



CITY OF COLUMBIA  
PUBLIC HEARING MINUTES  
TUESDAY, JANUARY 21, 2013  
12:00 P.M.  
CITY HALL – 1737 MAIN STREET  
COUNCIL CHAMBERS - 3<sup>RD</sup> FLOOR

The Columbia City Council conducted a Public Hearing on Tuesday, January 21, 2013 at City Hall, 1737 Main Street, Columbia, South Carolina. The Honorable Mayor Stephen K. Benjamin called the meeting to order at 12:09 p.m. and the following members of Council were present: The Honorable Sam Davis, The Honorable Tameika Isaac Devine, The Honorable Leona K. Plough, The Honorable Brian DeQuincey Newman, The Honorable Cameron A. Runyan and The Honorable Moe Baddourah. Also present were Ms. Teresa Wilson, City Manager and Ms. Erika D. Moore, City Clerk. This meeting was advertised in accordance with the Freedom of Information Act.

### **PUBLIC HEARING ON BASEBALL IN COLUMBIA**

- **Council received public input at 12:12 p.m.**

Ms. Patricia Durkin appeared in opposition to the baseball stadium, because the City has many other issues to spend hundreds of millions of dollars on. She said she had a petition signed in opposition to the stadium. She said the feasibility study was not a good study and it is no different from the retail study that was done with the City Center Partnership several years ago. She said fixing our water and sewer system and improving our mass transportation system is a better use of funds.

Mr. Oliver Francis said the citizens are afraid; there's a price for progress; we want the crop, but we don't want to plow the field. He said we are the capital City and we are supposed to be the trendsetter. He urged the citizens to stop being afraid to take risks; progress costs.

Mr. Fritz Hamer said baseball is a tradition in Columbia and it would be good for us to consider bringing back Minor League Baseball. He said our community should not consider risking the amount of money that is being considered. He said that the University of South Carolina has a grand facility on Huger Street and we should negotiate with USC to use that facility. He said that the Capital City Park formerly known as Dreyfus Field has tremendous history and it would be worthwhile to refurbish that. He said there are two cheaper alternatives to the City investing in another baseball field. He agreed that water and transportation are two major things that should be focused on.

Ms. Elizabeth Marks, resident of the Robert Mills Historic District said she heard the presentation twice and she read the study. She lives and works within one-sixteenth of a mile from the proposed ballpark location. She said in July 2013, we rushed to approve a \$70 million gift in public funds to the developer of Bull Street; now we are considering tens of millions of dollars for a team owner; and now we are told that if the stadium isn't approved, the Hughes Company can't jump start the development. She asked why two

out of town companies are being handed unprecedented public dollars when other experienced and respected Columbia developers still have to use their own private resources to enhance our City. She asked why we are rushing to spend public dollars with no guarantee of return, as though it's monopoly money.

Mr. Walter Marks, resident of the Robert Mills Historic District said he opposes the baseball stadium, but not baseball. He said everything is rushed; we don't have a very strong set of numbers; and the owner doesn't want to pay. He expressed concerns, because it seems as though the Mayor went out to push the stadium and Council members didn't know what he was doing.

Mayor Benjamin clarified that Mr. Freier met with every member of Council several months ago and made the very same presentation.

Councilor Baddourah acknowledged that he met with Mr. Freier, but he has not seen the presentation. He said that the Mayor and Mr. Freier have been going around the City to every neighborhood presenting his case while Council has never seen that presentation as a public record.

Mr. Walter Marks said he reviewed the feasibility study. He recalled seeing a photo of the Fort Wayne stadium in the State Newspaper and half the stadium was empty. He suggested that the Mayor put his propositions on a slower track, get a hard set of numbers and come back to the public.

Mayor Benjamin said he attended a meeting last week wherein the consultants we hired to determine whether or not baseball would be feasible in Columbia were treated poorly; they were put in a position to defend decisions that had nothing to do with them; they were decisions we had to make as policy makers and decisions that Mr. Freier and Mr. Hughes will have to make. He recognized that part of the strategy is to try and confuse people. He clarified that no one is talking about spending \$100 million on a baseball stadium; no one is talking about using one dime of water and sewer revenue. He noted that we use the ERA Retail Study daily. He said we've been making aggressive water and sewer investments; we will continue to do so; and that has no impact on this project. He insisted that the only water and sewer funds that will be used for Columbia Common, will be for water and sewer infrastructure and storm water funds will be used for storm water. He clarified that we will be making an investment for public infrastructure on a piece of property that is two (2) and a half times the size of our central business district. He said we are talking about two (2) parking garages in the same exact area that we are sitting in right now, which has nine (9) parking garages of the same size. He said it is important to start from step one and see the proposal that all Council members should have seen by now. He stated that this is a multi-use sports and entertainment venue, not just a baseball stadium.

