly Street is a United States Postal Service ("USPS") facility that sits on approximately 9.53 acres of privately owned land (the "Property"). While it still serves as the main USPS office, it no longer requires all of the building and site for its operations. In September 2019, the City issued a bond, which bond was subsequently refinanced in 2021, in order to finance the acquisition, renovation and equipment of the Property.

(x) It is believed that the Project represents a tremendous opportunity to the City to promote the redevelopment and use of Finlay Park by tourists, visitors and citizens alike:

(1) the improvements at Finlay Park will upgrade the existing facilities which are heavily utilized by tourists to the City;

(2) the Property features ample amounts of surface parking (the "Parking"), which could potentially be used by patrons of Finlay Park, and thereby alleviate the shortage of parking that has historically prevented enjoyment of the facilities;

(3) the Parking would also represent a significant asset that could promote interest and private development of portions of Finlay Park or to renovate or replace one or more of the existing structures on the Property (each, a "Private Project" and, together, the "Private Projects"); and

(4) Given the proximity to the Vista, Main Street and other nearby commercial ventures, additional users or patrons of Finlay Park, the Property or any Private Project would be expected to foster and stimulate economic activity at surrounding businesses, including additional 'tourists' within the meaning of Section 6-1-760 of the South Carolina Code (the "Act"), and thereby generate additional revenues to alleviate the increased financial burden on resources of the

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City and its citizens in providing services and facilities needed to attract and support tourism.

(xi) In addition, the expenditure of public funds must be for a public purpose in accordance with the applicable provisions of the South Carolina Constitution and decisions of the South Carolina Supreme Court (the "Court"). Specifically, the cases of Byrd v. County of Florence, 315 S.E.2d 804 (1984) and Nichols v. The South Carolina Research Authority, 351 S.E.2d 155 (1986), formulate a four-point standard by which undertakings for financing economic development are tested for constitutionality. The City Attorney and the City's bond counsel has previously reviewed this standard with the members of the Council. In WDW Properties v. City of Sumter, 535 S.E.2d 631 (2000), the Byrd/Nichols test was applied by the Court to uphold the issuance by JEDA of tax-exempt industrial revenue bonds to finance a portion of the costs of renovation of existing buildings located within the Columbia/Sumter SC Empowerment Zone. In that case, the Court noted that the redevelopment projects were intended to be leased for commercial office and retail space, that the developer expected to create 20 full-time jobs and that "the Projects would 'serve as the cornerstone for the revitalization of downtown Sumter and the surrounding communities.'"

(xii) The successful development and operation of the Projects will promote tourism and, as a result thereof and the general redevelopment of Finlay Park and/or the Property, foster and encourage tourists, visitors, residents and businesses to locate in or patronize such facilities or the surrounding area (including tourism-generating facilities in close proximity to the Downtown area, the Congaree Vista Area, the Riverfront area and the North Main Corridor, like the South Carolina State Museum, the EdVenture Children's Museum, the Three Rivers Greenway extension, Granby Riverwalk, Canal Front Park, the proposed Riverfront Park, the Riverbanks Zoo, the Woodrow Wilson Family Home, Columbia College (including Workshop Theater), the Columbia Metropolitan Convention Center and the Colonial Life Arena, or the Robert Mills House, the Hampton-Preston Mansion, the Eau Claire Print Building and other nearby historic structures), which enhances the economic viability of the City through the redevelopment of nearby properties, the creation of additional jobs, the infusion of capital investment and increased commercial activity, thereby resulting in additional ad valorem property taxes, Hospitality and Accommodations Fees and other taxes and fees.

(xiii) As described in the evidentiary findings or statements referenced above, the benefits to the City as a result of the acquisition, renovation, redevelopment and improvement of the Projects are set forth, in part, herein:

(1) the Projects would promote, enhance, speed up and stimulate private development in and eliminate, remove and address the current blighted conditions of, Finlay Park, all of which would enhance the aesthetic qualities of the surrounding areas;

(2) the Projects would promote interest from visitors, tourists and City

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residents who want to study and/or learn about the architecturally and historically significant buildings located in or adjacent to Finlay Park and other surrounding historic facilities within the City (including the nearby Robert Mills House, the Hampton-Preston Mansion, Columbia College and the Eau Claire Print Building), which may include exhibits, presentations or museum areas located in or near to Finlay Park, and would be promoted and marketed by area tourism businesses and nonprofit organizations in their advertisements, on the Internet, and in materials provided for tours and/or self-guided tours of the City;

(3) the City and its citizens have invested, and continue to invest, significant funds in and to promote its Downtown area, the Congaree Vista Area, the Riverfront area, the North Main Corridor and the areas in which other historic structures are located, including the nearby Robert Mills House, the Hampton-Preston Mansion, Columbia College and the Eau Claire Print Building; further, Finlay Park serve as connection between such areas and the approximately 181-acre development known as the Bull Street campus and, given their respective proximities to the intersection of Bull Street/Interstate I-277 and Elmwood Avenue/Interstate I-126, Finlay Park serve as gateway connectors for people visiting and working in the City;

(4) the Projects would also foster and encourage tourists, visitors, residents and businesses to locate in or patronize such facilities or the surrounding area (including tourism-generating facilities in close proximity to the Downtown area, the Congaree Vista Area, the Riverfront area and the North Main Corridor, like the South Carolina State Museum, the EdVenture Children's Museum, the Three Rivers Greenway extension, Granby Riverwalk, Canal Front Park, the proposed Riverfront Park, the Columbia Metropolitan Convention Center and the Colonial Life Arena, or the Robert Mills House, the Hampton-Preston Mansion, Columbia College, the Eau Claire Print Building and other nearby historic structures), which enhances the economic viability of the City (including particularly the Congaree Vista Area and the area surrounding these facilities) through the redevelopment of nearby properties, the imposition and collection of additional *ad valorem* property taxes and increased commercial activity that would generate additional sales taxes and personal property taxes, Hospitality and Accommodations Fees, business license fees and other fees, as well as additional jobs and capital investment; and

(5) the historic and architectural characteristics of several facilities located on or adjacent to the Property and Finlay Park may be significantly preserved and, like the South Carolina State Museum, Confederate Printing Plant (now Publix), Robert Mills House, Hampton-Preston Mansion, Columbia College, Eau Claire Print Building, the structures on the Bull Street campus and other nearby historic structures, serve as examples of successful preservation, rehabilitation, redevelopment and re-adaptation, all of which are recognizable, signature properties that provide a gateway into the City, including its Downtown area and the arts and entertainment district known as the Congaree Vista Area.

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(g) After taking into consideration information presented to the City (including but not limited to those supporting the findings set forth above), the Council makes the following additional findings and determinations with respect to the Projects:

(i) The ultimate benefits to the public are multiple: the Projects would serve to foster tourism and stimulate economic activity in and adjacent to Finlay Park, to increase the number of available jobs, to improve the appearance and enhance the aesthetic character of Finlay Park and surrounding properties, to generate additional revenues (including Hospitality and Accommodations Fees) and positively impact real property values of surrounding properties, to attract new businesses, to reinvigorate a downtown area that has been classified by the local, state and federal governments as economically distressed and to protect and preserve historically and architecturally significant features and encourage others to undertake historic preservation that would benefit downtown Columbia.

(ii) The public will be the primary beneficiary of the Projects, although one or more developers or users of the Projects, the Private Projects or the Property will also benefit through the City's investment therein.

(iii) The financing of the Projects are not so speculative as to violate the public purpose doctrine based on the success of similar tourism-generating or historic facilities that have been developed, such as other dilapidated or blighted properties that have been redeveloped, such as the South Carolina State Museum, the Confederate Printing Plant (now Publix), the 701 Whaley Arts Center, the Palmetto Compress Building and Warehouse, Columbia College, Eau Claire Print Building and the facilities located at the Bull Street campus, all of which serve as examples of successful preservation, rehabilitation, redevelopment and re-adaptation, and the likelihood that (A) Finlay Park will continue to decline in the absence of private development thereof, which requires public investments in infrastructure; and (B) any redevelopment of Finlay Park will require significant amounts of infrastructure to be constructed and installed therein.

(iv) The public interest is likely to be served to a substantial degree through the generation of tourist-related revenues and the creation of jobs, the improvement and enhancement of the appearance and aesthetic character of downtown Columbia, the reinvigoration of Finlay Park and surrounding areas, the preservation of historical and architecturally significant features and the benefits, both tangible and intangible, that should result from that reinvigoration as they relate to the Projects.

(h) Article X, Section 14(9) of the Constitution provides that general obligation notes may be issued in anticipation of the proceeds of general obligation bonds which may lawfully be issued under such terms and conditions that the General Assembly may prescribe by general law.

(i) Pursuant to the provisions of the BAN Act, any incorporated town, whenever authorized by general or special law, to issue bonds, may, pending the sale and issuance thereof,

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borrow in anticipation of the receipt of the proceeds of the bonds.

(j) Pending the sale and issuance of the Bonds authorized by Section 3 hereof it is in the best interest of the City to provide for the issuance of the Notes pursuant to Section 22 hereof in the aggregate principal amount of not exceeding $11,500,000 in anticipation of the sale and issuance of such Bonds and the receipt of the proceeds thereof to be applied to defray the cost of the Projects and other costs incidental thereto, including any engineering, architectural, financial and legal fees relating thereto and other incidental costs of issuing the Notes. As described above, the Projects are necessary and in the best interest of the City, the issuance of the Bonds (and the Notes in anticipation thereof) authorized by this Ordinance for such purposes is necessary and such Bonds (and the Notes in anticipation thereof) will be issued for a corporate purpose and a public purpose of the City.

(k) It is now in the best interest of the City for the Council to provide for the issuance and sale of general obligation bonds and/or bond anticipation notes of the City pursuant to the aforesaid provisions of the Constitution and laws of the State in order to defray the costs of the Projects and the costs of issuance of such bonds or notes and for such other lawful purposes as the Council shall determine.

SECTION 3. Authorization and Details of Bonds. Pursuant to the aforesaid provisions of the Constitution and laws of the State, there is hereby authorized to be issued not exceeding $11,500,000 principal amount of general obligation bonds, of the City (the "Bonds"). Upon the issuance and delivery of the Bonds, sufficient of the proceeds thereof shall be applied by the City to meet the payment of the principal and interest of the Notes (which Notes are being issued to defray the costs of the Projects and other costs incidental thereto, including any engineering, architectural, financial and legal fees relating thereto) and other incidental costs of issuing the Bonds; provided, however, that in the event the City determines not to issue some or all of the Notes pursuant to the authorization set forth in Section 22 hereof, the Bonds may be issued for the purposes described in Section 2(k) above for which the Notes can be issued hereunder. Each of the Bonds shall be issued in a principal amount determined by the Mayor, the City Manager and the Assistant City Manager for Finance and Economic Services, or any two of them acting together, which amount will be sufficient to provide for the above-described purposes. The Bonds shall be designated "(principal amount issued) General Obligation Bonds, Series 2023, of the City of Columbia, South Carolina." Notwithstanding anything herein to the contrary, the Bonds shall bear such additional numbers or other series designations in order to distinguish one series from another or to reflect the issuance thereof in a different calendar year, as may be determined by the Mayor, the City Manager and the Assistant City Manager for Finance and Economic Services, or any two of them acting together.

Each of the Bonds shall be issued as fully registered bonds; shall be dated as of the date of their respective delivery or the first or the fifteenth day of the month in which such series of bonds are delivered to the initial purchaser(s) thereof or such other date as determined by the Mayor, the City Manager and the Assistant City Manager for Finance and Economic Services, or any two of them acting together, pursuant to Section 4 hereof; shall be in denominations of $5,000 or any integral multiple thereof not exceeding the principal amount of such series of bonds maturing in each year unless issued as a single bond in the entire principal amount of such series; shall be issued

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as taxable or tax-exempt obligations as determined by the Mayor, the City Manager and the Assistant City Manager for Finance and Economic Services, or any two of them acting together, pursuant to Section 4 hereof; shall bear interest (calculated on the basis of a 360-day year of twelve 30-day months) from their respective date payable semiannually thereafter on June 1 and December 1 of each year commencing on a date determined by the Mayor, the City Manager and the Assistant City Manager for Finance and Economic Services, or any two of them acting together, pursuant to Section 4 hereof, until such respective series of bonds mature, at such rate or rates as may be determined by the Mayor, the City Manager and the Assistant City Manager for Finance and Economic Services, or any two of them acting together, at the time of the sale thereof; and shall mature serially in successive annual installments on June 1 in the years and in the principal amounts as determined by the Mayor, the City Manager and the Assistant City Manager for Finance and Economic Services, or any two of them acting together, pursuant to Section 4 hereof.

SECTION 4. Authority to Determine Certain Matters Relating to the Bonds. Without further authorization, the Council hereby authorizes the Mayor, the City Manager and the Assistant City Manager for Finance and Economic Services, or any two of them acting together, to determine, designate or take such actions (as applicable) as are described below:

(a) the original issue date of the Bonds;

(b) the aggregate principal amount of the Bonds to be issued;

(c) the interest payment dates of the Bonds (including the first interest payment date thereof);

(d) whether the Bonds shall be issued as taxable or tax-exempt obligations;

(e) redemption provisions, if any, for the Bonds;

(f) the maturity dates and the respective principal amounts maturing on each maturity dates (June 1) of the Bonds;

(g) the Paying Agent and Registrar for each series of the Bonds, if different from the bank so designated in Section 7 hereof;

(h) the dates and times of sale of the Bonds;

(i) whether the Bonds will be publicly sold and/or traded or placed with a bank and take actions in connection therewith, including receiving bids on behalf of the City to award the sale of the Bonds in accordance with the terms of the Notice of Sale or Request for Proposals for the Bonds;

(j) make adjustments to the principal amounts of the Bonds immediately following the sale; and

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(k) negotiate and execute all other contracts which may be necessary or required in connection with the issuance of the Bonds (provided, however, that unless otherwise expressly required by this Ordinance, only one authorized representative of the City shall be required to execute such contracts).

After each sale of the Bonds, the Mayor, the City Manager and the Assistant City Manager for Finance and Economic Services, or any two of them acting together, shall submit a written report to the Council setting forth the results of the sale of the Bonds.

SECTION 5. Book-Entry Bonds. If requested by the initial purchaser(s) of the Bonds or Notes, the Initial Bonds or Notes will be eligible securities for the purposes of the Book-Entry System of transfer maintained by the Depository, and transfers of beneficial ownership of the Initial Bonds or Notes shall be made only through the Depository and its participants in accordance with rules specified by the Depository. Such beneficial ownership must be of $5,000 principal amount of Bonds or Notes of the same series and maturity or any integral multiple of $5,000.

The Initial Bonds or Notes will be issued in fully registered form, as a single bond or one bond for each of the series and maturities of the Bonds, in the name of Cede & Co., as the nominee of the Depository. When any principal of, premium, if any, or interest on the Initial Bonds or Notes becomes due, the City shall transmit or cause the Paying Agent to transmit to the Depository an amount equal to such installment of principal, premium, if any, and interest. Such payments will be made to Cede & Co. or other nominee of the Depository as long as it is owner of record on the applicable Record Date. Cede & Co. or other nominee of the Depository shall be considered to be the owner of the Initial Bonds or Notes so registered for all purposes of this Ordinance, including, without limitation, payments as aforesaid and receipt of notices. The Depository shall remit such payments to the Beneficial Owners of the Bonds or Notes or their nominees in accordance with its rules and regulations.

The Depository is expected to maintain records of the positions of Participants in the Initial Bonds or Notes, and the Participants and persons acting through Participants are expected to maintain records of the Beneficial Owners in the Initial Bonds or Notes. The City, the Paying Agent and the Registrar make no assurances that the Depository and its Participants will act in accordance with such rules or expectations on a timely basis, and the City, the Paying Agent and the Registrar shall have no responsibility for any such maintenance of records or transfer of payments by the Depository to its Participants, or by the Participants or persons acting through Participants to the Beneficial Owners.

The City, the Paying Agent and the Registrar may treat the Depository (or its nominee) as the sole and exclusive owner of the Bonds or Notes registered in its name for the purpose of payment of the principal of, interest or premium, if any, on the Bonds or Notes, giving any notice permitted or required to be given to Holders under this Ordinance, registering the transfer of Bonds or Notes, obtaining any consent or other action to be taken by Holders and for all other purposes whatsoever, and shall not be affected by any notice to the contrary. The City, the Paying Agent and the Registrar shall not have any responsibility or obligation to any Participant, any person claiming a beneficial ownership interest in the Bonds or Notes under or through the Depository or any

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Participant, or any other person which is not shown on Books of Registry of the City maintained by the Registrar as being a Holder, with respect to the accuracy of any records maintained by the Depository or any Participant or the maintenance of any records; the payment by the Depository or any Participant of any amount in respect of the principal of, interest or premium, if any, on the Bonds or Notes; the sending of any transaction statements; the delivery or timeliness of delivery by the Depository or any Participant of any notice which is permitted or required to be given to Holders thereunder; or any consent given or other action taken by the Depository as a Holder.

SECTION 6. Successor Depository. If (a) the Depository determines not to continue to act as Depository for the Bonds or Notes and gives reasonable notice to the Registrar and the City, or (b) the City has advised the Depository of the City's determination that the Depository is incapable of discharging its duties, then the City shall attempt to retain another qualified securities depository to replace the Depository. Upon receipt by the City or the Registrar of the Initial Bonds or Notes together with an assignment duly executed by the Depository, the City shall execute and deliver to the successor Depository the Bonds or Notes of the same principal amount, interest rate, series and maturity. If the City is unable to retain a qualified successor to the Depository, or the City has determined that it is in its best interest not to continue the Book-Entry System of transfer or that interests of the Beneficial Owners of the Bonds or Notes might be adversely affected if the Book-Entry System of transfer is continued (the City undertakes no obligation to make any investigation to determine the occurrence of any events that would permit it to make any such determination), and has made provision to so notify Beneficial Owners of the Bonds or Notes by mailing an appropriate notice to the Depository, upon receipt by the City of the Initial Bonds or Notes together with an assignment duly executed by the Depository, the City shall execute, authenticate and deliver to the Depository Participants Bonds or Notes in fully registered form, in substantially the form set forth in Section 12 of this Ordinance or pursuant to the terms of Section 22 of this Ordinance, as applicable, and in each case in the denomination of $5,000 or any integral multiple thereof.

SECTION 7. Registrar and Paying Agent. Both the principal of and interest on the Bonds or Notes shall be payable in any coin or currency of the United States of America which is, at the time of payment, legal tender for public and private debts. Regions Bank or a bank designated by the Mayor, the City Manager and the Assistant City Manager for Finance and Economic Services, or any two of them acting together, may act as the Registrar and the Paying Agent for the Bonds or Notes.

SECTION 8. Registration, Transfer and Exchange of Bonds. The City shall cause the Books of Registry to be kept at the offices of the Registrar for the registration and transfer of the Bonds or Notes. Upon presentation at its office for such purpose, the Registrar shall register or transfer, or cause to be registered or transferred, on such Books of Registry, the Bonds or Notes under such reasonable regulations as the Registrar may prescribe.

Each Bond or Notes shall be transferable only upon the Books of Registry of the City, which shall be kept for such purpose at the principal office of the Registrar, by the registered owner thereof in person or by his duly authorized attorney upon surrender thereof together with a written instrument of transfer satisfactory to the Registrar duly executed by the registered owner or his duly authorized attorney. Upon the transfer of any such Bond or Note, the Registrar on behalf of the City

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shall issue in the name of the transferee a new fully registered Bond or Bonds or Note or Notes of the same aggregate principal amount, interest rate, series and maturity as the surrendered Bond or Note. Any Bond or Note surrendered in exchange for a new registered Bond pursuant to this Section shall be canceled by the Registrar.

