

MINUTES
FINANCE COMMITTEE MEETING
6:30 P.M., FEBRUARY 20, 2024
AV ROOM #308, CITY HALL

Joseph Jenkins, Chairperson, called the meeting of the Charleston City Council Committee on Finance to order at 6:30 p.m., February 20, 2024.

A silent roll was taken by the Clerk and a quorum was established. The following committee members were present:

Joseph Jenkins, Chair
Brent Burton, Vice Chair
Becky Ceperley
Mary Beth Hoover
Larry Moore
Chad Robinson
Shawn Taylor

Absent:

Other Councilmembers present:

Beth Kerns
Shannon Snodgrass
Frank Annie
Jennifer Pharr
Emmett Pepper

I. DISCUSSION:

a. Approval of Previous Minutes - Councilmember Burton asked for unanimous consent to dispense with the reading of the minutes for the February 5, 2024 meeting and that they be approved as distributed. There were no objections, and the minutes were approved.

II. RESOLUTIONS:

- a. Resolution No. 930-24 – Authorizing the Mayor or City Manager to purchase two (2) new 2024 Ford Super Duty F-250 trucks for Spring Hill Cemetery from National Auto Fleet Group in the total amount of \$97,636.20 pursuant to a competitively sourced multi-state contract. These will replace Spring Hill Cemetery trucks 952/201 and 952/211 as part of the budgeted replacement cycle.

Be it Resolved by the Council of the City of Charleston, West Virginia:

That the Mayor or City Manager is authorized to purchase two (2) new 2024 Ford Super Duty F-250 trucks for Spring Hill Cemetery from National Auto Fleet Group in the total amount of \$97,636.20 pursuant to a competitively sourced multi-state contract. These will replace Spring Hill Cemetery trucks 952/201 and 952/211 as part of the budgeted replacement cycle.

City Manager, Ben Mishoe, added that the purchase is part of a budgeted replacement cycle.

Councilmember Burton moved to approve the Resolution. With members present recorded thereon as voting in the majority as affirmative, Chairperson Jenkins declared Resolution No. 930-24 approved.

- b. Resolution No. 931-24 – Authorizing the Mayor or City Manager to purchase an Interactive Use of Force Training Simulator from Safeware in the amount of \$616,220.00. The purchase is being made through a Sourcewell contract with grant funds awarded under a COPS Technology grant. The training simulator includes LED screens, surround system speakers, cameras, projectors, on-site installation, training and scenario filming.

Be it Resolved by the Council of the City of Charleston, West Virginia:

That the Mayor or City Manager is authorized to purchase an Interactive Use of Force Training Simulator from Safeware in the amount of \$616,220.00. The purchase is being made through a Sourcewell contract with grant funds awarded under a COPS Technology grant. The training simulator includes LED screens, surround system speakers, cameras, projectors, on-site installation, training and scenario filming.

Mishoe added that the City has received a grant from the Department of Justice for the purchase of an interactive training simulator. The grant does only cover the first year of the warranty.

Councilmember Jenkins confirmed with the Police Chief that this would be an updated version of what the Hurricane Police use.

Councilmember Burton moved to approve the Resolution. With members present recorded thereon as voting unanimously in the majority as affirmative, Chairperson Jenkins declared Resolution No. 931-24 approved.

- c. Resolution No. 932-24 – Authorizing settlement of pending disputed claims against the City in the matter known as Mary Maddox v. City of Charleston, Civil Action No. 21-C-147 in the Circuit Court of Kanawha County, West Virginia, as recommended by the City Solicitor.

Now, therefore, be it Resolved by the Council of the City of Charleston, West Virginia:

That the City Council hereby authorizes and approves the settlement of pending disputed claims against the City by Mary Maddox, as contained in Civil Action No. 21-C-147 in the Circuit Court of Kanawha County, West Virginia, in the amount of \$60,000.00, as recommended by the City Solicitor. The City Council authorizes the City Solicitor and City Manager to take all necessary steps to finalize resolution of the claims.