## **PRESENTATION ON BASEBALL IN COLUMBIA**

Mr. Jason Freier, Chairman and Chief Executive Officer of Hardball Capital, LLC confirmed that he has met with every member of Council, sent them an information packet and offered to meet with them again. He proposed the development of a multi-use outdoor sports and entertainment venue that is modeled after the facility in Fort Wayne, Indiana that averages over 500,000 people per year along with over one hundred (100) sold-out games, sold out concerts and other packed events. He noted that the facility has been named the number one sports facility for two years and during the third year it was ranked number two; it is a successful existing facility that has been copied in other cities. He said baseball is the best anchor tenant you can have, because it creates a constant flow of people with a guaranteed minimum of seventy (70) home games to be played. He said Minor League Baseball (MiLB) is a favorite pastime here in Columbia and the 2004-2013 MiLB seasons are the highest attended seasons over a 100-year history. He said that tickets are inexpensive with over 20% of ticket sales being under \$5.00. He stated that MiLB is extremely stable and highly regulated. He noted that independent teams are not regulated. He said the ballpark can accommodate small and large concerts; it is a center of community events; and the facility is always in use. He presented a video of events at the stadium and comments from elected officials and other stakeholders demonstrating the success of Parkview Field in Fort Wayne, Indiana. He said the ballpark will accelerate the development of the Bull Street property. He said that in less than five years, Fort Wayne has seen \$50 million in investments. He highlighted the impact of other stadiums in other cities. He said the proposal is to put the ballpark in the middle of the Bull Street development as a catalyst with pocket parking and residential within two blocks of the stadium. He said one proposal is to model the front of the facility after the old Columbia City Hall and Opera House that burned down 100 years ago. He said the ballpark will create large and frequent crowds that create foot traffic. He noted that MiLB has been successful in many college towns. He said that a ballpark in Columbia would be counter cyclical to downtown activities and it would leverage existing infrastructure. He noted that the openness of the venue encourages development nearby to include office, residential and hotel uses. He said a ballpark is open 365 days a year; it serves as a public park when events are not in progress; and the team provides year round security. He noted that a ballpark will increase hospitality tax revenues, employment, tourism, cultural and sporting events; it creates opportunities for business entertainment; it provides downtown entertainment; and it is an inexpensive option for family entertainment. He noted that 80% of tickets are priced at \$9.00 or less and free events are held at the facility. He said they would make a strong partner, because they are willing to make a substantial investment in the project and take most of the risk going forward; they have the expertise and a demonstrated track record of operating success; they have unparalleled success operating a multi-use venue; they designed and developed an award-winning ballpark at a cost lower than comparable facilities built at the same time; and they would give back to the community. He said they can build a great facility in Columbia for considerably less than the \$42 million seen in the feasibility study. He reiterated that MiLB is a community oriented endeavor. He proposed to establish a Reviving Baseball in Inner Cities (RBI) Program in Columbia as a youth outreach program. [Click here to view Hardball's presentation](#)

## **RESOLUTION**

1. [Resolution No.: R-2014-011](#) - Authorizing the City Manager to commence negotiations to include financing strategies of a Venue License Agreement between Hardball Capital, LLC and the City of Columbia and a Venue Management Agreement between Hardball Capital, LLC and the City of Columbia for placement and consideration on the February 4, 2014 City Council Agenda – *Approved by a vote of five (5) to two (2).*

Councilor Baddourah stated that this is the first time this has been presented to Council as a whole. He acknowledged that Mr. Freier met with him and Ms. Plough in December. For the record, he stated that he did not know that Mr. Freier was coming to the District III and IV meeting held last week. He asked about the increased attendance in Savannah over five years. He asked why the Savannah Council hasn't built a new facility.

Mr. Jason Freier, Chairman and Chief Executive Officer of Hardball Capital, LLC said on December 12, 2013, the Savannah Council agreed to move forward with a feasibility study and a Request for Proposals will be issued.

Councilor Baddourah questioned the success of the stadium in Savannah.