The City, the Registrar and the Paying Agent may deem or treat the person in whose name any fully registered Bond or Note shall be registered upon the Books of Registry as the absolute owner of such Bond or Note, whether such Bond or Note shall be overdue or not, for the purpose of receiving payment of the principal of and interest on such Bond or Note and for all other purposes; and all such payments so made to any such registered owner or upon his order shall be valid and effectual to satisfy and discharge the liability upon such Bond or Note to the extent of the sum or sums so paid, and neither the City nor the Registrar shall be affected by any notice to the contrary. In all cases in which the privilege of transferring Bonds or Notes is exercised, the City shall execute and the Registrar shall authenticate and deliver Bonds or Notes in accordance with the provisions of this Ordinance. Neither the City nor the Registrar shall be obliged to make any such transfer of Bonds or Notes during the fifteen (15) days preceding an interest payment date on such Bonds or Notes.

SECTION 9. Record Date. The City hereby establishes a record date for the payment of interest or for the giving of notice of any proposed redemption of Bonds or Notes, and such record date shall be not more than fifteen (15) days preceding an Interest Payment Date on such Bond or Note or, in the case of any proposed redemption of Bonds or Notes, such record date shall be not more than fifteen (15) days (whether or not a business day) prior to the mailing of notice of redemption of Bonds or Notes.

SECTION 10. Mutilation, Loss, Theft or Destruction of Bonds. In case any Bond or Note shall at any time become mutilated in whole or in part, or be lost, stolen or destroyed, or be so defaced as to impair the value thereof to the owner, the City shall execute and the Registrar shall authenticate and deliver at the principal office of the Registrar, or send by registered mail to the owner thereof at his request, risk and expense a Bond or Note of the same series, interest rate and maturity and of like tenor and effect in exchange or substitution for and upon the surrender for cancellation of such defaced, mutilated or partly destroyed Bond or Note, or in lieu of or in substitution for such lost, stolen or destroyed Bond or Note. In any such event, the applicant for the issuance of a substitute Bond or Note shall furnish the City and the Registrar evidence or proof satisfactory to the City and the Registrar of the loss, destruction, mutilation, defacement or theft of the original Bond or Note, and of the ownership thereof, and also such security and indemnity as may be required by the laws of the State or such greater amount as may be required by the City and the Registrar. Any duplicate Bond or Note issued under the provisions of this Section in exchange and substitution for any defaced, mutilated or partly destroyed Bond or Note or in substitution for any allegedly lost, stolen or wholly destroyed Bond or Note shall be entitled to the identical benefits under this Ordinance as was the original Bond or Note in lieu of which such duplicate Bond or Note is issued, and shall be entitled to equal and proportionate benefits with all the other Bonds or Notes of the same series issued hereunder.

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All expenses necessary for the providing of any duplicate Bond or Note shall be borne by the applicant therefor.

SECTION 11. Execution of Bonds. The Bonds shall be executed in the name of the City with the manual or facsimile signature of the Mayor of the City attested by the manual or facsimile signature of the Clerk of the City under a facsimile of the seal of the City which shall be impressed, imprinted or reproduced thereon. The Bonds shall not be valid or become obligatory for any purpose unless there shall have been endorsed thereon a certificate of authentication. Each Bond shall bear a certificate of authentication manually executed by the Registrar in substantially the form set forth herein.

SECTION 12. Form of Bonds. The Bonds and the certificate of authentication shall be in substantially the form set forth in Exhibit A attached hereto.

SECTION 13. Security for Bonds. The full faith, credit and taxing power of the City are hereby irrevocably pledged for the payment of the principal and interest of the Bonds, as they respectively mature, and for the creation of a sinking fund to aid in the retirement and payment thereof; provided, that, notwithstanding the foregoing, the City may utilize any Hospitality and Accommodations Fees for the payment of debt service on the Bonds, as permitted by the South Carolina Code and, in connection with the use of the local accommodations tax imposed under and for the purposes of Section 12-36-2630(3) and Title 6, Chapter 4 of the South Carolina Code, such tax may be obligated for such purpose when the Bonds are issued. There shall be levied and collected annually upon all taxable property in the City an *ad valorem* tax, without limitation as to rate or amount, sufficient for such purposes.

The appropriate officials of the City and, as appropriate, Richland and Lexington Counties, shall be notified as to the delivery of and payment for the Bonds and are hereby directed to levy and collect annually upon all taxable property in the City an *ad valorem* tax, without limitation as to rate or amount, sufficient to pay the principal and interest of the Bonds, as they respectively mature, and for the creation of such sinking fund as may be necessary therefor.

SECTION 14. Exemption from State Taxes. Both the principal of and interest on the Bonds and Notes shall be exempt, in accordance with the provisions of Section 12-2-50 of the South Carolina Code, from all State, county, municipal, school district and all other taxes or assessments, except estate or other transfer taxes, direct or indirect, general or special, whether imposed for the purpose of general revenue or otherwise.

SECTION 15. Federal Tax Covenant. The City hereby covenants and agrees with the holders of the Bonds or Notes that, if any of the Bonds or Notes are issued as obligations the interest on which is excluded from gross income of the holders thereof for federal tax purposes (each, a "Tax Exempt Bond or Note"), it will not take any action which will, or fail to take any action which failure will, cause interest on the Tax Exempt Bonds or Notes to become includable in the gross income of the bondholders for federal income tax purposes pursuant to the provisions of the Code and regulations promulgated thereunder in effect on the date of original issuance of the Tax Exempt Bonds or Notes and that no use of the proceeds of the Tax Exempt Bonds or Notes shall be made

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which, if such use had been reasonably expected on the date of issue of the Tax Exempt Bonds or Notes would have caused the Tax Exempt Bonds or Notes to be "arbitrage bonds", as defined in Section 148 of the Code, and to that end the City hereby shall:

(a) comply with the applicable provisions of Section 103 and Sections 141 through 150 of the Code and any regulations promulgated thereunder so long as the Tax Exempt Bonds or Notes are outstanding;

(b) establish such funds, make such calculations and pay such amounts in the manner and at the times required in order to comply with the requirements of the Code relating to required rebates of certain amounts to the United States; and

(c) make such reports of such information at the time and places required by the Code.

Pursuant to ordinances previously adopted by the Council, the City has heretofore executed one or more certificates adopting written procedures related to its tax-exempt debt.

This Ordinance shall constitute the City's declaration of official intent pursuant to Regulation §1.150-2 of the Code to reimburse the City from a portion of the proceeds of the Tax Exempt Bonds or Notes or other tax-exempt obligations issued by or on behalf of the City for such purposes (the "Reimbursement Bonds") for expenditures it anticipates incurring (the "Expenditures") with respect to the Projects prior to the issuance of the Reimbursement Bonds. The Expenditures which are reimbursed are limited to Expenditures which are: (a) properly chargeable to a capital account (or would be so chargeable with a proper election or with the application of the definition of placed in service under Regulation §1.150-2 of the Code) under general federal income tax principles; or (2) certain *de minimis* or preliminary expenditures satisfying the requirements of Regulation §1.150-2(f) of the Code. The source of funds for the Expenditures with respect to the acquisition of the Projects will be the City's general fund and/or hospitality or accommodations fee accounts, as may be applicable to the type of Expenditure and otherwise permitted under State law. To be eligible for reimbursement of the Expenditures, the reimbursement allocation must be made not later than 18 months after the later of (a) the date on which the Expenditures were paid; or (b) the date such project was placed in service, but in no event more than three (3) years after the original Expenditures.

SECTION 16. Sale of Bonds; Form of Notice of Sale. The Bonds shall be offered for public sale on the date and at the time designated by the Mayor, the City Manager and the Assistant City Manager for Finance and Economic Services, or any two of them acting together. A Notice of Sale in substantially the form set forth as Exhibit B attached hereto shall be distributed to prospective bidders, and a summary of such Notice of Sale shall be published in a newspaper having general circulation in the State and/or in a financial publication published in the City of New York not less than seven (7) days prior to the date set for such sale.

SECTION 17. Preliminary and Final Official Statement. The Council hereby authorizes and directs the Mayor, the City Manager and the Assistant City Manager for Finance and Economic Services, or any two of them acting together, to prepare, or cause to be prepared, a Preliminary Official Statement to be distributed to prospective purchasers of the Bonds, together with the Notice

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of Sale. The Council authorizes the Mayor, the City Manager and the Assistant City Manager for Finance and Economic Services, or any two of them acting together, to "deem final" such Preliminary Official Statement for purposes of Rule 15c2-12 promulgated by the Securities and Exchange Commission (the "Rule"). The Mayor, the City Manager and the Assistant City Manager for Finance and Economic Services, or any two of them acting together, are further authorized to see to the completion of the final form of the Official Statement upon the sale of the Bonds so that it may be provided to the purchaser(s) of the Bonds.

SECTION 18. Continuing Disclosure. In compliance with the Rule, the City hereby covenants and agrees that it will comply with and carry out all of the provisions of a Disclosure Dissemination Agent Agreement in substantially the form attached hereto as Exhibit C (the "DAC Agreement"). Notwithstanding any other provisions of this Ordinance, failure of the City to comply with the DAC Agreement shall not be considered an event of default, and no liability for damages shall attach therefor. The sole remedy for such failure to comply shall be that any Bondholder may take such actions as may be necessary and appropriate, including seeking mandate or specific performance by court order, to cause the City to comply with its obligations under this Section.

SECTION 19. Filings with Central Repository. In compliance with and as required by Section 11-1-85 of the South Carolina Code, the City covenants that it will file or cause to be filed with a central repository for further availability in the secondary bond market when requested: (a) a copy of the annual audit of the City within thirty (30) days of the City's receipt thereof; and (b) within thirty (30) days of the occurrence thereof, relevant information of an event which, in the opinion of the City, adversely affects more than five percent (5%) of the City's revenue or its tax base.

SECTION 20. Bank Placement. In the event the Bonds are sold to a bank, the requirements of Sections 5, 17 and 18 hereof shall not be applicable, and the City may serve as Registrar and Paying Agent as described in Sections 7 and 8 hereof. Also, forms of the attachments to this Ordinance will be revised as necessary and appropriate, including but not limited to the use of a Request for Proposals instead of a Notice of Sale (or a modified version of the Notice of Sale) pursuant to Section 16 hereof.

SECTION 21. Deposit and Use of Proceeds. The proceeds derived from the sale of the Bonds shall be deposited in a special fund, separate and distinct from all other funds, and applied solely to the purposes for which the Bonds are issued except that the premium, if any, shall be placed in the sinking fund established pursuant to the Municipal Bond Act, and the accrued interest, if any, shall be used to discharge in part the first interest to become due on the Bonds. If any surplus remain, it shall be deposited in the sinking fund to be established for the payment of the Bonds.

SECTION 22. Notes Issued in Anticipation of Bonds. Pursuant to the BAN Act, pending the sale and issuance of the Bonds, the Council hereby authorizes the issuance of general obligation bond anticipation notes, in one or more series, in an aggregate amount not to exceed $11,500,000 (the "Notes") for any of the purposes set forth in Section 2(k) herein and for costs of issuance of the Notes. In the event Notes are issued, (a) for the payment of principal of and interest, if necessary, on the Notes as they respectfully mature, there is hereby pledged the

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proceeds of the Bonds and the full faith, credit and taxing power of the City and (b) pending the issuance of the sale of the Bonds, the Council may determine it to be in the best interest of the City to refund or renew the outstanding Notes and, therefore, (1) the Council may authorize the Notes to be refunded or renewed and such authorization to be effected by a resolution of Council incorporating the terms of this Ordinance and (2) the principal amount of such refunded or renewed Notes may be increased by an amount sufficient to reflect interest owed and costs of issuance.

The City, at its option, may also utilize any other funds available therefore for the payment of the principal of and interest on the Notes. The Council hereby authorizes the Mayor, the City Manager and the Assistant City Manager for Finance and Economic Services, or any two of them acting together, to determine or otherwise take the actions described below: (a) the original issue date and aggregate principal amount of the Notes; (b) the date, time and method of sale (which may be by public or, as permitted by the BAN Act, negotiation) of the Notes; (c) the maturity date and redemption provisions (if any) of the Notes (provided, that the maximum redemption premium may not exceed 0.5%); (d) the form of the Notes; (e) such other details of the Notes as may be deemed advisable; (f) receive bids on behalf of the City and award the sale of the Notes to the lowest bidder therefor, in accordance with the terms of the Notice of Sale for the Notes; and (g) negotiate and execute all other contracts which may be necessary or required in connection with the issuance of the Notes. Unless the context requires otherwise, the authorizations provided in the Ordinance with respect to the Bonds or the issuance, sale, execution and delivery thereof (including the provisions of Sections 11, 12, 16, 17, 18 and 21 hereof) shall also apply with respect to any Notes issued in anticipation thereof.

SECTION 23. Defeasance. The obligations of the City under this Ordinance and the pledges, covenants and agreements of the City herein made or provided for, shall be fully discharged and satisfied as to any portion of the Bonds or Notes, and such Bond or Bonds or Note or Notes shall no longer be deemed to be outstanding hereunder when:

(a) such Bond or Bonds or Note or Notes shall have been purchased by the City and surrendered to the City for cancellation or otherwise surrendered to the City or the Paying Agent and is canceled or subject to cancellation by the City or the Paying Agent; or

(b) payment of the principal of and interest on such Bonds or Notes either (i) shall have been made or caused to be made in accordance with the terms thereof, or (ii) shall have been provided for by irrevocably depositing with the Paying Agent in trust and irrevocably setting aside exclusively for such payment, (1) moneys sufficient to make such payment, or (2) Government Obligations maturing as to principal and interest in such amounts and at such times as will ensure the availability of sufficient moneys to make such payment and all necessary and proper fees, compensation and expenses of the Paying Agent. At such time as the Bonds or Notes shall no longer be deemed to be outstanding hereunder, such Bonds or Notes shall cease to draw interest, and, except for the purposes of any such payment from such moneys or Government Obligations as set forth in (ii) above, shall no longer be secured by or entitled to the benefits of this Ordinance.

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SECTION 24. Miscellaneous. The Council hereby authorizes the Mayor, City Manager, City Clerk, Assistant City Manager for Finance and Economic Services and City Attorney to execute such documents and instruments as may be necessary to effect the issuance of the Notes and the Bonds or make modifications in any documents including but not limited to the form of the Bond or Notice of Sale. The Mayor, the City Manager and the Assistant City Manager for Finance and Economic Services, or any of them acting alone, with the assistance of the Financial Advisor, are hereby authorized to negotiate the terms of, and execute in the name and on behalf of the City, investment agreements, forward delivery agreements, repurchase agreements and other agreements in connection with the Notes and the Bonds, to prepare and solicit bids for providers of such agreements and to execute, in the name and on behalf of the City, written confirmations of any such agreements and other documents as may be necessary in connection therewith.

SECTION 24. Repeal of Conflicting Ordinances. All rules, regulations, ordinances, resolutions and parts thereof, procedural or otherwise, in conflict herewith or the proceedings authorizing the issuance of the Notes and the Bonds are, to the extent of such conflict, hereby repealed, and this Ordinance shall take effect and be in full force from and after its enactment.

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This Ordinance shall be forthwith codified in the Code of City Ordinances in the manner required by law.

ENACTED this _____ day of _____, 2023.

CITY OF COLUMBIA, SOUTH CAROLINA

_____
Mayor

(SEAL)

ATTEST:

_____
Clerk

First Reading: _____, 2023
Second Reading: _____, 2023

[Signature page]

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SCHEDULE I

LIST OF PROJECTS

The projects to be funded with the proceeds of the Bonds (the "Projects") include the following:

1) acquisition, revitalization, construction, renovation and equipment of Finlay Park in downtown Columbia

LEGAL DEPARTMENT DRAFT

EXHIBIT A

FORM OF BONDS

UNITED STATES OF AMERICA
STATE OF SOUTH CAROLINA
CITY OF COLUMBIA
GENERAL OBLIGATION BOND, SERIES (year)

No. R-

INTEREST RATE	MATURITY DATE	ORIGINAL ISSUE DATE	CUSIP

REGISTERED HOLDER:

PRINCIPAL AMOUNT: DOLLARS

KNOW ALL MEN BY THESE PRESENTS, that the City of Columbia, South Carolina (the "City"), is justly indebted and, for value received, hereby promises to pay to the registered holder named above, or registered assigns, the principal amount shown above on the maturity date shown above, upon presentation and surrender of this Bond at the principal office of Regions Bank, as paying agent (the "Paying Agent") in _____, _____, and to pay interest on such principal sum from the date hereof at the interest rate per annum shown above until this Bond matures. Interest on this Bond is payable semiannually on June 1 and December 1 of each year commencing [June][December] 1, _____, until this Bond matures and shall be payable by check or draft mailed to the person in whose name this Bond is registered on the registration books of the City maintained by the registrar, presently Regions Bank, as registrar (the "Registrar"), in _____, _____, at the close of business on the fifteenth (15th) day of the calendar month preceding each semiannual interest payment date. The principal and interest on this Bond are payable in any coin or currency of the United States of America which is, at the time of payment, legal tender for public and private debts provided, however, that interest on this fully registered Bond shall be paid by check or draft as set forth above.

This Bond shall not be entitled to any benefit under the Ordinance (as defined herein), nor become valid or obligatory for any purpose, until the Certificate of Authentication hereon shall have been duly executed by the Registrar.

This Bond is one of a series of Bonds of like date of original issue, tenor and effect, except as to number, denomination, date of maturity, redemption provisions, date of authentication and rate of interest, aggregating _____($_____) issued pursuant to and in accordance with the Constitution and laws of the State of South Carolina, including Article X, Section 14 of the Constitution of the State of South Carolina, 1895, as amended; Title 5, Chapter 21, Article 5, and Title 11, Chapter 27, Code of Laws of South Carolina 1976, as amended; and Ordinance No. _____ duly enacted on _____, 2023, by the Council (the "Ordinance").

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For the payment of the principal and interest on this Bond and the series of Bonds of which it is one, as they respectively mature, and for the creation of a sinking fund to aid in the retimrenet and payment thereof, the full faith, credit and taxing power of the City are irrevocably pledged[; provided, that, notwithstanding the foregoing, the City may utilize any Hospitality and Accommodations Fees for the payment of debt service on this Bond and the series of Bonds of which it is one, as permitted by the South Carolina Code and, in connection with the use of the local accommodations tax imposed under and for the purposes of Section 12-36-2630(3) and Title 6, Chapter 4 of the South Carolina Code, such tax is obligated for such purpose when this Bond is issued], and there shall be levied and collected annually upon all taxable property in the City an *ad valorem* tax, without limitation as to rate or amount, sufficient for such purposes.

This Bond and the series of which it is one maturing on or prior to _____, _____, shall not be subject to redemption prior to their stated maturities. This Bond and the series of which it is one maturing on and after _____, _____, shall be subject to redemption at the option of the City on or after _____, _____, as a whole or in part at any time, in such order of their maturities as the City shall determine and by lot within a maturity, at a redemption price equal to 100% of the principal amount to be redeemed together with the interest accrued on such principal amount to the date fixed for redemption.

This Bond and the series of which it is one is transferable as provided in the Ordinance, only upon the books of the City kept for that purpose at the principal office of the Registrar by the registered holder in person or by his duly authorized attorney upon surrender of this Bond together with a written instrument of transfer satisfactory to the Registrar duly executed by the registered holder or his duly authorized attorney. Thereupon, a new fully registered Bond or Bonds of the same aggregate principal amount, interest rate, and maturity shall be issued to the transferee in exchange therefor as provided in the Ordinance. The City, the Registrar and the Paying Agent may deem and treat the person in whose name this Bond is registered as the absolute owner hereof for the purpose of receiving payment of or on account of the principal hereof and interest due hereon and for all other purposes.

Under the laws of the State of South Carolina (the "State"), this Bond and the interest hereon are exempt from all State, county, municipal, City and all other taxes or assessments, except estate or other transfer taxes, direct or indirect, general or special, whether imposed for the purpose of general revenue or otherwise.

It is hereby certified and recited that all acts, conditions and things required by the Constitution and laws of the State to exist, to happen and to be performed precedent to or in the issuance of this Bond exist, have happened and have been performed in regular and due time, form and manner as required by law, and that the amount of this Bond, together with all other indebtedness of the City, does not exceed the applicable limitation of indebtedness under the laws of the State and that provision has been made for the levy and collection annually upon all taxable property in the City an *ad valorem* tax, without limitation as to rate or amount, sufficient to pay the principal and interest of this Bond and the series of Bonds of which it is one, as they respectively mature, and for the creation of such sinking fund as may be necessary therefor.