City Attorney, Kevin Baker, added that the claimant tripped over a raised portion of the trail while she was running along the Kanawha Blvd. Trail. This was likely caused by a tree root pushing up the ground. She sustained injuries that resulted in approximately \$115,000 in medical costs. The City left mediation with a rejected offer of \$60,000. The case was set to go to trial when the claimant then accepted the mediation offer.

Councilmember Annie confirmed with Baker that payment will come from the City Attorney's budget. Baker added that the City insurance has a \$300,000 self-insured retention.

Councilmember Burton moved to approve the Resolution. With members present recorded thereon as voting unanimously in the majority as affirmative, Chairperson Jenkins declared Resolution No. 932-24 approved.

- d. Resolution No. 933-24 – Authorizing the Mayor or City Manager to renew its contract with Encova Insurance for workers’ compensation insurance coverage for a premium of \$269,847, including surcharges, and with an additional claims handling charge of 10% of paid claims, as detailed in Exhibit A: Provided, That this contract does not include any commission to the City’s broker of record, USI Insurance Services LLC;

Authorizing the Mayor or City Manager to renew its contract with USI Insurance Services LLC

(“USI”) for insurance broker, risk management, and loss control services related to the City’s property, liability, and workers’ compensation insurance coverages for a cost of \$75,000 as detailed in Exhibit A; and

Authorizing the Mayor or City Manager to renew its contract with the West Virginia Counties

Group Self Insurance Risk Pool, Inc, D/B/A West Virginia Communities Risk Pool (“WVCorp”), for

Third Party Administration (TPA) services related to legacy claims incurred while the City was

self-insured for workers’ compensation at a fee not to exceed \$20,000.

This procurement is based on the results of a competitive insurance quote review process and

the Memorandum of Understanding among the City, USI, and WVCorp entered into under

Resolution No. 617-22.

The effective dates of the policies/contracts above will be from March 31, 2024 through March 31, 2025.

Be it Resolved by the Council of the City of Charleston, West Virginia:

That the Mayor or City Manager is authorized (1) to renew its contract with Encova Insurance

for workers’ compensation insurance coverage for a premium of \$269,847, including surcharges, and with an additional claims handling charge of 10% of paid claims, and authorizing leaving the WV self-insurance system, as detailed in Exhibit A: Provided, That this

contract does not include any commission to the City’s broker of record, USI Insurance Services

LLC; (2) to renew its contract with USI Insurance Services LLC for insurance broker, risk management, and loss control services related to the City’s property, liability, and workers’

compensation insurance coverages for a cost of \$75,000 as detailed in Exhibit A; and (3) to renew its contract with the West Virginia Counties Group Self Insurance Risk Pool, Inc, D/B/A West Virginia Communities Risk Pool, for Third Party Administration (TPA) services related to legacy claims incurred while the City was self-insured for workers' compensation at a fee not to exceed \$20,000, all to be effective from March 31, 2024 through March 31, 2025.

Mishoe added that resolution authorizes the City to renew the contract with Encova Insurance for workers' compensation for the second year with a 2% premium increase. It also renews the City's contract with USI Insurance Services LLC for insurance broker, risk management, and loss control services with no increase. It also renews the contract with the West Virginia Counties Group Self Insurance Risk Pool. There is a slight reduction in fees from last year as some legacy claims have concluded.

Councilmember Burton abstained from voting as he is employed by the entities mentioned in the resolution.

Councilmember Taylor confirmed with the insurance company representative that there are nine active legacy claims.

Councilmember Moore moved to approve the Resolution. With members present recorded thereon as voting in the majority as affirmative, Chairperson Jenkins declared Resolution No. 933-24 approved.