Mr. Jason Freier, Chairman and Chief Executive Officer of Hardball Capital, LLC explained that when they bought the Savannah team, it had the lowest attendance in the league. He noted that the stadium was built in 1926 and they've invested millions of dollars in the stadium. In doing so, he said that the attendance has doubled, but the team is still at the bottom of the league, because it is a poorly located and very old facility. He noted that the City offered to put \$6 million into the existing facility for upgrades, but that wasn't a prudent use of funds. He noted that Savannah councilmembers have toured the Fort Wayne facility and the Mayor of Savannah toured it twice.

Councilor Baddourah said he saw a lot of empty seats during the video.

Mr. Jason Freier, Chairman and Chief Executive Officer of Hardball Capital, LLC said a lot of the video was not recorded during a game.

Councilor Devine asked Mr. Freier to explain the process for exploring a territory.

Mr. Jason Freier, Chairman and Chief Executive Officer of Hardball Capital, LLC explained that MiLB and Major League Baseball (MLB) have the country divided into territories; a lot of the territories are spoken for; when the team left Columbia and went to Greenville, the territory opened up; and before anyone can explore the territory they must go through a process with MiLB to receive permission to explore this territory. He said that Hardball is the entity with permission to explore this territory.

Councilor Devine asked if more than one entity can be given permission to explore this territory. She asked if it is possible for the City of Columbia to issue an RFP for another owner to explore this territory.

Chairman and Chief Executive Officer of Hardball Capital, LLC said no, but you could get responses from an independent league, which is a totally different product that comes with none of the safeguards of MiLB.

Councilor Devine said that everyone agrees that the timeframe seems condensed for us to do our due diligence. She noted that she has spoken with councilmembers in Fort Wayne. She sought clarification of the timeframe Mr. Freier is working under and looking at a 2016 season versus 2015.

Mr. Jason Freier, Chairman and Chief Executive Officer of Hardball Capital, LLC said they were following the Bull Street discussion for the last two years and they've seen baseball being discussed consistently as part of that project. He noted that they've been exploring the market for a year. He explained that they came to Columbia, because they were looking for a win-win opportunity and when the Bull Street negotiations became serious, they saw that as an opportunity. He said the effect on Bull Street would be enormously different if they opened in 2015 versus 2016.

Councilor Devine asked if Mr. Freier would go somewhere else if we can't open in 2015.

Mr. Jason Freier, Chairman and Chief Executive Officer of Hardball Capital, LLC said no, but the offer for land from Mr. Hughes may be off the table and when you push something back a year, a lot can happen.

Councilor Devine asked if we would be supplanting events from one part of the City to another.

Mr. Jason Freier, Chairman and Chief Executive Officer of Hardball Capital, LLC said there is not a competing venue in Columbia right now. He said the events that are happening in Fort Wayne have been made bigger and better and they work very closely with the Convention Center in Fort Wayne to bring in events they haven't had before.

Councilor Davis said the Township Auditorium has the market on boxing. He asked if Mr. Freier would propose an event such as boxing.

Mr. Jason Freier, Chairman and Chief Executive Officer of Hardball Capital, LLC said a huge part of their success is dependent upon goodwill in the community. He added that a Minor League team is not looking to bulldoze existing events or venues; Columbia is the second largest metropolitan area in the country without a professional sports team; and he believes there is plenty of capacity here for us to be extremely successful without impacting existing venues or events.

Councilor Davis noted that a site analysis and evaluation wasn't done. He asked how Mr. Freier would work that against his numbers for the cost of construction.

Mr. Jason Freier, Chairman and Chief Executive Officer of Hardball Capital, LLC said the numbers are based on previous experience and discussions with engineers and architects who have designed many ballparks and have physically been on this site multiple times.

Councilor Davis said they've heard about the positive impacts of the stadium. He asked Mr. Freier to outline the precautions for a municipality getting involved with MiLB along with the construction and debt commitment.

Mr. Jason Freier, Chairman and Chief Executive Officer of Hardball Capital, LLC said MiLB teams don't disappear; if a team encounters financial disability he and his company would lose the franchise, but the league would step in and operate the team until it is sold to a new owner.

Councilor Plough sought clarification on what the team owner/operator is responsible for and what the MLB is responsible for.

Mr. Jason Freier, Chairman and Chief Executive Officer of Hardball Capital, LLC said they are responsible for all of the business operations for the baseball games and the other events. He explained that MLB provides the product on the field: players, coaches, trainers and managers; they are sent to us by a MLB affiliate; and they pay them. He noted that the owner/operator is responsible for the other costs.

Councilor Plough asked what those other costs are.