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IN WITNESS WHEREOF, CITY OF COLUMBIA, SOUTH CAROLINA, has caused this Bond to be signed with the manual or facsimile signature of the Mayor of the City, attested by the manual or facsimile signature of the Clerk of the City and the seal of the City impressed, imprinted or reproduced hereon.

CITY OF COLUMBIA, SOUTH CAROLINA

_____
Mayor

(SEAL)

ATTEST:

_____
Clerk

[FORM OF REGISTRAR'S CERTIFICATE OF AUTHENTICATION]

Date of Authentication:

This Bond is one of the Bonds described in the within-mentioned Ordinance of the City of Columbia, South Carolina.

REGIONS BANK, as Registrar

By: _____
Authorized Officer

LEGAL DEPARTMENT DRAFT

The following abbreviations, when used in the inscription on the face of this Bond, shall be construed as though they were written out in full according to applicable laws or regulations.

TEN COM – as tenants in common

TEN ENT – as tenants by the entireties

JT TEN - as joint tenants with right of survivorship and not as tenants in common

UNIF GIFT MIN ACT –

_____ Custodian _____
(Cust) (Minor)
under Uniform Gifts to
Minors Act _____
(state)

Additional abbreviations may also be used though not in above list.

(FORM OF ASSIGNMENT)

FOR VALUE RECEIVED, the undersigned sells, assigns and transfers unto _____ (Name and Address of Transferee) the within Bond and does hereby irrevocably constitute and appoint _____ attorney to transfer the within Bond on the books kept for registration thereof, with full power of substitution in the premises.

Dated:_____

_____
Signature Guaranteed

_____
(Authorized Officer)

_____
Notice: Signature(s) must be guaranteed by an institution which is a participant in the Securities Transfer Agents Medallion Program ("STAMP") or similar program.

_____
Notice: The signature to the assignment must correspond with the name of the registered holder as it appears upon the face of the within Bond in every particular, without alteration or enlargement or any change whatever.

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A copy of the final approving legal opinion to be rendered shall be attached to the back of each Bond and preceding the same a certificate shall appear, which shall be signed on behalf of the City with a facsimile signature of the Clerk of the City. Said certificate shall be in substantially the following form:

> IT IS HEREBY CERTIFIED that the following is a true and correct copy of the respective final legal opinions (except for date and letterhead) of Burr & Forman LLP, Columbia, South Carolina, and Johnson, Toal & Battiste, P.A., Columbia, South Carolina, approving the issue of bonds of which the within bond is one, the originals of which opinions were manually executed, dated and issued as of the date of delivery of and payment for such bonds, and copies of which are on file with the City of Columbia, South Carolina.
>
> CITY OF COLUMBIA, SOUTH CAROLINA
>
> By: _____
> Clerk

LEGAL DEPARTMENT DRAFT

EXHIBIT B

FORM OF NOTICE OF SALE

NOTICE OF SALE
$_____ GENERAL OBLIGATION BONDS, SERIES (year),
OF CITY OF COLUMBIA
STATE OF SOUTH CAROLINA

Time and Place of Sale: NOTICE IS HEREBY GIVEN that bids for the purchase of $__ General Obligation Bonds, Series (year) (the "Bonds"), of the City of Columbia, South Carolina (the "City"), will be received on behalf of the City by the Mayor of the City in the office of the City Manager, City Hall, 1737 Main Street, Columbia, South Carolina until 12:00 Noon, South Carolina time, on _____, _____, or such other date and time as may be established by the City and communicated [by Thomson Municipal Market Monitor][to proposed bidders] not less than 48 hours prior to the time proposals are to be received.

Mailed or Hand-Delivered Proposals: Each hand-delivered proposal shall be enclosed in a sealed envelope marked "Proposal for $_____ General Obligation Bonds, Series (year), of City of Columbia, South Carolina" and should be mailed or hand-delivered to the Mayor of the City at the address in the first paragraph hereof.

Facsimile Proposals: The City will accept the facsimile transmission of a manually signed Official Bid Form at the risk of the Bidder. The City shall not be responsible for any failure, misdirection, delay or error resulting from the selection by any bidder of any particular means of delivery of bids. The City will take reasonable steps to ensure the confidentiality of all bids transmitted to it by facsimile transmission, but cannot guarantee the confidentiality of information transmitted by such means. Any delay in receipt of a facsimile bid, and any incompleteness or illegible portions of such bid are the responsibility of the bidder. Bids by facsimile should be transmitted to the attention of Teresa B. Wilson, City Manager, telephone (803) 545-3064, fax (803) 545-3051.

[Electronic Bids: Electronic proposals must be submitted through i-Deal's Ipreo Electronic Bid Submission System ("Ipreo"). No electronic bids from any other providers of electronic bidding services will be accepted. Information about the electronic bidding services of Ipreo may be obtained from i-Deal, 1359 Broadway, 2nd Floor, New York, New York 10018, Customer Support, telephone (212) 849-5021.]

E-mail Bids: E-mail proposals may be e-mailed to the attention of Teresa B. Wilson, City Manager, at email address: tbwilson@columbiasc.gov, with a copy to Michael J. Seezen, Esq., at email address: mseezen@burr.com.

PROPOSALS MAY BE DELIVERED BY HAND, BY MAIL, BY FACSIMILE TRANSMISSION, BY ELECTRONIC BID OR BY E-MAIL, BUT NO PROPOSAL SHALL BE CONSIDERED WHICH IS NOT ACTUALLY RECEIVED BY THE CITY AT THE PLACE, DATE AND TIME APPOINTED, AND THE CITY SHALL NOT BE RESPONSIBLE FOR ANY FAILURE, MISDIRECTION, DELAY OR ERROR

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RESULTING FROM THE SELECTION BY ANY BIDDER OF ANY PARTICULAR MEANS OF DELIVERY OF BIDS.

[Municipal Bond Insurance: A bidder may, at its option, purchase a policy of insurance relating to the Bonds to be effective as of the date of their issuance. Notice of obtaining a commitment for such insurance will be transmitted by the bond insurers. If a bidder for the Bonds desires to have the Bonds so insured, the bidder should specify in its bid for the Bonds whether bond insurance will be purchased. The premium on such bond insurance must be paid at or prior to the closing by the successful bidder. Any failure of the Bonds to be so insured or for any such policy of insurance to be issued shall not constitute cause for a failure or refusal by the purchaser of the Bonds to accept delivery of and pay for the Bonds.]

[Book-Entry Only Bonds: The Bonds will be issued in fully registered form. If requested by the successful bidder, a single Bond or one Bond representing each maturity will be issued to and registered in the name of Cede & Co., as nominee of The Depository Trust Company, New York, New York (the "Depository"), as registered owner of the Bonds, and each such Bond will be immobilized in the custody of the Depository. The Depository will act as the Depository for the Bonds. Individual purchases will be made in book-entry only form in the principal amount of $5,000 or any integral multiple thereof not exceeding the principal amount of Bonds maturing each year; purchasers will not receive physical delivery of certificates representing their interest in the Bonds purchased. The winning bidder, as a condition to delivery of the Bonds, will be required to deposit the Bond certificates representing each maturity with the Depository. Notwithstanding the foregoing, at the request of the successful bidder, the Bonds will be issued as one single fully registered bond and not issued through the book-entry system.]

Bonds: The Bonds will dated the date of their delivery (expected to be _____, ____); and will mature in annual installments on June 1 in each of the years and in the principal amounts as follows:

Maturity Date	Principal Amount*

* Preliminary, subject to adjustment as described herein.

The Bonds will bear interest from the date of delivery thereof payable semiannually on June 1 and December 1 of each year commencing _____ 1, 20___, until the Bonds mature. Interest will be calculated on the basis of a 360-day year comprised of twelve 30-day months.

Adjustment of Maturity Schedule. The City reserves the right to adjust the principal amount of any maturities of the Bonds (all calculations to be rounded to the near $5,000)[; provided that such adjustment will not increase or decrease the total par amount ($_____) of the Bonds]. Such adjustment(s), if any, shall be made within twenty-four (24) hours of the award of the Bonds. In order to calculate the yield on the Bonds for federal tax law purposes and as a condition precedent to the award of the Bonds, bidders must disclose to the City in connection with their respective bids the price (or yield to maturity) at which each maturity of the Bonds will be reoffered to the public.

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In the event of any adjustment of the principal amount of any of the maturities of the Bonds as described herein, no rebidding or recalculation of the proposals submitted will be required or permitted. Nevertheless, the award of the Bonds will be made to the bidder whose proposal produces the lowest true interest cost solely on the basis of the Bonds offered, without taking into account any adjustment of the principal amount of the maturities of the Bonds pursuant to this paragraph. The successful bidder may not withdraw its bid as a result of any changes made within these limits.

The Bonds maturing on or prior to _____, _____, shall not be subject to redemption prior to their stated maturities. The Bonds maturing on and after _____, _____, shall be subject to redemption at the option of the City on or after _____, _____, as a whole or in part at any time, in such order of their maturities as the City shall determine and by lot within a maturity, at a redemption price equal to 100% of the principal amount to be redeemed together with the interest accrued on such principal amount to the date fixed for redemption.

Bidders' Special Option for Term Bonds: Bidders submitting proposals may specify that all the principal amount of Bonds maturing on any two or more consecutive annual payment dates may, in lieu of maturity on each of such dates, be combined to comprise one or more maturities of the Bonds scheduled to mature on the latest of such annual payment dates (the "Terms Bonds"). Term Bonds shall be subject to redemption through mandatory sinking fund installments in the principal amount that would have matured in each year as set forth in this Notice of Sale, on each of the annual principal payment dates, except for the principal amount of Bonds scheduled to mature on the latest such annual payment date, which Bonds shall mature on such annual principal payment date. Bidders may specify one or more of such Term Bonds and such specifications must be made in the bidder's proposal.

Registrar and Paying Agent: Regions Bank, _____, _____, will act as the Registrar and the Paying Agent for the Bonds.

Mandatory Sinking Fund Redemption: The Bonds will be subject to mandatory redemption if and to the extent the option to establish Term Bonds is exercised by the successful bidder.

Bid Requirements: Bidders shall specify the rate or rates of interest per annum which the Bonds are to bear, to be expressed in multiples of $1/8^{th}$, $1/20^{th}$ or $1/100^{th}$ of 1% with no greater difference than three (3%) percent between the highest and lowest rates of interest named by a bidder. Bidders are not limited as to the number of rates of interest named, but the rate of interest on each separate maturity must be the same single rate for all Bonds of that maturity from their date to such maturity date. A BID FOR LESS THAN ALL THE BONDS, OR A BID AT A PRICE LESS THAN [PAR][____% OF THEIR PAR VALUE], WILL NOT BE CONSIDERED. [In addition to the bid price, the successful bidder must pay accrued interest from the date of the Bonds to the date of full payment of the purchase price.]

Award of Bid: The Bonds will be awarded to the bidder or bidders offering to purchase the Bonds at the lowest true interest cost to the City, such true interest cost being the nominal interest rate which, when compounded semiannually and used to discount all debt service payments on the Bonds (computed at the interest rates specified in the bid and on the basis of a 360-day year

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comprised of twelve 30-day months) to the dated date of the Bonds, results in an amount equal to the price bid for the Bonds. In the case of a tie bid, the winning bid will be awarded by lot. The Council reserves the right to reject any and all bids or to waive irregularities in any bid. Bids will be accepted or rejected no later than 3:00 p.m., South Carolina time, on the date of the sale.

For the purpose of calculating the yield on the Bonds for federal tax purposes as a condition precedent to the award of the Bonds, the successful bidder will, within 30 minutes after being notified of its winning bid, advise the City by telephone confirmed by facsimile transmission of the initial offering prices of the Bonds to the public (expressed as a price, exclusive of accrued interest, or yield per maturity).

Good Faith Deposit: No good faith deposit is required.

Bid Form: Each proposal should be enclosed in a sealed envelope marked "Proposal for $_____ General Obligation Bonds, Series (year), City of Columbia, South Carolina" and should be directed to the Mayor at the address in the first paragraph hereof. [It is requested but not required that you submit your bid on the Proposal for Purchase of Bonds supplied with the Official Statement.]

[Official Statement: The City deems the Preliminary Official Statement to be "final" as described in Rule 15c2-12(b)(1) promulgated by the Securities and Exchange Commission for the purposes of such Rule. Upon the award of the Bonds, the City will prepare a Final Official Statement (the "Official Statement") in substantially the same form as the Preliminary Official Statement subject to minor additions, deletions and revisions as required to complete the Official Statement. Within seven (7) business days after the award of the Bonds, the City will provide the successful bidder a sufficient quantity of the Official Statement to comply with Rule G-32 of the Municipal Securities Rulemaking Board. The successful bidder agrees to supply to the City all necessary pricing information and any Underwriter identification necessary to complete the Official Statement within 24 hours after the award of the Bonds.]

[Continuing Disclosure: In order to assist the bidders in complying with Rule 15c2-12(b)(5) promulgated by the Securities and Exchange Commission, the City will undertake, pursuant to a Disclosure Dissemination Agent Agreement executed with Digital Assurance Certification, L.L.C., to provide certain annual financial information and notices of the occurrence of certain events. A description of this undertaking is set forth in the Preliminary Official Statement and will also be set forth in the Final Official Statement.]

Purpose: The Bonds are issued for the purpose of financing certain capital projects of the City, including the payment of principal and interest, if any, due on notes issued in anticipation thereof.

Security: The Bonds shall constitute binding general obligations of the City and the full faith, credit, taxing power and resources of the City are irrevocably pledged for the payment of the bonds and for the creation of a sinking fund to aid in the retirement and payment thereoas may be necessary to provide for the prompt payment thereof[; provided, that, notwithstanding the foregoing, the City may utilize any Hospitality and Accommodations Fees for the payment of debt service on the Bonds, as permitted by the South Carolina Code and, in connection with the use of the local

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accommodations tax imposed under and for the purposes of Section 12-36-2630(3) and Title 6, Chapter 4 of the South Carolina Code, such tax is obligated for such purpose when the Bonds are issued]. There shall be levied and collected annually upon all taxable property of the City an *ad valorem* tax, without limitation as to rate or amount, sufficient for such purposes.

Legal Opinions: The Council shall furnish upon delivery of the Bonds the final approving opinions of Burr & Forman LLP, Columbia, South Carolina, and Johnson, Toal & Battiste, P.A., Columbia, South Carolina, which opinions shall be attached to each Bond, together with the usual closing documents, including a certificate that no litigation is pending affecting the Bonds. Certain legal matters will be approved by Teresa A. Knox, Esq., City Attorney.

Certificate as to Issue Price: The successful bidder must provide a certificate to the City by the date of delivery of the Bonds, stating the initial reoffering price of the Bonds to the public (excluding bond houses and brokers) and the price at which a substantial amount of the Bonds were sold to the public, in form satisfactory to Bond Counsel. A sample copy of such a certificate may be obtained from Bond Counsel.

Delivery: At the request of the successful bidder, the Bonds will be delivered [through the facilities of The Depository Trust Company in New York, New York,][to the successful bidder] on or about _____, _____, at the expense of the City, or at such other place as may be agreed upon with the purchasers at the expense of the purchaser. The balance of the purchase price then due (including the amount of accrued interest) must be paid in federal funds or other immediately available funds. Any cost of printing the Bonds will be borne by the City.

[CUSIP Numbers: It is anticipated that CUSIP identification numbers will be set forth on the Bonds, but neither the failure to print such numbers on any Bond nor any error with respect thereto shall constitute cause for failure or refusal by the purchaser thereof to accept delivery of and pay for the Bonds in accordance with the terms of its proposal. All expenses in relation to the printing of CUSIP identification numbers on the Bonds shall be paid for by the City; provided, however, that the CUSIP Service Bureau charge for the assignment of such numbers shall be the responsibility of and shall be paid for by the successful bidder.]

Postponement: The City reserves the right to postpone, from time to time, the date established for the receipt of bids. The City will communicate any such change in the sale date [through Thomson Municipal Market Monitor][to proposed bidders] not less than 48 hours prior to the time bids are to be received. If any date fixed for the receipt of bids and the sale of the Bonds is postponed, any alternative sale date will be announced [through Thomson Municipal Market Monitor][to proposed bidders] at least 48 hours prior to such alternative sale date. On any such alternative sale date, any bidder may submit a sealed, facsimile, or electronic bid for the purchase of the Bonds in conformity in all respects with the provisions of this Notice of Sale, except for the date of sale and except for the changes announced [through Thomson Municipal Market Monitor][to proposed bidders] at the time the sale date and time are announced.

Financial Advisor: The City has employed Stifel Nicolaus & Co., Inc., Columbia, South Carolina, as its Financial Advisor in connection with the issuance of the Bonds.

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Additional Information: [A copy of the Preliminary Official Statement in deemed final form and the Official Notice of Sale are available via the internet at http://www.idealprospectus.com and will be furnished to any person interested in bidding for the Bonds upon request to the City's Financial Advisor.] Persons seeking information should communicate with:

Jeffrey M. Palen
Assistant City Manager for Finance and Economic Services
City of Columbia
1737 Main Street
P.O. Box 147
Columbia, SC 29217
Telephone: 803.545.4093
Fax: 803.343.8720
E-mail: jmpalen@columbiasc.gov

Brenton J. Robertson, Esq.
Managing Director
Stifel Nicolaus & Co., Inc.
515 Gervais Street
Columbia, SC 29201
Telephone: 803.331.3848
E-mail: robertsonb@stifel.com

_____
Mayor, City of Columbia, South Carolina

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EXHIBIT C

FORM OF DISCLOSURE DISSEMINATION AGENT AGREEMENT

This Disclosure Dissemination Agent Agreement ("Disclosure Agreement"), dated as of _____, is executed and delivered by the City of Columbia, South Carolina ("Issuer" or ""Obligated Person") and Digital Assurance Certification, L.L.C., as exclusive Disclosure Dissemination Agent ("Disclosure Dissemination Agent" or "DAC") for the benefit of the Holders (defined below) of the Bonds (defined below) and in order to provide certain continuing disclosure with respect to the Bonds in accordance with Rule 15c2-12 of the United States Securities and Exchange Commission under the Securities Exchange Act of 1934, as the same may be amended from time to time ("Rule").

The services provided under this Disclosure Agreement solely relate to the execution of instructions received from the Issuer through use of the DAC system and do not constitute "advice" within the meaning of the Dodd-Frank Wall Street Reform and Consumer Protection Act (the "Act"). DAC will not provide any advice or recommendation to the Issuer or anyone on the Issuer's behalf regarding the "issuance of municipal securities" or any "municipal financial product" as defined in the Act and nothing in this Disclosure Agreement shall be interpreted to the contrary. DAC is not a "Municipal Advisor" as such term is defined in Section 15B of the Securities Exchange Act of 1934, as amended, and related rules.

SECTION 1. Definitions. Capitalized terms not otherwise defined in this Disclosure Agreement shall have the meaning assigned in the Rule or, to the extent not in conflict with the Rule, in the Official Statement (defined below). The capitalized terms shall have the following meanings:

"Annual Filing Date" means the date, set in Sections 2(a) and 2(f), by which the Annual Report is to be filed with the MSRB.

"Annual Financial Information" means annual financial information as such term is used in paragraph (b)(5)(i) of the Rule and specified in Section 3(a) of this Disclosure Agreement.

"Annual Report" means an Annual Report described in and consistent with Section 3 of this Disclosure Agreement.

"Audited Financial Statements" means the annual financial statements (if any) of the Issuer for the prior fiscal year, certified by an independent auditor as prepared in accordance with generally accepted accounting principles or otherwise, as such term is used in paragraph (b)(5)(i) of the Rule and specified in Section 3(b) of this Disclosure Agreement.

"Bonds" means the bonds as listed on the attached Exhibit A, with the 9-digit CUSIP numbers relating thereto.