- e. Resolution No. 934-24 – Authorizing the Mayor or City Manager, subject to final review by the City Attorney, to renew its contracts with the West Virginia Counties Group Self Insurance Risk Pool, Inc., DBA West Virginia Communities Risk Pool, at a price of \$1,079,948 for the City’s Risk Management and Property, Casualty, and Cyber Insurance coverage and including all Third Party Administrator (TPA) Services for those lines of coverage for the period March 31, 2024 through March 31, 2025, in accordance with the costs and coverages in Exhibit A. Underinsured motorists coverage is specifically rejected. Uninsured motorists coverage with statutory minimum limits of \$25,000/\$50,000/\$25,000 is accepted only.

Be it Resolved by the Council of the City of Charleston, West Virginia:

That the Mayor or City Manager is authorized, subject to final review by the City Attorney, to renew its contracts with the West Virginia Counties Group Self Insurance Risk Pool, Inc., DBA West Virginia Communities Risk Pool, at a price of \$1,079,948 for the City’s Risk Management and Property, Casualty, and Cyber Insurance coverage and including all Third Party Administrator (TPA) Services for those lines of coverage for the period March 31, 2024 through March 31, 2025, in accordance with the costs and coverages in Exhibit A. Underinsured motorists coverage is specifically rejected. Uninsured motorists coverage with statutory minimum limits of \$25,000/\$50,000/\$25,000 is accepted only.

Mishoe added that the resolution is for the renewal for the City’s contract with the West Virginia Counties Group Self Insurance Risk Pool for Risk Management and Property, Casualty, and Cyber Insurance coverage with a 2.8% increase in premiums.

Councilmember Burton abstained from voting as he is employed by the entities mentioned in the resolution.

Councilmember Moore moved to approve the Resolution. With members present recorded thereon as voting in the majority as affirmative, Chairperson Jenkins declared Resolution No. 934-24 approved.

- f. Resolution No. 935-24 – WHEREAS, the City of Charleston seeks to upgrade Kanawha Boulevard from Magic Island and the West Side, to the 35th Street Bridge, together with Greenbrier Street from Kanawha Boulevard to Washington Street, a project known as the “Charleston Capital Connector”;

WHEREAS, this complete street upgrade will make this corridor safer for pedestrians and cyclists, will better connect citizens and visitors to the riverfront and key community hubs, will create better public transit accessibility, will promote improved accessibility for the West Side to the community, will foster downtown economic development, and will make this corridor more beautiful and environmentally sustainable;

WHEREAS, the U.S. Department of Transportation has awarded the City of Charleston \$1,750,000 through a “RAISE Grant” to conduct the design, engineering, and permitting necessary to make this project shovel-ready for implementation;

WHEREAS, the City of Charleston will be using the RAISE Planning Grant and city resources to retain the firm GAI Consultants to conduct the design and engineering project for the Capital Connector;

WHEREAS, the U.S. Department of Transportation has issued a notice of funding availability soliciting applications for \$1.5 billion in RAISE grants for projects such as the Capital Connector, which can be for up to \$25 million each for construction projects, with applications due by close of February 28, 2024;

WHEREAS, the U.S. Department of Transportation RAISE grant solicitation waives the requirement for local matching funds for areas that meet certain criteria, which includes the area for the Charleston Capital Connector project;

WHEREAS, the City of Charleston expects to have completed the design and engineering of the Capital Connector and will have a shovel-ready project for construction, by the time the 2024 RAISE Grant awards will be disbursed to winning applicants;

Now, therefore, be it resolved by the Council of the City of Charleston, West Virginia:

The City Council of Charleston, West Virginia strongly backs the Charleston Capital Connector project, and authorizes the Mayor or City Manager to submit an application for U.S. DOT construction funding for the initiative.

Mishoe added that there is no match requirement.

From the audience, Councilmember Pepper confirmed with Mishoe that the City did not have to seek approve from Council.

Councilmember Burton moved to approve the Resolution. With members present recorded thereon as voting unanimously in the majority as affirmative, Chairperson Jenkins declared Resolution No. 934-24 approved.

Councilmember Burton motioned to adjourn the meeting.
Meeting adjourned.