"Certification" means a written certification of compliance signed by the Disclosure Representative stating that the Annual Report, Audited Financial Statements, Notice Event notice, Failure to File Event notice, Voluntary Event Disclosure or Voluntary Financial

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Disclosure delivered to the Disclosure Dissemination Agent is the Annual Report, Audited Financial Statements, Notice Event notice, Failure to File Event notice, Voluntary Event Disclosure or Voluntary Financial Disclosure required to be submitted to the MSRB under this Disclosure Agreement. A Certification shall accompany each such document submitted to the Disclosure Dissemination Agent by the Issuer and include the full name of the Bonds and the 9-digit CUSIP numbers for all Bonds to which the document applies.

"Disclosure Representative" means the Assistant City Manager for Finance and Economic Services or designee, or such other person as the Issuer shall designate in writing to the Disclosure Dissemination Agent from time to time as the person responsible for providing Information to the Disclosure Dissemination Agent.

"Disclosure Dissemination Agent" means Digital Assurance Certification, L.L.C, acting in its capacity as Disclosure Dissemination Agent hereunder, or any successor Disclosure Dissemination Agent designated in writing by the Issuer pursuant to Section 9 hereof.

"Failure to File Event" means the Issuer's failure to file an Annual Report on or before the Annual Filing Date.

"Financial Obligation" as used in this Disclosure Agreement is defined in the Rule, as may be amended, as (i) a debt obligation; (ii) derivative instrument entered into in connection with, or pledged as a security or a source of payment for, an existing or planned debt obligation; or (iii) guarantee of (i) or (ii). The term "Financial Obligation" shall not include municipal securities as to which a final official statement has been provided to the MSRB consistent with the Rule.

"Force Majeure Event" means: (i) acts of God, war, or terrorist action; (ii) failure or shut-down of the Electronic Municipal Market Access system maintained by the MSRB; or (iii) to the extent beyond the Disclosure Dissemination Agent's reasonable control, interruptions in telecommunications or utilities services, failure, malfunction or error of any telecommunications, computer or other electrical, mechanical or technological application, service or system, computer virus, interruptions in Internet service or telephone service (including due to a virus, electrical delivery problem or similar occurrence) that affect Internet users generally, or in the local area in which the Disclosure Dissemination Agent or the MSRB is located, or acts of any government, regulatory or any other competent authority the effect of which is to prohibit the Disclosure Dissemination Agent from performance of its obligations under this Disclosure Agreement.

"Holder" means any person (a) having the power, directly or indirectly, to vote or consent with respect to, or to dispose of ownership of, any Bonds (including persons holding Bonds through nominees, depositories or other intermediaries) or (b) treated as the owner of any Bonds for federal income tax purposes.

"Information" means, collectively, the Annual Reports, the Audited Financial Statements (if any), the Notice Event notices, the Failure to File Event notices, the Voluntary Event Disclosures and the Voluntary Financial Disclosures.

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"MSRB" means the Municipal Securities Rulemaking Board, or any successor thereto, established pursuant to Section 15B(b)(1) of the Securities Exchange Act of 1934, as amended.

"Notice Event" means an event listed in Sections 4(a) of this Disclosure Agreement.

"Official Statement" means that Official Statement prepared by the Issuer in connection with its $_____ General Obligation Bonds, Series _____ as listed on Appendix A.

"Voluntary Event Disclosure" means information of the category specified in any of subsections (e)(vi)(1) through (e)(vi)(11) of Section 2 of this Disclosure Agreement that is accompanied by a Certification of the Disclosure Representative containing the information prescribed by Section 7(a) of this Disclosure Agreement.

"Voluntary Financial Disclosure" means information of the category specified in any of subsections (e)(vii)(1) through (e)(vii)(9) of Section 2 of this Disclosure Agreement that is accompanied by a Certification of the Disclosure Representative containing the information prescribed by Section 7(b) of this Disclosure Agreement.

SECTION 2. Provision of Annual Reports.

(a) The Issuer shall provide, annually, an electronic copy of the Annual Report and Certification to the Disclosure Dissemination Agent, together with a copy for the Trustee, not later than 30 days prior to the Annual Filing Date. Promptly on receipt of an electronic copy of the Annual Report and the Certification, the Disclosure Dissemination Agent shall provide an Annual Report to the MSRB not later than February 1 following the end of each fiscal year of the Issuer, commencing with the fiscal year ending June 30, 2023. Such date and each anniversary thereof is the Annual Filing Date. The Annual Report may be submitted as a single document or as separate documents comprising a package, and may cross-reference other information as provided in Section 3 of this Disclosure Agreement.

(b) If on the fifteenth (15th) day prior to the Annual Filing Date, the Disclosure Dissemination Agent has not received a copy of the Annual Report and Certification, the Disclosure Dissemination Agent shall contact the Disclosure Representative by telephone and in writing (which may be by e-mail) to remind the Issuer of its undertaking to provide the Annual Report pursuant to Section 2(a). On such reminder, the Disclosure Representative shall either (i) provide the Disclosure Dissemination Agent with an electronic copy of the Annual Report and the Certification) no later than two (2) business days prior to the Annual Filing Date, or (ii) instruct the Disclosure Dissemination Agent in writing that the Issuer will not be able to file the Annual Report within the time required under this Disclosure Agreement, state the date by which the Annual Report for such year will be provided and instruct the Disclosure Dissemination Agent that a Notice Event as described in Section 4(a)(12) has occurred and to immediately send a notice to the MSRB in substantially the form attached as Exhibit B, accompanied by a cover sheet completed by the Disclosure Dissemination Agent in the form set forth in Exhibit C-1.

(c) If the Disclosure Dissemination Agent has not received an Annual Report and Certification by 6:00 p.m. Eastern time on Annual Filing Date (or, if such Annual Filing Date falls on a Saturday, Sunday or holiday, then the first business day thereafter) for the Annual Report, a Failure to File Event shall have occurred and the Issuer irrevocably directs the

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Disclosure Dissemination Agent to immediately send a Failure to File Event notice to the MSRB in substantially the form attached as Exhibit B without reference to the anticipated filing date for the Annual Report, which may be accompanied by a cover sheet completed by the Disclosure Dissemination Agent in the form set forth in Exhibit C-1.

(d) If Audited Financial Statements of the Issuer are prepared but not available prior to the Annual Filing Date, the Issuer shall provide in a timely manner an electronic copy of the Issuer's unaudited financial statements to the Disclosure Dissemination Agent and shall, within a reasonable time of when the Audited Financial Statements are available, provide in a timely manner an electronic copy to the Disclosure Dissemination Agent, accompanied by a Certification, for filing with the MSRB.

(e) The Disclosure Dissemination Agent shall:

(i) verify the filing specifications of the MSRB each year prior to the Annual Filing Date;

(ii) on receipt, promptly file each Annual Report received under Sections 2(a) and 2(b) with the MSRB;

(iii) on receipt, promptly file each Audited Financial Statement received under Section 2(d) with the MSRB;

(iv) on receipt, promptly file the text of each Notice Event received under Sections 4(a) and 4(b)(ii) with the MSRB, identifying the Notice Event as instructed by the Issuer pursuant to Section 4(a) or 4(b)(ii) (being any of the categories set forth below) when filing pursuant to Section 4(c) of this Disclosure Agreement:

1. Principal and interest payment delinquencies;
2. Non-Payment related defaults, if material;
3. Unscheduled draws on debt service reserves reflecting financial difficulties;
4. Unscheduled draws on credit enhancements reflecting financial difficulties;
5. Substitution of credit or liquidity providers, or their failure to perform;
6. Adverse tax opinions, IRS notices or events affecting the tax status of the security;
7. Modifications to rights of securities holders, if material;
8. Bond calls, if material, and tender offers;
9. Defeasances;
10. Release, substitution, or sale of property securing repayment of the securities, if material;
11. Rating changes;
12. Bankruptcy, insolvency, receivership or similar event of the Obligated Person;

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13. Merger, consolidation, or acquisition of the Obligated Person, if material;

14. Appointment of a successor or additional trustee, or the change of name of a trustee, if material;

15. Incurrence of a Financial Obligation of the Obligated Person, if material, or agreement to covenants, events of default, remedies, priority rights, or other similar terms of a Financial Obligation of the Obligated Person, any of which affect security holders, if material; and

16. Default, event of acceleration, termination event, modification of terms, or other similar events under the terms of a Financial Obligation of the Obligated Person, any of which reflect financial difficulties.

(v) on receipt (or irrevocable direction pursuant to Section 2(c) of this Disclosure Agreement, as applicable), promptly file a completed copy of Exhibit B to this Disclosure Agreement with the MSRB, identifying the filing as "Failure to provide annual financial information as required" when filing pursuant to Section 2(b)(ii) or Section 2(c) of this Disclosure Agreement;

(vi) on receipt, promptly file the text of each Voluntary Event Disclosure received under Section 7(a) with the MSRB, identifying the Voluntary Event Disclosure as instructed by the Issuer pursuant to Section 7(a) (being any of the categories set forth below) when filing pursuant to Section 7(a) of this Disclosure Agreement:

1. amendment to continuing disclosure undertaking;

2. change in the Obligated Person;

3. notice to investors pursuant to bond documents;

4. certain communications from the Internal Revenue Service;

5. secondary market purchases;

6. bid for auction rate or other securities;

7. capital or other financing plan;

8. litigation/enforcement action;

9. change of tender agent, remarketing agent, or other on-going party;

10. derivative or other similar transaction; and

11. other event-based disclosures;

(vii) on receipt, promptly file the text of each Voluntary Financial Disclosure received under Section 7(b) with the MSRB, identifying the Voluntary Financial Disclosure as instructed by the Issuer pursuant to Section 7(b) (being any of the categories set forth below) when filing pursuant to Section 7(b) of this Disclosure Agreement:

1. quarterly/monthly financial information;

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2. change in fiscal year/timing of annual disclosure;

3. change in accounting standard;

4. interim/additional financial information/operating data;

5. budget;

6. investment/debt/financial policy;

7. information provided to rating agency, credit/liquidity provider or other third party;

8. consultant reports; and

9. other financial/operating data.

(viii) provide the Issuer evidence of the filings of each of the above when made, which shall be by means of the DAC system, for so long as DAC is the Disclosure Dissemination Agent under this Disclosure Agreement.

(f) The Issuer may adjust the Annual Filing Date on change of its fiscal year by providing written notice of such change and the new Annual Filing Date to the Disclosure Dissemination Agent and the MSRB, provided that the period between the existing Annual Filing Date and new Annual Filing Date shall not exceed one year.

SECTION 3. Content of Annual Reports.

Each Annual Report shall contain the following Annual Financial Information with respect to the Issuer, as of and for the fiscal year then completed, as provided in the Official Statement as follows; provided, however, that in the event the following information is collected and prepared by a party other than the Issuer, the Issuer shall be excused from compliance for failure to timely provide such information in the event such information is not available to the Issuer:

(a) The financial statements of the Issuer for the preceding fiscal year prepared in accordance with generally accepted accounting principles as promulgated to apply to governmental entities from time to time by the GASB (or if not in conformity, to be accompanied by a qualitative discussion of the differences in the accounting principles and the impact of the change in the accounting principles on the presentation of the financial information). If the Issuer's audited financial statements are not available by the time the Annual Report is required to be filed pursuant to Section 3(a), the Annual Report shall contain unaudited financial statements in a format similar to the financial statements contained in the final Official Statement, and the audited financial statements shall be filed in the same manner as the Annual Report when they become available.

(b) The financial and operating data contained in the following tables in the Official Statements:

(1) Financial information relating to the City's General Fund revenues and expenditures for the previous fiscal year, prepared substantially in the form of and updating the table of the Official Statement under the heading, "FINANCIAL INFORMATION—General Fund – Five-Year Summary."

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(2) Information concerning the City's budget for the fiscal year in which the Annual Report is issued, prepared substantially in the form of the summary shown in the Official Statement under the heading, "FINANCIAL INFORMATION—General Fund Budget."

(3) Information concerning the assessed value of taxable real and personal property in the City for the previous fiscal year and, if available from the office of the Auditor of Richland County and Lexington County, an estimate for the fiscal year in which the Annual Report is issued, prepared substantially in the form of and updating the tables shown in the Official Statement under the heading, "TAX INFORMATION—Assessed Value of Taxable Property."

(4) (A) Information concerning the *ad valorem* property taxes collected for the City for the previous fiscal year prepared substantially in the form of and updating the table shown in the Official Statement under the heading, "TAX INFORMATION—Tax Collections"; and (B) information concerning the ten largest taxpayers in the City and the amounts of City taxes paid during the previous fiscal year, prepared substantially in the form of the table shown in the Official Statement under the heading, "TAX INFORMATION — Ten Largest Taxpayers."

(5) Information showing the legal debt limit of the City as of June 30 of the previous fiscal year, substantially in the form shown in the Official Statement under the heading, "DEBT STRUCTURE — Legal Debt Limit of the City," and (ii) information showing the outstanding indebtedness of the City, including long-term lease obligations and other long-term liabilities, as of June 30 of the previous fiscal year, substantially in the form of and updating the table and information in the Official Statement under the heading, "DEBT STRUCTURE–Outstanding Indebtedness – Description of General Obligation Indebtedness by Issue – Capital Lease Obligations – Other City Debt," and the composite debt service table in the Official Statement under the heading, "DEBT STRUCTURE – Composite Debt Service."

Any or all of the items listed above may be included by specific reference to other documents, including official statements of debt issues of the Issuer, which have been submitted to the MSRB. If the document included by reference is a final official statement, it must be available from the MSRB. The Issuer shall clearly identify each such other document so included by reference.

SECTION 4. Reporting of Notice Events.

(a) The occurrence of any of the following events with respect to the Bonds constitutes a Notice Event:

1. Principal and interest payment delinquencies;

2. Non-payment related defaults, if material;

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3. Unscheduled draws on debt service reserves reflecting financial difficulties;

4. Unscheduled draws on credit enhancements reflecting financial difficulties;

5. Substitution of credit or liquidity providers, or their failure to perform;

6. Adverse tax opinions, the issuance by the Internal Revenue Service of proposed or final determinations of taxability, Notices of Proposed Issue (IRS Form 5701-TEB) or other material notices or determinations with respect to the tax status of the Bonds, or other material events affecting the tax status of the Bonds;

7. Modifications to rights of Bond holders, if material;

8. Bond calls, if material, and tender offers;

9. Defeasances;

10. Release, substitution, or sale of property securing repayment of the Bonds, if material;

11. Rating changes;

12. Bankruptcy, insolvency, receivership or similar event of the Obligated Person;

13. The consummation of a merger, consolidation, or acquisition involving an Obligated Person or the sale of all or substantially all of the assets of the Obligated Person, other than in the ordinary course of business, the entry into a definitive agreement to undertake such an action or the termination of a definitive agreement relating to any such actions, other than pursuant to its terms, if material;

14. Appointment of a successor or additional trustee or the change of name of a trustee, if material;

15. Incurrence of a Financial Obligation of the Obligated Person, if material, or agreement to covenants, events of default, remedies, priority rights, or other similar terms of a Financial Obligation of the Obligated Person, any of which affect security holders, if material; and

16. Default, event of acceleration, termination event, modification of terms, or other similar events under the terms of a Financial Obligation of the Obligated Person, any of which reflect financial difficulties.

The Issuer shall, in a timely manner not in excess of ten (10) business days after its occurrence, notify the Disclosure Dissemination Agent in writing of the occurrence of a Notice Event. Such notice shall instruct the Disclosure Dissemination Agent to report the occurrence pursuant to subsection (c) and shall be accompanied by a Certification. Such notice or Certification shall identify the Notice Event that has occurred (which shall be any of the categories set forth in Section 2(e)(iv) of this Disclosure Agreement), include the text of the disclosure that the Issuer desires to make, contain the written authorization of the Issuer for the Disclosure Dissemination Agent to disseminate such information, and identify the date the Issuer

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desires for the Disclosure Dissemination Agent to disseminate the information (provided that such date is not later than the tenth business day after the occurrence of the Notice Event).

(b) The Disclosure Dissemination Agent is under no obligation to notify the Issuer or the Disclosure Representative of an event that may constitute a Notice Event. In the event the Disclosure Dissemination Agent so notifies the Disclosure Representative, the Disclosure Representative will within two business days of receipt of such notice (but in any event not later than the tenth business day after the occurrence of the Notice Event, if the Issuer determines that a Notice Event has occurred), instruct the Disclosure Dissemination Agent that (i) a Notice Event has not occurred and no filing is to be made or (ii) a Notice Event has occurred and the Disclosure Dissemination Agent is to report the occurrence pursuant to subsection (c) of this Section 4, together with a Certification. Such Certification shall identify the Notice Event that has occurred (which shall be any of the categories set forth in Section 2(e)(iv) of this Disclosure Agreement), include the text of the disclosure that the Issuer desires to make, contain the written authorization of the Issuer for the Disclosure Dissemination Agent to disseminate such information, and identify the date the Issuer desires for the Disclosure Dissemination Agent to disseminate the information (provided that such date is not later than the tenth business day after the occurrence of the Notice Event).

(c) If the Disclosure Dissemination Agent has been instructed by the Issuer as prescribed in subsection (a) or (b)(ii) of this Section 4 to report the occurrence of a Notice Event, the Disclosure Dissemination Agent shall promptly file a notice of such occurrence with MSRB in accordance with Section 2 (e)(iv) hereof. This notice will be filed with a cover sheet completed by the Disclosure Dissemination Agent in the form set forth in Exhibit C-1.

SECTION 5. CUSIP Numbers. Whenever providing information to the Disclosure Dissemination Agent, including but not limited to Annual Reports, documents incorporated by reference to the Annual Reports, Audited Financial Statements, Notice Event notices, Failure to File Event notices, Voluntary Event Disclosures and Voluntary Financial Disclosures, the Issuer shall indicate the full name of the Bonds and the 9-digit CUSIP numbers for the Bonds as to which the provided information relates.

SECTION 6. Additional Disclosure Obligations. The Issuer acknowledges and understands that other state and federal laws, including but not limited to the Securities Act of 1933 and Rule 10b-5 promulgated under the Securities Exchange Act of 1934, may apply to the Issuer, and that the failure of the Disclosure Dissemination Agent to so advise the Issuer shall not constitute a breach by the Disclosure Dissemination Agent of any of its duties and responsibilities under this Disclosure Agreement. The Issuer acknowledges and understands that the duties of the Disclosure Dissemination Agent relate exclusively to execution of the mechanical tasks of disseminating information as described in this Disclosure Agreement.

SECTION 7. Voluntary Reports.

(a) The Issuer may instruct the Disclosure Dissemination Agent to file a Voluntary Event Disclosure with the MSRB from time to time pursuant to a Certification of the Disclosure Representative. Such Certification shall identify the Voluntary Event Disclosure (which shall be any of the categories set forth in Section 2(e)(vi) of this Disclosure Agreement), include the text of the disclosure that the Issuer desires to make, contain the written authorization of the Issuer

LEGAL DEPARTMENT DRAFT

for the Disclosure Dissemination Agent to disseminate such information, and identify the date the Issuer desires for the Disclosure Dissemination Agent to disseminate the information. If the Disclosure Dissemination Agent has been instructed by the Issuer as prescribed in this Section 7(a) to file a Voluntary Event Disclosure, the Disclosure Dissemination Agent shall promptly file such Voluntary Event Disclosure with the MSRB in accordance with Section 2(e)(vi) hereof. This notice will be filed with a cover sheet completed by the Disclosure Dissemination Agent in the form set forth in Exhibit C-2.

(b) The Issuer may instruct the Disclosure Dissemination Agent to file a Voluntary Financial Disclosure with the MSRB from time to time pursuant to a Certification of the Disclosure Representative. Such Certification shall identify the Voluntary Financial Disclosure (which shall be any of the categories set forth in Section 2(e)(vii) of this Disclosure Agreement), include the text of the disclosure that the Issuer desires to make, contain the written authorization of the Issuer for the Disclosure Dissemination Agent to disseminate such information, and identify the date the Issuer desires for the Disclosure Dissemination Agent to disseminate the information. If the Disclosure Dissemination Agent has been instructed by the Issuer as prescribed in this Section 7(b) to file a Voluntary Financial Disclosure, the Disclosure Dissemination Agent shall promptly file such Voluntary Financial Disclosure with the MSRB in accordance with Section 2(e)(vii) hereof. This notice will be filed with a cover sheet completed by the Disclosure Dissemination Agent in the form set forth in Exhibit C-3.

(c) The parties hereto acknowledge that the Issuer is not obligated pursuant to the terms of this Disclosure Agreement to file any Voluntary Event Disclosure pursuant to Section 7(a) hereof or any Voluntary Financial Disclosure pursuant to Section 7(b) hereof.

(d) Nothing in this Disclosure Agreement shall be deemed to prevent the Issuer from disseminating any other information through the Disclosure Dissemination Agent using the means of dissemination set forth in this Disclosure Agreement or including any other information in any Annual Report, Audited Financial Statements, Notice Event notice, Failure to File Event notice, Voluntary Event Disclosure or Voluntary Financial Disclosure, in addition to that required by this Disclosure Agreement. If the Issuer chooses to include any information in any Annual Report, Audited Financial Statements, Notice Event notice, Failure to File Event notice, Voluntary Event Disclosure or Voluntary Financial Disclosure in addition to that which is specifically required by this Disclosure Agreement, the Issuer shall have no obligation under this Disclosure Agreement to update such information or include it in any future Annual Report, Audited Financial Statements, Notice Event notice, Failure to File Event notice, Voluntary Event Disclosure or Voluntary Financial Disclosure.

SECTION 8. Termination of Reporting Obligation. The obligations of the Issuer and the Disclosure Dissemination Agent under this Disclosure Agreement shall terminate with respect to the Bonds on the legal defeasance, prior redemption or payment in full of all of the Bonds, when the Issuer is no longer an obligated person with respect to the Bonds, or on delivery by the Disclosure Representative to the Disclosure Dissemination Agent of an opinion of nationally recognized bond counsel to the effect that continuing disclosure is no longer required.

SECTION 9. Disclosure Dissemination Agent. The Issuer has appointed Digital Assurance Certification, L.L.C. as exclusive Disclosure Dissemination Agent under this

LEGAL DEPARTMENT DRAFT

Disclosure Agreement. The Issuer may, on thirty days written notice to the Disclosure Dissemination Agent and the Trustee, replace or appoint a successor Disclosure Dissemination Agent. On termination of DAC's services as Disclosure Dissemination Agent, whether by notice of the Issuer or DAC, the Issuer agrees to appoint a successor Disclosure Dissemination Agent or, alternately, agrees to assume all responsibilities of Disclosure Dissemination Agent under this Disclosure Agreement for the benefit of the Holders of the Bonds. Notwithstanding any replacement or appointment of a successor, the Issuer shall remain liable until payment in full for any and all sums owed and payable to the Disclosure Dissemination Agent. The Disclosure Dissemination Agent may resign at any time by providing thirty days' prior written notice to the Issuer.

SECTION 10. Remedies in Event of Default. In the event of a failure of the Issuer or the Disclosure Dissemination Agent to comply with any provision of this Disclosure Agreement, the Holders' rights to enforce the provisions of this Agreement shall be limited solely to a right, by action in mandamus or for specific performance, to compel performance of the parties' obligation under this Disclosure Agreement. Any failure by a party to perform in accordance with this Disclosure Agreement shall not constitute a default on the Bonds or under any other document relating to the Bonds, and all rights and remedies shall be limited to those expressly stated in this Disclosure Agreement.

SECTION 11. Duties, Immunities and Liabilities of Disclosure Dissemination Agent.

(a) The Disclosure Dissemination Agent shall have only such duties as are specifically set forth in this Disclosure Agreement. The Disclosure Dissemination Agent's obligation to deliver the information at the times and with the contents described herein shall be limited to the extent the Issuer has provided such information to the Disclosure Dissemination Agent as required by this Disclosure Agreement. The Disclosure Dissemination Agent shall have no duty with respect to the content of any disclosures or notice made pursuant to the terms hereof. The Disclosure Dissemination Agent shall have no duty or obligation to review or verify any Information or any other information, disclosures or notices provided to it by the Issuer and shall not be deemed to be acting in any fiduciary capacity for the Issuer, the Holders of the Bonds or any other party. The Disclosure Dissemination Agent shall have no responsibility for the Issuer's failure to report to the Disclosure Dissemination Agent a Notice Event or a duty to determine the materiality thereof. The Disclosure Dissemination Agent shall have no duty to determine, or liability for failing to determine, whether the Issuer has complied with this Disclosure Agreement. The Disclosure Dissemination Agent may conclusively rely on Certifications of the Issuer at all times.

The obligations of the Issuer under this Section shall survive resignation or removal of the Disclosure Dissemination Agent and defeasance, redemption or payment of the Bonds.

(b) The Disclosure Dissemination Agent may, from time to time, consult with legal counsel (either in-house or external) of its own choosing in the event of any disagreement or controversy, or question or doubt as to the construction of any of the provisions hereof or its respective duties hereunder, and shall not incur any liability and shall be fully protected in acting in good faith on the advice of such legal counsel. The reasonable fees and expenses of such counsel shall be payable by the Issuer.

LEGAL DEPARTMENT DRAFT

(c) All documents, reports, notices, statements, information and other materials provided to the MSRB under this Agreement shall be provided in an electronic format and accompanied by identifying information as prescribed by the MSRB.

SECTION 12. Amendment; Waiver. Notwithstanding any other provision of this Disclosure Agreement, the Issuer and the Disclosure Dissemination Agent may amend this Disclosure Agreement and any provision of this Disclosure Agreement may be waived, if such amendment or waiver is supported by an opinion of counsel expert in federal securities laws acceptable to both the Issuer and the Disclosure Dissemination Agent to the effect that such amendment or waiver does not materially impair the interests of Holders of the Bonds and would not, in and of itself, cause the undertakings herein to violate the Rule if such amendment or waiver had been effective on the date hereof but taking into account any subsequent change in or official interpretation of the Rule; provided neither the Issuer or the Disclosure Dissemination Agent shall be obligated to agree to any amendment modifying their respective duties or obligations without their consent thereto.

Notwithstanding the preceding paragraph, the Disclosure Dissemination Agent shall have the right to adopt amendments to this Disclosure Agreement necessary to comply with modifications to and interpretations of the provisions of the Rule as announced by the Securities and Exchange Commission from time to time by giving not less than 20 days written notice of the intent to do so together with a copy of the proposed amendment to the Issuer. No such amendment shall become effective if the Issuer shall, within 10 days following the giving of such notice, send a notice to the Disclosure Dissemination Agent in writing that it objects to such amendment.

SECTION 13. Beneficiaries. This Disclosure Agreement shall inure solely to the benefit of the Issuer, the Disclosure Dissemination Agent, the underwriter, and the Holders from time to time of the Bonds, and shall create no rights in any other person or entity.

SECTION 14. Governing Law. This Disclosure Agreement shall be governed by the laws of the State of South Carolina (other than with respect to conflicts of laws).

SECTION 15. Counterparts. This Disclosure Agreement may be executed in several counterparts, each of which shall be an original and all of which shall constitute but one and the same instrument.

[Signature page follows]

LEGAL DEPARTMENT DRAFT

The Disclosure Dissemination Agent and the Issuer have caused this Disclosure Dissemination Agreement to be executed, on the date first written above, by their respective officers duly authorized.

DIGITAL ASSURANCE CERTIFICATION, L.L.C.,
as Disclosure Dissemination Agent

By:_____
Name:_____
Title:_____

City of Columbia, South Carolina, as Issuer

By:_____
Name: _____
Title: _____

LEGAL DEPARTMENT DRAFT

EXHIBIT A
NAME AND CUSIP NUMBERS OF BONDS

Name of Issuer	City of Columbia, South Carolina
Obligated Person(s)	City of Columbia, South Carolina
Name of Bond Issue:	$_____ General Obligation Bonds, Series _____
Date of Issuance:	_____, ____
Date of Official Statement	_____, ____

CUSIP Numbers: _____

LEGAL DEPARTMENT DRAFT

EXHIBIT B
NOTICE TO REPOSITORIES OF FAILURE TO FILE ANNUAL REPORT

Name of Issuer	City of Columbia, South Carolina
Obligated Person(s)	City of Columbia, South Carolina
Name of Bond Issue:	$_____ General Obligation Bonds, Series _____
Date of Issuance:	_____, ____
Date of Official Statement	_____, ____

NOTICE IS HEREBY GIVEN that the Issuer has not provided an Annual Report with respect to the above-named Bonds as required by the Disclosure Agreement, dated as of _____, between the Issuer and Digital Assurance Certification, L.L.C., as Disclosure Dissemination Agent. The Issuer has notified the Disclosure Dissemination Agent that it anticipates that the Annual Report will be filed by: _____.

Dated: _____

DIGITAL ASSURANCE CERTIFICATION, L.L.C.,
as Disclosure Dissemination Agent,
on behalf of the Issuer

By:_____
Name:_____
Title:_____

cc: Issuer
Obligated Person

LEGAL DEPARTMENT DRAFT

1390117v7
49762793 v7

EXHIBIT C-1
EVENT NOTICE COVER SHEET

This cover sheet and material event notice should be sent to the Municipal Securities Rulemaking Board pursuant to Securities and Exchange Commission Rule 15c2-12(b)(5)(i)(C) and (D).

Issuer's and/or Other Obligated Person's Name: City of Columbia, South Carolina

Issuer's Six-Digit CUSIP Number: _____

or Nine-Digit CUSIP Number(s) of the bonds to which this material event notice relates: _____

Number of pages of attached material event notice: _____

____ Description of Notice Events (Check One):

1. ___ Principal and interest payment delinquencies;
2. ___ Non-Payment related defaults, if material;
3. ___ Unscheduled draws on debt service reserves reflecting financial difficulties;
4. ___ Unscheduled draws on credit enhancements reflecting financial difficulties;
5. ___ Substitution of credit or liquidity providers, or their failure to perform;
6. ___ Adverse tax opinions, IRS notices or events affecting the tax status of the security;
7. ___ Modifications to rights of securities holders, if material;
8. ___ Bond calls, if material;
9. ___ Tender offers
10. ___ Defeasances;
11. ___ Release, substitution, or sale of property securing repayment of the securities, if material;
12. ___ Rating changes;
13. ___ Bankruptcy, insolvency, receivership or similar event of the Obligated Person;
14. ___ Merger, consolidation, or acquisition of the Obligated Person, if material;
15. ___ Appointment of a successor or additional trustee, or the change of name of a trustee, if material;
16. ___ Incurrence of a Financial Obligation of the Obligated Person, if material, or agreement to covenants, events of default, remedies, priority rights, or other similar terms of a Financial Obligation of the Obligated Person, any of which affect security holders, if material; and
17. ___ Default, event of acceleration, termination event, modification of terms, or other similar events under the terms of a Financial Obligation of the Obligated Person, any of which reflect financial difficulties.

I hereby represent that I am authorized by the issuer or its agent to distribute this information publicly:

Signature: _____

Name: _____ Title: _____

Employer: Digital Assurance Certification, L.L.C.
315 E. Robinson Street, Suite 300
Orlando, Florida 32801
407-515-1100

Date: _____

LEGAL DEPARTMENT DRAFT

EXHIBIT C-2
VOLUNTARY EVENT DISCLOSURE COVER SHEET

This cover sheet and notice should be sent to the Municipal Securities Rulemaking Board pursuant to Securities and Exchange Commission Rule 15c2-12(b)(5)(i)(C) and (D).

Issuer's and/or Other Obligated Person's Name: City of Columbia, South Carolina

Issuer's Six-Digit CUSIP Number: _____

or Nine-Digit CUSIP Number(s) of the bonds to which this notice relates: _____

Number of pages of attached notice: _____

____ Description of Voluntary Event Disclosure (Check One):

1. ___ amendment to continuing disclosure undertaking;
2. ___ change in Obligated Person;
3. ___ notice to investors pursuant to bond documents;
4. ___ certain communications from the Internal Revenue Service;
5. ___ secondary market purchases;
6. ___ bid for auction rate or other securities;
7. ___ capital or other financing plan;
8. ___ litigation/enforcement action;
9. ___ change of tender agent, remarketing agent, or other on-going party; and
10. ___ other event-based disclosures.

I hereby represent that I am authorized by the issuer or its agent to distribute this information publicly:

Signature: _____

Name: _____ Title: _____

Employer: Digital Assurance Certification, L.L.C.
315 E. Robinson Street, Suite 300
Orlando, Florida 32801
407-515-1100

Date: _____

LEGAL DEPARTMENT DRAFT

EXHIBIT C-3
VOLUNTARY FINANCIAL DISCLOSURE COVER SHEET

This cover sheet and notice should be sent to the Municipal Securities Rulemaking Board pursuant to Securities and Exchange Commission Rule 15c2-12(b)(5)(i)(C) and (D).

Issuer's and/or Other Obligated Person's Name: City of Columbia, South Carolina

Issuer's Six-Digit CUSIP Number: _____

or Nine-Digit CUSIP Number(s) of the bonds to which this notice relates: _____

Number of pages of attached notice: _____

____ Description of Voluntary Financial Disclosure (Check One):

1. ___ quarterly/monthly financial information;
2. ___ change in fiscal year/timing of annual disclosure;
3. ___ change in accounting standard;
4. ___ interim/additional financial information/operating data;
5. ___ budget;
6. ___ investment/debt/financial policy;
7. ___ information provided to rating agency, credit/liquidity provider or other third party;
8. ___ consultant reports; and
9. ___ other financial/operating data.

I hereby represent that I am authorized by the issuer or its agent to distribute this information publicly:

Signature: _____

Name: _____ Title: _____

Employer: Digital Assurance Certification, L.L.C.
315 E. Robinson Street, Suite 300
Orlando, Florida 32801
407-515-1100

Date: _____

LEGAL DEPARTMENT DRAFT

We Are Columbia

MEETING DATE: **February 21, 2023**

DEPARTMENT: **Legal Department**

FROM: ***Teresa Knox, City Attorney***

SUBJECT: **Ordinance No.: 2023-027 - Granting an encroachment to Naromi, LP, for the use of the right of way areas of the 100 block of Earth Road and the 300 block of Spears Creek Church Road for the installation and maintenance of four curb cuts and sidewalks adjacent to 185 Earth Road, Richland County TMS#25700-04-02**

FUNDING SOURCE & ORIGINAL BUDGET:

FOCUS AREAS: **Planning Together**

ATTACHMENTS:

- **#a:** 2023-027 - Earth Rd Encroachment (PDF)
- #b: Earth Rd Encroachment Case packet (PDF)

LEGAL DEPARTMENT DRAFT

ORDINANCE NO.: 2023-027

Granting an encroachment to Naromi, LP, for the use of the right of way areas of the 100 block of Earth Road and the 300 block of Spears Creek Church Road for the installation and maintenance of four curb cuts and sidewalks adjacent to 185 Earth Road, Richland County TMS#25700-04-02

WHEREAS, Naromi, LP, (hereinafter "Grantee") desires to utilize a portion of the right of way areas of the 100 block of Earth Road and the 300 block of Spears Creek Church Road for the installation and maintenance of four (4) curb cuts and sidewalks measuring approximately six (6') feet in width one thousand seven hundred (1,700') feet in length adjacent to 185 Earth Road, as shown on the attached drawings; and,

WHEREAS, it appears that the encroachment will not interfere with the use of the medians or street for traffic, utility locations or other uses within the foreseeable future; NOW, THEREFORE,

BE IT ORDAINED by the Mayor and City Council of the City of Columbia, South Carolina, this ____ day of _____, 2023, that Grantee is hereby granted the right to use the right of way areas of the 100 block of Earth Road and the 300 block of Spears Creek Church Road adjacent to 185 Earth Road, Richland County TMS#25700-04-02, for the installation and maintenance of four (4) curb cuts and sidewalks measuring approximately six (6') in width one thousand seven hundred (1,700') in length as shown on the attached drawings.

PROVIDED FURTHER that all work shall comply with the requirements of The City of Columbia, South Carolina Department of Transportation (SCDOT) and Federal Emergency Management Agency (FEMA) now in existence or hereafter enacted. The materials and type of finish to be used are to be approved by the City Engineer prior to installation. Any damage to the street or sidewalk caused by Grantee's construction shall be repaired to the satisfaction of the City Manager. Improvements within the encroachment shall be maintained by the grantee at no cost to the City in a manner approved by the City Manager; and,

PROVIDED further that in the event the City has to make repairs or maintain utility lines located within the encroachment area the City will replace any items removed for the utility repair or maintenance with like items to those removed; and,

PROVIDED FURTHER that the privilege granted hereby may be modified or terminated by Columbia City Council at any time without notice to the Grantee, its successors and assigns; and,

PROVIDED FURTHER that a certificate of insurance be issued as evidence of general liability insurance with at least the minimum amount of $600,000.00 for personal injury and property damage and naming the City as an insured, be provided to and filed annually with the City Clerk by Grantee, his successors and assigns, as required by Chapter 11, Licenses, Permits, Business Regulations, Article III, Contractors, Sec. 11-71, 1998 Code of Ordinances of the City of Columbia, South Carolina.

PROVIDED FURTHER that the privilege granted hereby is subject to the Grantee complying with the following conditions, restrictions or limitations:

1. No item, including landscaping, shall be placed, planted or allowed to grow such that it creates a visual impediment to persons safely entering or exiting the driveway or to persons safely walking along the sidewalk. The City reserves the right to remove or cut any item located within the right of way which it deems to be a safety hazard.
2. Grantee is responsible for all maintenance and assuring that all accessibility and ADA requirements are met and maintained.
3. Grantee is responsible for maintaining landscaping and improvements.
4. Irrigation must be designed to avoid spraying walkways, sidewalks and streets and/or creating hazardous conditions upon the walkways, sidewalks and streets.
5. Obstructions of more than be four (4') feet in height are prohibited within the sight-visibility triangle.
6. Forestry and Beautification shall be provided access to trees within the right of way for maintenance purposes.
7. All trees shall be protected and no large tree roots shall be removed from any existing trees.

BE IT FURTHER ORDAINED that Grantee, in consideration of the above privilege, shall at its expense provide for protection and relocation of all utilities that might be within this area to the satisfaction of the City Manager.

Requested by:

Assistant City Manager Gentry

_____
Mayor

Approved by:

_____
City Manager

Approved as to form:

_____
Deputy City Attorney

ATTEST:

_____
City Clerk

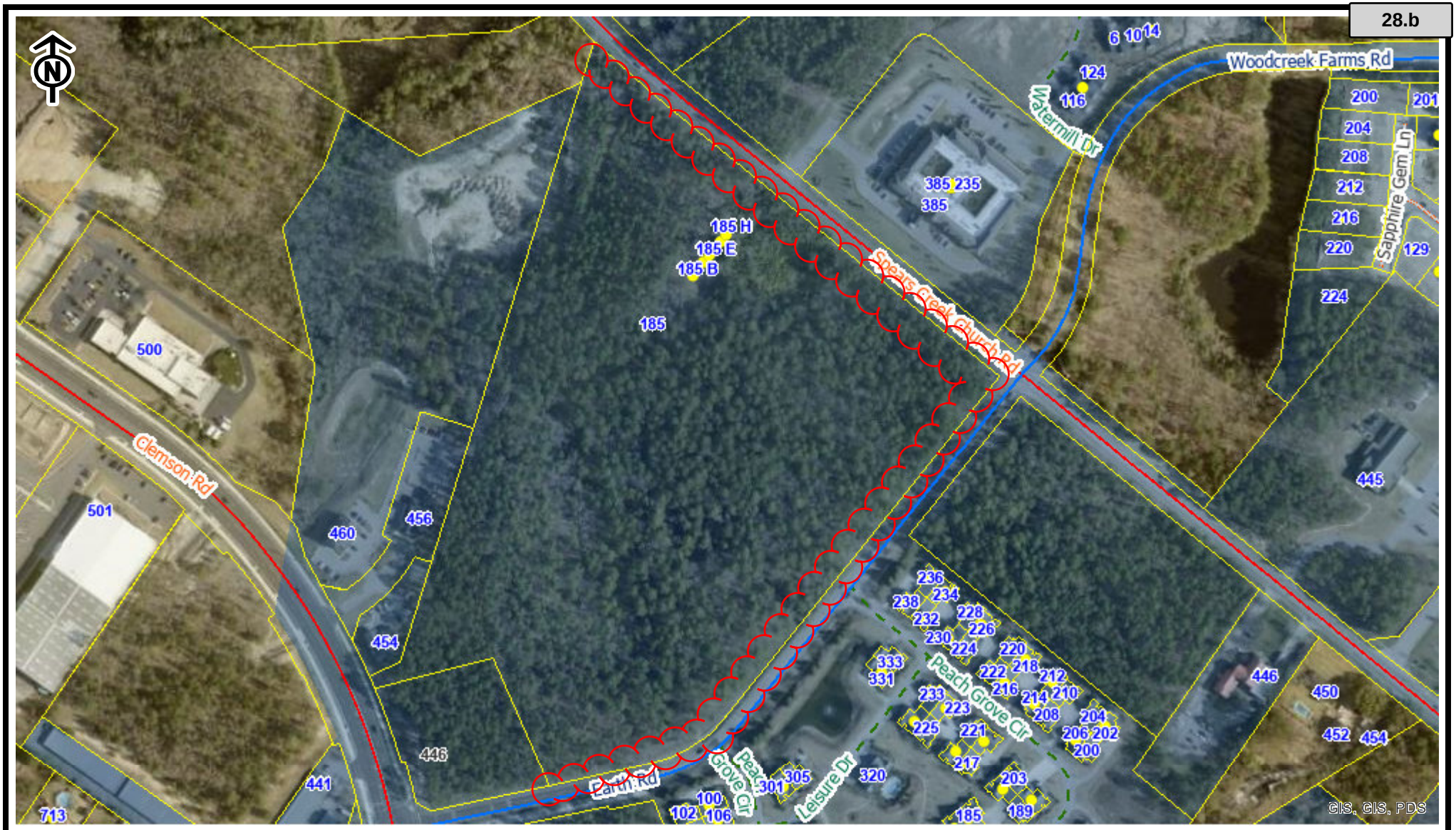
Introduced:
Final Reading:

CITY COUNCIL
ENCROACHMENT SUMMARY
2023-027

100 BLOCK OF EARTH ROAD AND 300 BLOCK OF SPEARS CREEK CHURCH ROAD
ADJACENT TO 185 EARTH ROAD
CURB CUTS AND SIDEWALKS

Subject Property:	Right-of-way adjacent to 185 Earth Road
Council District:	4
Proposal:	The applicant is requesting an encroachment for installation and maintenance of four curb cuts and sidewalks.
Applicant:	CHI-Columbia, LLC
Staff Recommendation:	Approval.

Detail:	The applicant is requesting an encroachment for installation and maintenance of four (4) curb cuts and sidewalks measuring approximately six (6') feet in width one thousand seven hundred (1,700') feet in length adjacent to 185 Earth Road, as shown on the attached drawings; and, Conditions of the proposed encroachment are as follows: 1. No item, including landscaping, shall be placed, planted or allowed to grow such that it creates a visual impediment to persons safely entering or exiting the driveway or to persons safely walking along the sidewalk. The City reserves the right to remove or cut any item located within the right of way which it deems to be a safety hazard. 2. Grantee is responsible for all maintenance and assuring that all accessibility and ADA requirements are met and maintained. 3. Grantee is responsible for maintaining landscaping and improvements. 4. Irrigation must be designed to avoid spraying walkways, sidewalks and streets and/or creating hazardous conditions upon the walkways, sidewalks and streets. 5. Obstructions of more than be four (4') feet in height are prohibited within the sight-visibility triangle. 6. Forestry and Beautification shall be provided access to trees within the right of way for maintenance purposes. 7. All trees shall be protected and no large tree roots shall be removed from any existing trees.



City of Columbia

City of Columbia

We Are Columbia

This map was prepared using the City GIS Viewer:

City of Columbia - GIS Division
Wednesday, November 16, 2022

Address Point
- Active
- Vacant
- Tax Parcel

Street & Ownership
- Interstate
- Highway
- City Maintained
- State Maintained
- Private
- Others
- Columbia City Limits

- Red: Band_1
- Green: Band_2
- Blue: Band_3

0 0.04 0.08 0.16 mi

CITY OF COLUMBIA
GIS DATA DISCLAIMER:
The City of Columbia GIS data represented on this map or plan is the product of the compilation of data produced by others. It is provided for informational purposes only and the City of Columbia makes no representation as to its accuracy. Its use without field verification is at the sole risk

Permanent Encroachment
Application and Checklist

Checklist for All Applications

A complete site plan application shall include the following information. Refer to the Procedures Manual for additional information about these requirements. Please initial to signify that the requested information has been provided.

		Applicant Initials	Staff Initials
A copy of this Application Checklist, completed by the applicant.		DW	
A completed and signed Application Form		DW	
Letters of Agency for all applications where the applicant is not the owner of the subject property		DW	
Pictures or specification sheet of the items to permanently encroach the Right-of-way		DW	
Existing Site Plan Please see page 4 below for required content.	1 copy: min. 18 x 24 inches or 1 digital copy (pdf format) – may be 8 ½ inches x 11 inches if legible	DW	
Proposed Site Plan Please see page 4 below for required content.	1 copy: min. 18 x 24 inches or 1 digital copy (pdf format) – may be 8 ½ inches x 11 inches if legible	DW	

Permanent Encroachment
Application and Checklist

4. Project Description

Provide a brief description of the project and list all items that will placed in the right-of-way (walls, fences, columns, steps, irrigation systems, landscaping, driveways, pavers, sidewalks/walkways, planters, awnings, etc.)

Construction of 46,791 sf Grocery with attached 12,000 sf Retail space. Construction of infrastructure (paving, drainage, water, sewer, etc.) to serve proposed development and 3 future outparcels. Grading for proposed construction including stormwater pond. Construction of 2 driveways, Sidewalk, Drainage inlets and pipes, and open cut to install water main in Earth Rd ROW

For staff use only

Date received (M/D/Y): ____/____/____ By: _____

Permanent Encroachment
Application and Checklist

5. Additional Submission Requirements

Existing Site Plan
This shall be a site plan of the existing conditions or a plat of survey, to scale and fully dimensioned.

Proposed Site Plan
The proposed site plan shall be prepared to scale and fully dimensioned, and include the following:

	Applicant	Staff
Total acreage	☒	☐
Location of lots and outlets (numbered and area in square feet)	☒	☐
Location of buildings (including setbacks from property lines and distances between buildings)	☒	☐
Location of parking and access/driveways	☒	☐
Location of rights-of-way and/or easements for streets, railroads, and utility	☒	☐
Lines upon and abutting subject property	☒	☐
Location of streets, alleys, railroads, and utility lines upon and abutting subject property	☒	☐
Section of sidewalk or right-of-way to be used for the encroachment	☒	☐
Proposed placement of permanent items and furnishings on the sidewalk	☒	☐
Proposed placement of permanent items and furnishings in the right-of-way	☒	☐
Location and height of all fences, walls, and exterior lighting in the right-of-way	☒	☐
North arrow	☒	☐
Scale	☒	☐
Vicinity map (at 1 inch equals 1,000 feet)	☒	☐

6. Acknowledgement
For a continuing encroachment on any type of property in which the City has an interest (i.e., rights of way, tree zone, sidewalk, streets), the person or entity is required to have an encroachment ordinance enacted by City Council permitting the encroachment. Encroachment ordinances are required for but not limited to: irrigation systems; landscaping; fencing; walls; pavers; walkways; outdoor dining items (chairs, tables, umbrellas, etc.); awnings; bollards and directional signs (i.e., churches) Business signs are NOT permitted via an encroachment.

Encroachments must comply with all existing City codes, rules and regulations, the Americans with Disabilities Act, if applicable, and are subject to review and approval by City staff. Enactment of the encroachment ordinance by a majority vote of City Council, which is a discretionary legislative act, is also required.

In order to obtain an encroachment ordinance from the City of Columbia, it will be necessary for the City of Columbia to be named as an additional insured on your insurance policy with limits being increased to $600,000 as required by Sec. 11-71. It is recommended that you contact your insurance provider to determine if it will name the City of Columbia as an additional insured prior to submitting your request for an encroachment ordinance. If you have any questions concerning these requirements, please contact Chip Timmons with Risk Management, (803) 733-8306 or catimmons@columbiasc.net.

All work shall comply with the requirements of the City of Columbia and South Carolina Department of Transportation now in existence or hereafter enacted. The materials and type of finish to be used are to be approved by the City Engineer prior to installation.

Permanent Encroachment
Application and Checklist

Any damage to the street or sidewalk caused by construction shall be repaired to the satisfaction of the City Manager. Improvements within the encroachment shall be maintained by the grantee at no cost to the City in a manner approved by the City Manager.

Property owned, operated and maintained by SCDOT shall comply with SCDOT encroachment requirements.

Permittee understands and agrees that the privilege granted may be modified or terminated by the City of Columbia at any time without notice and that the privilege granted hereby is subject to applicant's compliance with the following conditions, restrictions or limitations:

Permittee must comply with all existing City of Columbia and any other state or federal codes, rules and regulations, as applicable including the Americans with Disabilities Act, now in existence or hereafter enacted.

7. Signature

Signature of Applicant	
Print Name Dale Waldrop	Date 9/08/22

SITE LANDSCAPE NOTE:
ON-SITE: CONTRACTOR TO KEEP MATERIALS, EQUIPMENT, AND OTHER DEBRIS OUT OF LANDSCAPE AREAS. ANY DAMAGED LANDSCAPE, IRRIGATION, PAVEMENT, OR TURF AREA MUST BE REPAIRED BACK TO THE ORIGINAL CONDITION. SOD THAT MATCHES EXISTING GRASS SHOULD BE USED FOR REPAIRS.

LANDSCAPE NOTE (ALONG SPEARS CREEK CHURCH RD):
NEW LANDSCAPING OR IRRIGATION INSTALLED IN THE RIGHT OF WAY MUST BE MAINTAINED BY THE ADJACENT PROPERTY OWNER IN A MANNER TO NOT INTERFERE WITH VEHICULAR AND PEDESTRIAN TRAFFIC. SCDOT TO APPROVE ANY NEW LANDSCAPING INSTALLED ALONG SCDOT ROADWAYS.

SPEARS CREEK CHURCH ROAD
(S40-53) (66' PUBLIC R/W)

WOODCREEK FARMS ROAD

EARTH ROAD

PEACH GROVE CIRCLE

TEMPORARY ROW

NEW 75' R/W

NEW 65' R/W

NEW 33' R/W

NEW TRANS. R/W

NEW 40' R/W

NEW 50' R/W

PROPOSED ROAD WIDENING SHOWN FOR INFORMATION ONLY.

PROPOSED DRIVEWAY 2 LANE FULL ACCESS NO SIGNAL

PROPOSED DRIVEWAY 3 LANE FULL ACCESS NO SIGNAL

PROPOSED DRIVEWAY RIGHT-IN / RIGHT OUT NO SIGNAL

PER SCDOT DETAIL FIGURE A-7.1 FOR REQUIRED SIGNAGE.

ADA RAMP (PER SCDOT STDS)

6' CROSSWALK

2' STOP BAR + STOP SIGN

DIRECTIONAL PAVEMENT MARKINGS, TYP.

NEW 6' SIDEWALK WITH 6' GRASS STRIP FROM B.O.C.

PROPOSED MONUMENT SIGN (DESIGN/PERMIT BY OTHERS)

18" CONC. CURB & GUTTER, TYP.

6" REVEALED FACE SIDEWALK, WIDTH VARIES, TYP. VERTICAL CURBING TO BE PAINTED TRAFFIC YELLOW.

STOP SIGN, ALL INTERSECTIONS, TYP.

CART CORRAL

SIDEWALK ACCESS FOR CONNECTION TO OUTPARCEL 3 TO BE ROUTED THROUGH OUTPARCEL 2 ONCE FUTURE DEVELOPMENT PLANS ARE DETERMINED.

TBM-MAG NAIL
N=829,705.9376'
E=2,047,934.8750'
ELV.=387.56'
(NAD83/NAVD88)

TBM-MAG NAIL
N=829,431.5844'
E=2,047,778.5558'
ELV.=371.10'
(NAD83/NAVD88)

PT ON TRAFFIC SIGNAL BOX

TRAFFIC SIGNAL BOX

VERTICAL CHANNELIZED DELINEATOR SYSTEM POSTS YELLOW COLOR (FG300 UR)

EXISTING TELE PEDESTAL

EXISTING VALVE

EXISTING POLE

EXISTING ELECTRICAL TRANSFORMER

EXISTING FENCE

PAINTED MEDIAN

20' FRONT BUILDING SETBACK & LANDSCAPE BUFFER

10' REAR BUILDING SETBACK

OUTPARCEL 1
1.42 ACRES AFTER R/W ACQUISITION
FFEL 370.00 ±2'
MAX BUILDING GLA
5,000 SF / ACRE
SINGLE STORY
MAX BUILDING HEIGHT 25'
(ADDITIONAL 3' FOR ARCHITECTURAL FEATURES)

OUTPARCEL 2
1.34 ACRES
FFEL 367.00 ±1'
MAX BUILDING GLA
5,000 SF / ACRE
SINGLE STORY
MAX BUILDING HEIGHT 25'
(ADDITIONAL 3' FOR ARCHITECTURAL FEATURES)

OUTPARCEL 3
1.34 ACRES
FFEL 366.00 ±1'
MAX BUILDING GLA
5,000 SF / ACRE
SINGLE STORY
MAX BUILDING HEIGHT 25'
(ADDITIONAL 3' FOR ARCHITECTURAL FEATURES)

RETAIL
12,000 S.F.
FF EL 366.00

GROCERY
46,791 S.F.
10.33 ACRES AFTER R/W ACQUISITION
FF EL 366.00 (NAD83)
FEMA FLOOD ZONE 'X'

STORMWATER MANAGEMENT AREA 1

N/F WALDEN PLACE PROPERTY OWNERS ASSOCIATION INC. TM# R25809-02-26

N PLACE OWNERS ON INC. 9-02-26

15' COUNTY OF RICHLAND WATER LINE EASEMENT (8) DB 569, PG 67

PROPOSED PROPERTY LINE

WETLANDS BOUNDARY PB 1459, PG 3122 (ZONE X SHADED)

GENERATOR SITING NOTE:

PROPOSED LOCATION OF STORAGE TANK(S) AT THE SUBJECT SITE IS NOT WITHIN 500 FEET OF ANY EXISTING COMMUNITY WATER SUPPLY WELL, NOT WITHIN 500 FEET OF NON-TRANSIENT, NON-COMMUNITY WATER SUPPLY WELL, AND NOT WITHIN 100 FEET OF ANY OTHER EXISTING POTABLE WATER SUPPLY WELL.

SITE DATA

NAME OF DEVELOPMENT:	EARTH ROAD GROCERY
DEVELOPER:	CAROLINA HOLDINGS 40 W BROAD ST, SUITE 410 GREENVILLE, SC 29601 (864) 272-0088
ADDRESS:	____ SPEARS CREEK CHURCH RD. ELGIN, SC
TAX MAP NUMBER:	R25700-04-02 TO BE SUBDIVIDED
ZONING:	GC
BLDG SETBACKS REQ'D:	20' front- n/a' side- 10' rear
LANDSCAPE BUFFERS:	20' front (Streetside)
LAND AREA:	GROCERY PAD = 10.33 acres OUTPADS = 4.10 acres (total)
PROPOSED PARKING:	294 SPACES PROVIDED (5/1000 RATIO)
ADA PARKING REQ'D:	7 SPACES
ADA PARKING PROV'D:	13 SPACES
FEMA INFORMATION:	FLOOD ZONE 'X'

GRAPHIC SCALE
(IN FEET)
1 inch = 50 ft.

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Project Number: 2022-004
DWG Name: 2022-004 01.dwg
Drawing Scale: as noted
Date of Project: 8-2022

Engineer of Record:
Jason Henderson, P.E.
South Carolina PE# 22406
Georgia PE# 030714
North Carolina PE# 031306
Alabama PE# 32054
Louisiana PE# 38895
Virginia PE# 040205338

blueWATER civil design
bluewater civil design, llc
718 Lowndes Hill Road • Greenville, SC 29607
www.bluewatercivil.com • info@bluewatercivil.com
Certificates of Authorization:
SC C04212 - GA PEF005865
NC P0868 - AL CA4065E

GROCERY CENTER
AT EARTH ROAD
EARTH RD
COLUMBIA, SC

SOUTH CAROLINA
BLUEWATER CIVIL DESIGN, LLC
No. C04212
CERTIFICATE OF AUTHORIZATION

SOUTH CAROLINA
LICENSED PROFESSIONAL ENGINEER
No. 22406
JASON S. HENDERSON
01/26/2023

PLAN REVISION	ISSUE DATE	ISSUE COMMENT
A	8-15-2022	ISSUED FOR REVIEW TO CLIENT AND TENANT
B	10-7-2022	ISSUED FOR TENANT REVIEW
C	10-14-2022	ADDED OFF-SITE POND
D	12-9-2022	REVISED PER TENANT COMMENTS
E	1-13-2023	REVISED PER TENANT COMMENTS
F	1-29-2023	REVISED PER TENANT COMMENTS
....	....	....
....	....	....
....	....	....
....	....	....

SITE PLAN

C101

We Are Columbia

MEETING DATE: **February 21, 2023**

DEPARTMENT: **Legal Department**

FROM: ***Teresa Knox, City Attorney***

SUBJECT: **Resolution No.: R-2023-010 - Amending Resolution No.: R-2022-005 Approving and Ratifying Mutual Aid Agreements between the City of Columbia and the City of Columbia Police Department and Various Law Enforcement Agencies and Authorizing the City Manager of the City of Columbia and the Chief of Police of the City of Columbia to execute all such agreements to add Columbia Housing Community Safety to the list of agencies**

FUNDING SOURCE & ORIGINAL BUDGET:

FOCUS AREAS: **Planning Together**

ATTACHMENTS:

- **#a:** Memo on Columbia Housing Community Safety (PDF)
- #b: R-2023-010 - Amending R-2022-005 Mutual Aid Agreement with Columbia Housing Community Safety (PDF)

MEMORANDUM

Office of the City Attorney

Privileged Attorney-Client communication exempt from disclosure under South Carolina Freedom of Information Act pursuant to § 30-4-40(a)(4)&(7), 1976 S.C. Code Ann.

To: City Council
From: Jazmon D. Kearse, Police Advisor/Asst. City Attorney
Date: February 1, 2023
Re: Mutual Aid Agreements/Memorandums of Understanding

Pursuant to SC Code 23-20-40(B), Council must approve any and all Mutual Aid Agreements with other law enforcement authorities entered into by the Columbia Police Department. As you all are aware, on January 18th, 2022, Resolution No.: R-2022-005 was brought before you all to approve and ratify the Mutual Aid Agreements between the City of Columbia and the City of Columbia Police Department. Attached to that Resolution was "Exhibit A," which consisted of a list of various law enforcement agencies that CPD had prior agreements with. Since that time, the Columbia Housing Authority has reached out to us asking that we enter into a Mutual Aid Agreement with them. As this was not an entity previously listed in Exhibit A of Resolution No.: R-2022-005, we are seeking to have Council authorize the City Manager and Chief Holbrook to execute this agreement.

RESOLUTION NO.: R-2023-010

Amending Resolution No.: R-2022-005 Approving and Ratifying Mutual Aid Agreements between the City of Columbia and the City of Columbia Police Department and Various Law Enforcement Agencies and Authorizing the City Manager of the City of Columbia and the Chief of Police of the City of Columbia to execute all such agreements to add Columbia Housing Community Safety to the list of agencies

WHEREAS, on January 18, 2022, the Mayor and City Council approved Resolution No.: R-2022-005 approving and ratifying mutual aid agreements between the City of Columbia and the City of Columbia Police Department and Various Law Enforcement Agencies and authorizing the City of Manager of the City of Columbia and the Chief of Police of the City of Columbia to execute all such agreements; and,

WHEREAS, Resolution No.: R-2022-005 requires any amendment or necessary change to the list of entities to be approved by City Council and through an express written amendment; and,

WHEREAS, Columbia Housing Community Safety is to be added to the list of agencies; and, NOW, THEREFORE,

BE IT RESOLVED by the Mayor and Council this ___ day of _____, 2023, that Columbia Housing Community Safety be added to the list of agencies.

Requested by:

City Manager _____

_____
Mayor

Approved by:

_____
City Manager

Approved as to form:

_____
Deputy City Attorney

ATTEST:

_____
City Clerk

Introduced:
Final Reading:

LEGAL DEPARTMENT DRAFT

Last revised: 2/1/2023
23015717

EXHIBIT "A"
RESOLUTION NO.: R-2023-010

MUNICIPALITY/COUNTY	STATE AGENCIES
Aiken County Sheriff	State Museum
Batesburg-Leesville Police Dept.	SC Department of Natural Resources
Bishopville Police Dept.	SC Department of Probation, Pardon and Parole
Camden Police Dept.	SC Department of Public Safety
Cayce Police Dept.	SLED
Charleston County Sheriff	South Carolina Criminal Justice Council
Charleston Police Dept.	South Carolina Criminal Justice Academy
Cherokee County Sheriff	South Carolina Department of Corrections
Chester County Sheriff	
Chesterfield County Sheriff	
Clemson University Police Dept.	**OTHER ENTITIES**
Darlington County Sheriff	Allen University
Elgin Police Dept.	Benedict College
Fairfield County Sheriff	Columbia College
Florence County Sheriff	Columbia Housing Community Safety
Florence Police Dept.	Commission on Accreditation for Law Enforcement Agencies, Inc.
Forest Acres Police Dept	Congaree Swamp National Park
Greenville Police Dept.	Drug Enforcement Agency
Greenville County Sheriff	Federal Bureau of Investigations
Horry County Police Dept.	Department of Homeland Security
Irmo Police Dept.	Flock Group Inc.
Kershaw County Sheriff	Irmo-Chapin Recreation Commission
Lancaster County Sheriff	Irmo Fire District
Lexington County Sheriff	LARADAC, The Behavioral Health Center of the Midlands
Lexington Police Dept.	Midlands Technical College
Myrtle Beach Police Dept.	The Naval Criminal Investigative Service
Newberry County Sheriff	Richland County School District One
North Charleston Police Dept.	River Alliance
North Myrtle Beach Police Dept.	South Carolina State University
Orangeburg County Sheriff	University of South Carolina Division of Public Safety
Orangeburg Department of Public Safety	U.S. Department of Veterans Affairs Columbia Health Care System
Richland County Sheriff	United States Law Enforcement
Spartanburg County Sheriff	United States Marine Corps, Special Operations Command (MARSCO)
Spartanburg Department of Public Safety	
Springdale Police Dept.	
Sumter County Sheriff	
Sumter Police Dept.	
West Columbia Police Dept.	

LEGAL DEPARTMENT DRAFT

We Are Columbia

MEETING DATE: **February 21, 2023**

DEPARTMENT: **Legal Department**

FROM: ***Teresa Knox, City Attorney***

SUBJECT: **Resolution No.: R-2023-012 - Approval for Acquisition of 0.44 acre Located at 1127 Queen Street and Identified as Richland County TMS#11409-07-20; CIP Project #SD8438; CF#250-596**

FUNDING SOURCE & ORIGINAL BUDGET:

FOCUS AREAS: **Planning Together**

ATTACHMENTS:

- **#a:** R-2023-012 - Acquisition of 0.44 ac_1127 Queen St.doc (PDF)

RESOLUTION NO.: R-2023-012

Approval for Acquisition of 0.44 acre Located at 1127 Queen Street and Identified as Richland County TMS#11409-07-20; CIP Project #SD8438; CF#250-596

WHEREAS, the referenced 0.44 acre is a residential lot to be acquired by the City of Columbia and assembled with other property to construct a detention pond for storm water management that will benefit the Waverly neighborhood and the Five Points area; and

WHEREAS, the site appraised for $30,000 and the owner has agreed to sell this property to the City for the appraised value; NOW, THEREFORE,

BE IT RESOLVED by the Mayor and City Council of the City of Columbia, South Carolina this _____ day of _____, 2023, for and in consideration of the sum of Thirty Thousand and No/100s ($30,000.00) Dollars, the City Manager is hereby authorized to sign all documents necessary on behalf of the City of Columbia for acquisition of 1127 Queen Street containing 0.44 acre from **SILAS J. WILLIAMS**.

The referenced site is identified as 0.44 acre as shown on a plat prepared for the City of Columbia by the Department of Engineering, David S. Sharpe, S.C. P.L.S. #10509, dated November 7, 2022 and being incorporated herein and made a part hereof as Exhibit "A". A copy of said survey also being on file in the office of the Department of Engineering under file reference #250-596.

(Funding Source: 5549999 SD8438-01)

Requested by:

ACM Shealy

Approved by:

City Manager

Approved as to form:

Deputy City Attorney

_____
Mayor

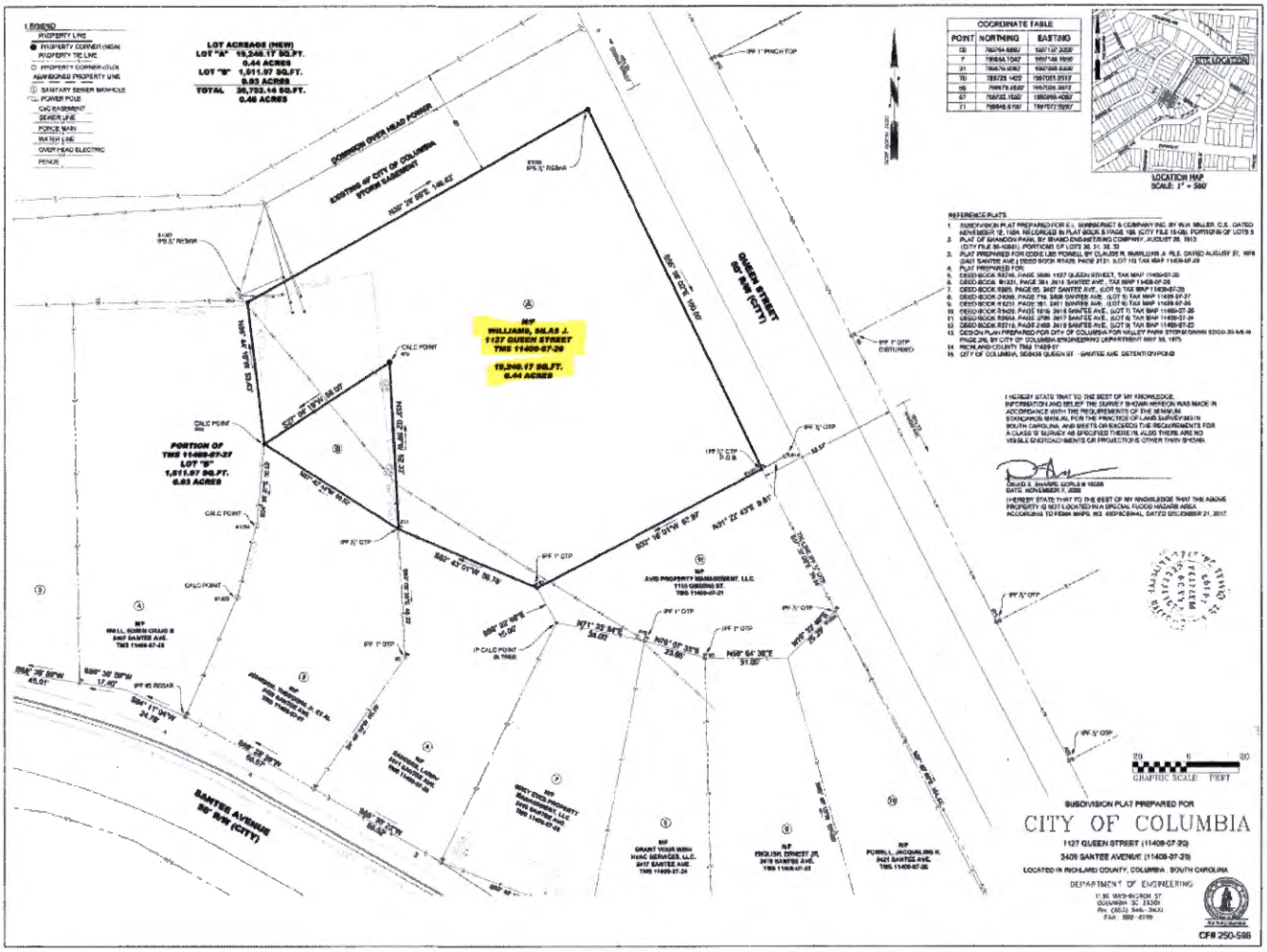
ATTEST:

_____
City Clerk

Introduced:
Final Reading:

LEGAL DEPARTMENT DRAFT

Exhibit "A"


LOT ACREAGE (NEW)
LOT "A" 19,246.17 SQ.FT.
0.44 ACRES
LOT "B" 1,511.97 SQ.FT.
0.03 ACRES
TOTAL 20,732.14 SQ.FT.
0.48 ACRES
COORDINATE TABLE
POINT NORTHING EASTING
LOCATION MAP
SCALE: 1" = 500'
WILLIAMS, SILAS J.
1127 QUEEN STREET
TMS 11409-07-29
19,246.17 SQ.FT.
0.44 ACRES
PORTION OF
TMS 11409-07-27
LOT "B"
1,511.97 SQ.FT.
0.03 ACRES
QUEEN STREET
60' R/W (CITY)
SANTEE AVENUE
80' R/W (CITY)
EXISTING 40' CITY OF COLUMBIA STORM EASEMENT
DOMINION ENERGY OVERHEAD POWER
I HEREBY STATE THAT TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF THE SURVEY SHOWN HEREON WAS MADE IN ACCORDANCE WITH THE REQUIREMENTS OF THE MINIMUM STANDARDS MANUAL FOR THE PRACTICE OF LAND SURVEYING IN SOUTH CAROLINA, AND MEETS OR EXCEEDS THE REQUIREMENTS FOR A CLASS 'B' SURVEY AS SPECIFIED THEREIN; ALSO THERE ARE NO VISIBLE ENCROACHMENTS OR PROJECTIONS OTHER THAN SHOWN.
DATE: NOVEMBER 7, 2022
I HEREBY STATE THAT TO THE BEST OF MY KNOWLEDGE THAT THE ABOVE PROPERTY IS NOT LOCATED IN A SPECIAL FLOOD HAZARD AREA ACCORDING TO FEMA MAPS, NO. 45079C0084J, DATED DECEMBER 21, 2017.
GRAPHIC SCALE
SUBDIVISION PLAT PREPARED FOR
CITY OF COLUMBIA
1127 QUEEN STREET (11409-07-29)
2409 SANTEE AVENUE (11409-07-28)
LOCATED IN RICHLAND COUNTY, COLUMBIA, SOUTH CAROLINA
DEPARTMENT OF ENGINEERING
CF# 250-586

We Are Columbia

MEETING DATE: **February 21, 2023**

DEPARTMENT: **City Clerk**

FROM: ***Erika Hammond, City Clerk***

SUBJECT: **Municipal Court Judges**

FUNDING SOURCE & ORIGINAL BUDGET:

We Are Columbia

MEETING DATE: **February 21, 2023**

DEPARTMENT: **City Clerk**

FROM: ***Erika Hammond, City Clerk***

SUBJECT: **Council is asked to allocate $85,963.66 from the Resilient Columbia Fund for the implementation of a Community Resource Center at the Katheryn M. Bellfield Booker Washington Heights Cultural Arts Center located at 2611 Grant Street, as requested by The Honorable Daniel J. Rickenmann, Mayor.**

FUNDING SOURCE & ORIGINAL BUDGET:

ATTACHMENTS:

- **#a:** Community Resource Center - Bellfield Center Project Memo (PDF)
- #b: Proposed Community Resource Center (PDF)

We Are Columbia

TO: **Honorable Daniel Rickenmann, Mayor & Columbia City Council**

Cc: **Teresa Wilson, City Manager**

FROM: **Henry M. Simons, Assistant City Manager**

DATE: **February 15, 2023**

RE: **Community Resource Center - Bellfield Center Project**

City Council is asked approve $137,963.661 in Resiliency funds for a Community Resource Center in the Katheryn M. Bellfield Booker Washington Heights Cultural Arts Center located at 2611 Grant Street.

The Community Resource Center would serve as a business incubator for residents to access free WI-FI on their personal computers or similar electronics, All-in-One LaserJet with options to print/copy/scan, and webcams.

While visiting the center, residents would be responsible for management of their devices as the City of Columbia Information Technology would not manage or provide support for any personal devices.

Attached for your review are price estimates, a project sketch, and costs for pre-owned products from Connecting Elements.

Note: Project timelines are pending approval of the use of Resiliency funds.

CITY OF COLUMBIA
South Carolina

COLUMBIA
PARKS & RECREATION

Proposed Community Resource Center

February 2023

Below are my notes from our conversation on the business incubator. Following that is the price estimates based on prior quotes (we will get new ones as well).

Business Incubator:

- Computers will be brought in by the users (these are their personal computers - IT staff would not manage or support these).
- WIFI exists in the Library currently; the standard web filter should work OK for their access.
- Webcam would be made available for them to use (keep in mind we do not support their computers).
- All-in-One printer would be made available for them to use (LaserJet w/ print/copy/scan and WIFI printing).

Price Estimates:

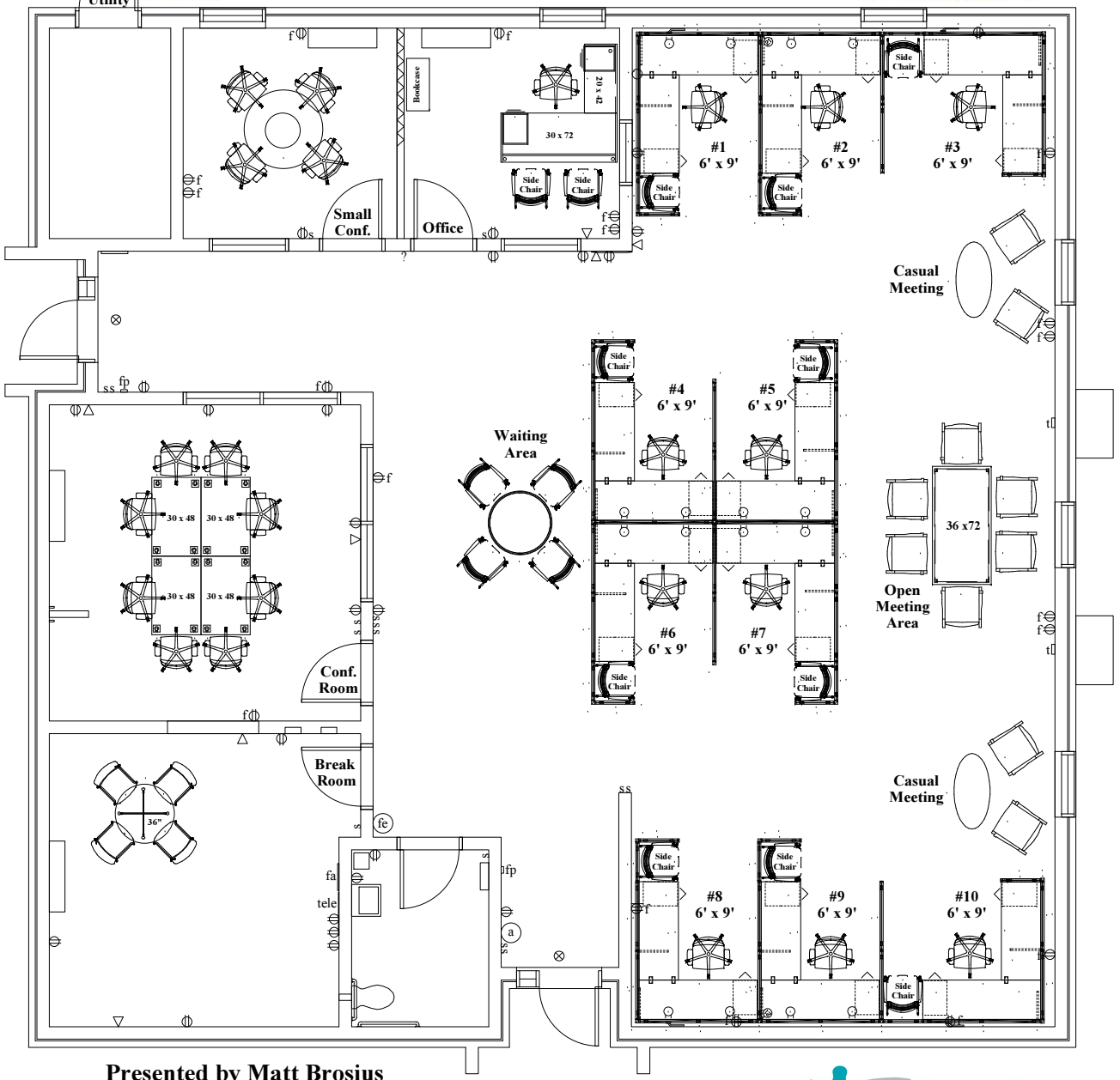
Item	Price	
Television	$500.00	65” From Sam’s Club
Television Wall Mount	$75.00	
Conference Camera (Logitech Meetup)	$1150.00	
Network All-In-One	$1500.00	Note: These printers can get very pricy for the high capacity versions. This would be for a basic model.
Office Furniture (i.e. chairs conference room tables and conference room chairs and cubicles).	$27,196.51	Includes pulling, delivery and installation of furniture.
Carpet	$30,000.00	
Restroom Upgrade	$10,000.00	
Mill work	$15,000.00	Cabinets, counter space and closing hole between break room and conference room
Painting	$15,000.00	
Ceiling	$25,000.00	Grid and Lighting
Sub-Total	$125,421.51	
Contingency 10%	$12,542.151	
Grand Total:	$137,963.661	

Just bear in mind that actual quotes may vary depending on availability, taxes, shipping, and any other changes.

CITY OF COLUMBIA
South Carolina
We Are Columbia

Bellfield Building
1/26/2023

COLUMBIA
PARKS & RECREATION



Presented by Matt Brosius
and Connecting Elements, Inc.
803-799-3442

Connecting Elements
Design. Furniture. Installation. Solutions.

Connecting Elements, Inc.

Columbia, SC 29211
1313 Rosewood Drive(29201)

Quote

Date	Quote No.
1/26/2023	32084

Name / Address	Ship To
City of Columbia 1924 Calhoun St PO Box 147 Columbia, SC 29201	Parks and Recxreation Bellfield Building 2611 Grant Street Columbia, |SC 29203

Rep	Terms	Project
MPB	Net 30 / Finc Chrgs	Parks and Recreation Bellfield Building

Item	Description	Qty	Rate	Total
Systems 32084-U	Parks and Recreation - Bellfield Building Pre-Owned Product to Furnish Several Area, including: - (10) 6' x 9' Workstations with add-on Plexi-glass and Seating - (1) L-Shaped Office with Bookcase and Seating - (1) Meeting Room with Round Table and (4) Chairs - (1) Conference Room with (4) Modular Tables and (8) Task Chairs - (1) Break Room with (1) Round Table and (4) Poly Stack Chairs - (1) Waiting Area with (1) Round Coffee Table and (4) Guest Chairs - (2) Casual Meeting Areas with (1) Oval Occasional Table and (2) Guest Chairs - (1) Open Area Meeting Table with (1) Rectangular table and (6) Guest Chairs Finishes Vary: See Color Proposal for Images and Finishes	1	22,751.51	22,751.51T

	Subtotal
***Please fax signed Quote or PO to 803-779-3409, or call 803-779-3442 if you need further assistance.**	**Sales Tax (8.0%)**
We accept VISA, Mastercard, American Express and Discover for an additional 3.5% service charge.	**Total**

Signature

Connecting Elements, Inc.

Columbia, SC 29211
1313 Rosewood Drive(29201)

Quote

Date	Quote No.
1/26/2023	32084

Name / Address	Ship To
City of Columbia 1924 Calhoun St PO Box 147 Columbia, SC 29201	Parks and Recxreation Bellfield Building 2611 Grant Street Columbia, |SC 29203

Rep	Terms	Project
MPB	Net 30 / Finc Chrgs	Parks and Recreation Bellfield Building

Item	Description	Qty	Rate	Total
Installation	Pulling, Delivery, and Installation of Pre-Owned Furniture - All work is based upon normal business hours - All work is based upon a 1st floor site with no stair carry required - This does not include and electrical connection to the building power.	1	4,445.00	4,445.00

	Subtotal	$27,196.51
***Please fax signed Quote or PO to 803-779-3409, or call 803-779-3442 if you need further assistance.**	**Sales Tax (8.0%)**	$1,820.12
We accept VISA, Mastercard, American Express and Discover for an additional 3.5% service charge.	**Total**	**$29,016.63**

Signature _____

City of Columbia

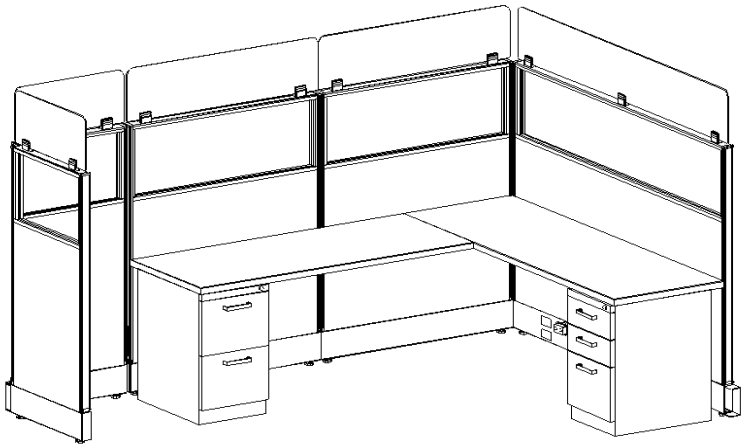
Parks and Recreation

Bellfield Building

Date: 1-26-2023

Open Area Workstations - Quantity = 10

Qty	Description	Cost	Ext Cost
1	(10) Pre-Owned Hon Workstations 6' x 9', including - 57" High Quartered Glass Panels with 12" Plexiglass Stack-ons - (1) Box / Box / File Pedestal - (1) File / File Pedestal - (2) Duplex Receptacles	$ 15,726.51	$ 15,726.51
10	Pre-Owned Ergonomic Task Chairs - Black Fabric Seat, Black Mesh Back, Adjustable Arms	$ 145.00	$ 1,450.00
10	Pre-Owned Side Chairs - Grey Upholstered Seat with Black Back Mesh	$ 70.00	$ 700.00



Subtotal: $ 17,876.51

City of Columbia

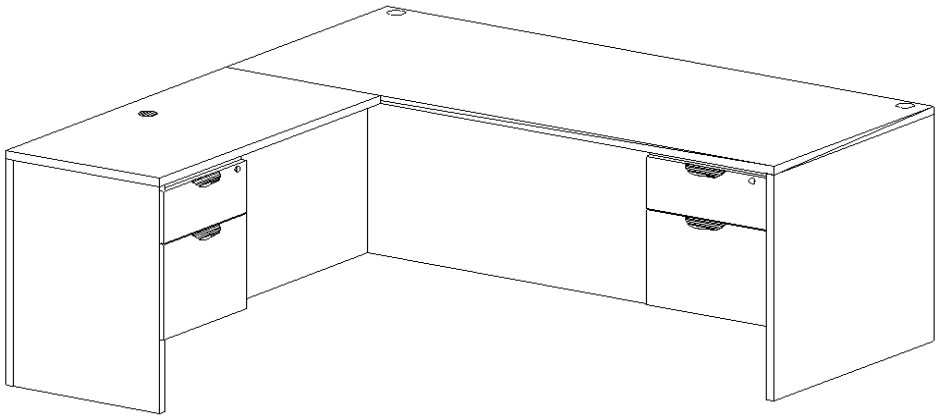
Parks and Recreation

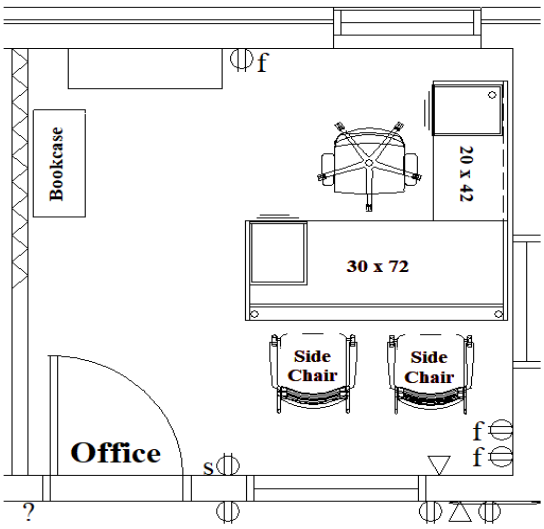
Bellfield Building

Date: 1-26-2023

L-Shaped Private Office

Qty	Description	Cost	Ext Cost
1	L-Desk Unit 30 x 72 with a 20 x 42 return - Includes (2) Box / File Suspended Pedestals - Cherry Laminate Chassis with Maple Laminate Top	$ 435.00	$ 435.00
1	Bookcase - 36" wide with Adjustable Shelves	$ 125.00	$ 125.00
1	Pre-Owned Ergonomic Task Chair - Black Fabric Seat, Black Mesh Back, Adjustable Arms	$ 145.00	$ 145.00
2	Pre-Owned Side Chairs - Grey Upholstered Seat with Black Back Mesh	$ 70.00	$ 140.00





Subtotal: $ 845.00

City of Columbia

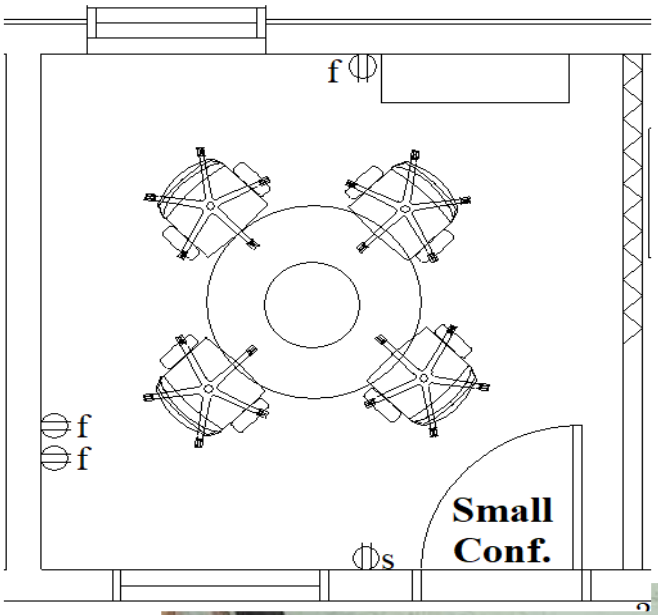
Parks and Recreation

Bellfield Building

Date: 1-26-2023

Meeting Room

Qty	Description	Cost	Ext Cost
1	Pre-Owned 48" Round Table - Medium Laminate Finish with Black Edge	$ 265.00	$ 265.00
4	Pre-Owned Meeting Chairs on Casters - Gray Upholstered Seat with Black Back	$ 95.00	$ 380.00



Subtotal: $ 645.00

City of Columbia

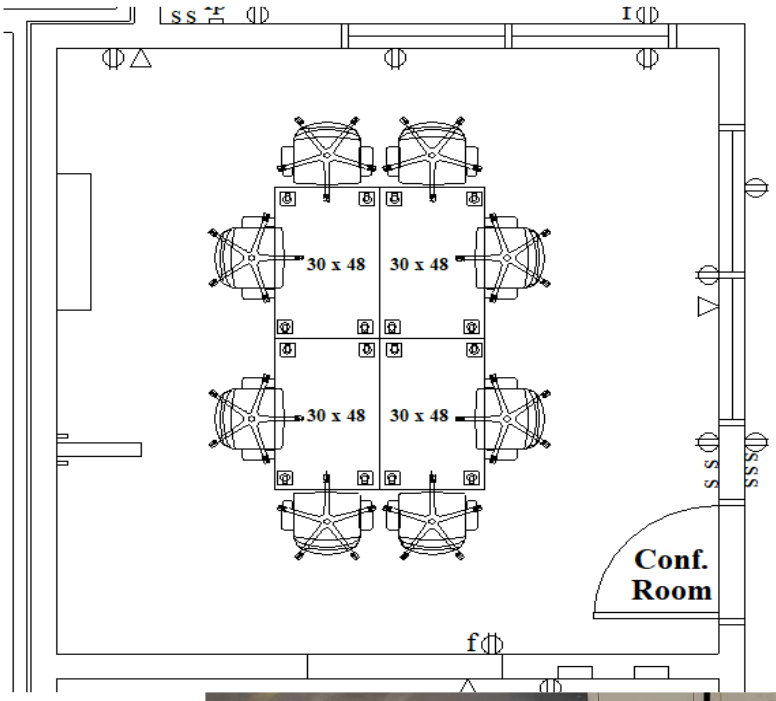
Parks and Recreation

Bellfield Building

Date: 1-26-2023

Conference Room

Qty	Description	Cost	Ext Cost
4	Pre-Owned Modular Tables on Casters8" Round Table - 30" Deep x 48" Wide	$ 180.00	$ 720.00
8	Pre-Owned Meeting Chairs on Casters - Gray Upholstered Seat with Black Back	$ 95.00	$ 760.00
1	Pre-Owned 4' x 6' Whiteboard - Location in Room To Be Determined	$ 130.00	$ 130.00



Subtotal: $ 1,610.00

City of Columbia

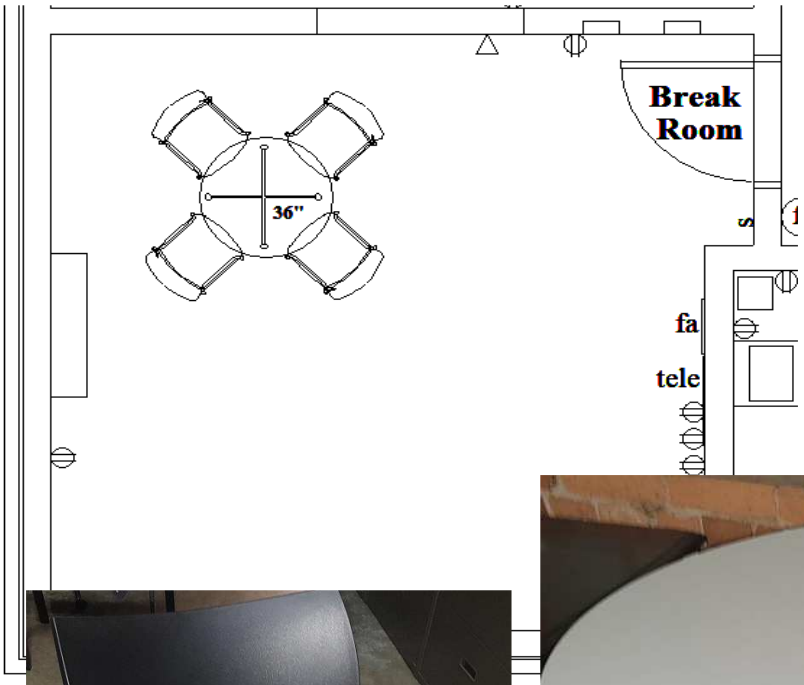
Parks and Recreation

Bellfield Building

Date: 1-26-2023

Break Room

Qty	Description	Cost	Ext Cost
1	Pre-Owned Round 36" Table - Grey Laminate with Black Edge	$ 145.00	$ 145.00
4	Pre-Owned Poly Stack Chairs - Black Poly Shell and Chrome Frame	$ 45.00	$ 180.00



Subtotal: $ 325.00

City of Columbia

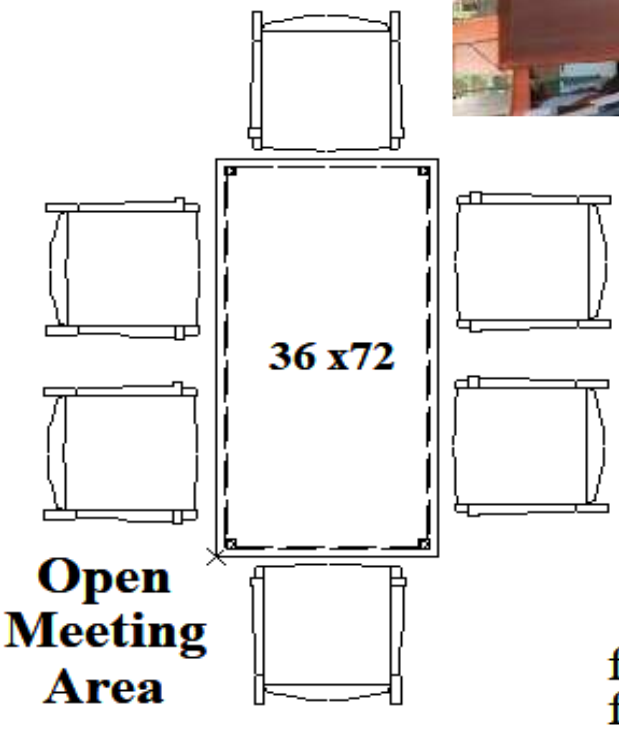
Parks and Recreation

Bellfield Building

Date: 1-26-2023

Open Meeting Area

Qty	Description	Cost	Ext Cost
1	Pre-Owned Meeting Table 36 x 72	$	215.00
6	Pre-Owned Guest Chairs Meeting Chairs on Casters - Patterned Fabric with Wood Arms	$	330.00



Subtotal: $ 545.00

City of Columbia

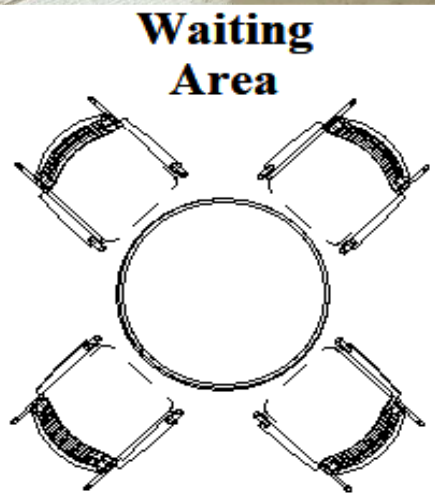
Parks and Recreation

Bellfield Building

Date: 1-26-2023

Waiting Area

Qty	Description	Cost	Ext Cost
1	Round Coffee Table with Glass Top - 30" Deep x 48" Wide	$ 155.00	$ 155.00
4	Pre-Owned Guest Chairs Meeting Chairs on Casters - Patterned Fabric with Wood Arms	$ 55.00	$ 220.00



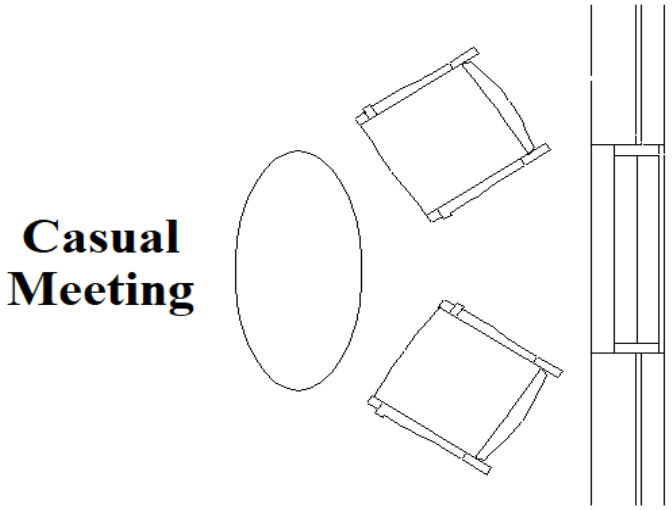
Subtotal: $ 375.00

City of Columbia
Parks and Recreation
Bellfield Building
Date: 1-26-2023

Casual Meeting Areas - Qty = 2

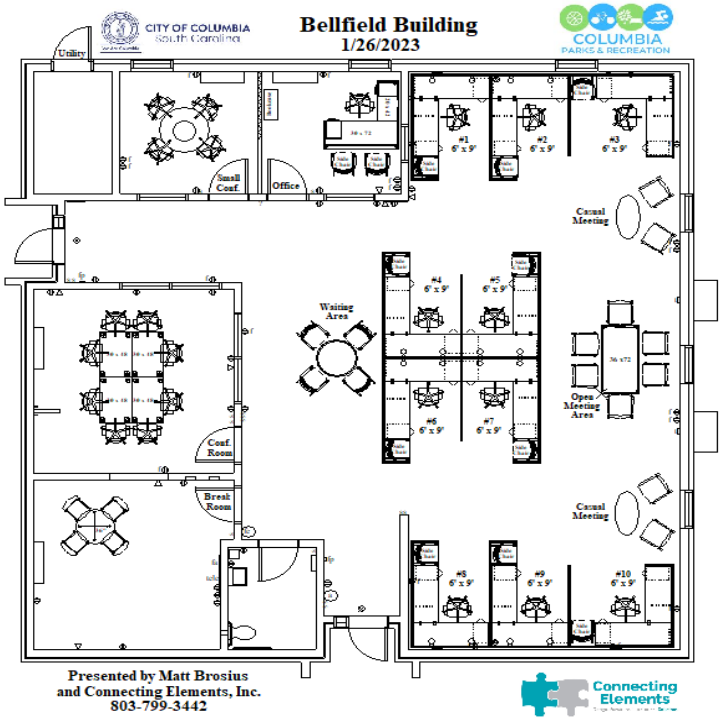
Qty	Description	Cost	Ext Cost
2	Oval Coffee Table with Glass Top	$ 155.00	$ 310.00
4	Pre-Owned Guest Chairs Meeting Chairs on Casters - Patterned Fabric with Wood Arms	$ 55.00	$ 220.00

(2) Casual Meeting Areas



Subtotal: $ 530.00

City of Columbia
Parks and Recreation
Bellfield Building
Date: 1-26-2023



Totals

Qty	Description	Cost	Ext Cost
1	Open Area Workstations - Quantity = 10	$ 17,876.51	$ 17,876.51
1	L-Shaped Private Office	$ 845.00	$ 845.00
1	Meeting Room	$ 645.00	$ 645.00
1	Conference Room	$ 1,610.00	$ 1,610.00
1	Break Room	$ 325.00	$ 325.00
1	Open Meeting Area	$ 545.00	$ 545.00
1	Waiting Area	$ 375.00	$ 375.00
1	Casual Meeting Areas - Qty = 2	$ 530.00	$ 530.00
		Product Total:	**$ 22,751.51**
	Pulling, Delivery, and Installation of Furniture		$ 4,445.00
		*** Grand Total:**	**$ 27,196.51**
	(Applicable Sales Tax is Additional)		

Notes:

- This does not include the electrical connections to building power
- Tall work is based upon a 1st Floor Site with No Stair Carry Required
- All Pre-Owned Product is sold based upon 1st come 1st served - Product can not be held.
- All work is based upon normal business hours.

We Are Columbia

MEETING DATE: **February 21, 2023**

DEPARTMENT: **Legal Department**

FROM: ***Teresa Knox, City Attorney***

SUBJECT: **Discussion of negotiations incident to proposed contractual arrangements and proposed sale or purchase of property pursuant to S.C. Code §30-4-70(a)(2)**

FUNDING SOURCE & ORIGINAL BUDGET:

FOCUS AREAS: **Planning Together**

PURPOSE:

Gadsden Street Property

We Are Columbia

MEETING DATE: **February 21, 2023**

DEPARTMENT: **City Clerk**

FROM: ***Erika Hammond, City Clerk***

SUBJECT: **Receipt of legal advice relating to a pending, threatened or potential claim pursuant to S.C. Code §30-4-70(a)(2)**

FUNDING SOURCE & ORIGINAL BUDGET:

PURPOSE:

Jessica Kolp v. City of Columbia