Mr. Jason Freier, Chairman and Chief Executive Officer of Hardball Capital, LLC said team travel, lodging, uniforms, ushers, ticket takers, concession workers, sales and marketing and television broadcast costs. He offered to send a list of the types of expenses they incur.

Councilor Newman asked what guarantee we will have in terms of longevity and how long the team will be here.

Mr. Jason Freier, Chairman and Chief Executive Officer of Hardball Capital, LLC said they will make a commitment to be here for 30-years under a contractual obligation and MLB/MiLB teams do not allow us to break those commitments; they can take the franchise away if we break our obligations. He noted that teams end up wanting to leave, because there is no long-term facility maintenance plan in place at the onset.

Councilor Newman said this is a major investment and destination for our community. He asked how accessible this park is going to be to the community. He wants to make sure that if we invest in something like this for our community, that it is really going to

be a benefit to everyone and exorbitant rates won't be charged to community groups that want to use the park.

Mr. Jason Freier, Chairman and Chief Executive Officer of Hardball Capital, LLC said in Fort Wayne, the park is open to the public when there isn't an event. He said this is a City facility and the City can request that an event be held at the facility at any time. He said the City would not have to pay for the events with the exception of the costs created. He noted that the team loses money on most community events, but they host the events, because it helps to create a connection with the community.

Councilor Baddourah said you are a private for-profit company. He asked if Mr. Freier is operating in the black in Fort Wayne and Savannah.

Mr. Jason Freier, Chairman and Chief Executive Officer of Hardball Capital, LLC said both teams are solvent organizations.

Councilor Baddourah asked if they requested funding from either City to continue managing or operating the stadium.

Mr. Jason Freier, Chairman and Chief Executive Officer of Hardball Capital, LLC said not in Fort Wayne, because under the lease we are responsible for all operations and maintenance costs. He said in Savannah and in the majority of instances, the City is responsible for a fair amount of the operations and maintenance costs as well as all capital improvement costs. He noted that this is the lease they inherited in Savannah, but this is not being proposed in Columbia.

Councilor Baddourah asked Mr. Freier if he will establish a reserve fund for maintenance and cover all liquid and fixed costs.

Mr. Jason Freier, Chairman and Chief Executive Officer of Hardball Capital, LLC said yes in Fort Wayne, we are responsible for all operations and maintenance costs on an annual basis; there is a board that oversees that; and we meet with that board annually.

Councilor Runyan asked what the remaining term of the Savannah contract is.

Mr. Jason Freier, Chairman and Chief Executive Officer of Hardball Capital, LLC said they are in the last year of a three year extension.

Councilor Runyan asked if there are instances where a franchise moves from one City to another.

Mr. Jason Freier, Chairman and Chief Executive Officer of Hardball Capital, LLC said a team can only move when they are not under a binding contract, unless there is an agreement that allows them to do so.

Mayor Benjamin asked what the public versus private investment in Fort Wayne will be at the end of the contractual relationship.

Mr. Jason Freier, Chairman and Chief Executive Officer of Hardball Capital, LLC said it will be over 50% in private funds, but when you add the upfront contribution, operations and maintenance, capital improvements, etc. Hardball is doing more than what the City is doing each year; we are taking on the risk of future variable costs.

Mayor Benjamin recalled an article from January 12, 2012 written by Clif LeBlanc wherein he talks about the possibility of baseball coming to Bull Street. He said it has been part of the dialog for quite some time. He said the Council discussed a feasibility study and who would pay for it. He recalled that there were offers to pay for it by the private sector in the second quarter of last year. He said it was Ms. Plaugh's recommendation that we have the feasibility study; we procured a private sector patron to pay for the study; it was Ms. Devine's recommendation that we have an independent study. He said that the feasibility study has been conducted and it concluded that this is a good market for baseball. He said there have been ten different meetings around the City explaining what we are talking about. He said the biggest question is how we are going to pay for this. He asked staff to present the financials.

Mr. Howard Duvall spoke to the Mayor and the members of Council from the audience and his comments were inaudible.

Councilor Plaugh made a motion to hear from the public at this point.

Councilor Baddourah seconded the motion.

Mayor Benjamin said he wants to hear from everyone, but it is important to have the information. He is amazed how the consultants were verbally assaulted and insulted many times last week and it is based on a decision that we seek not to inform our citizens and to incite them. He agreed to receive public input at this time, if it is the will of Council.

Ms. Teresa Wilson, City Manager clarified that there is a difference between Mr. Freier's presentation and the Brailsford and Dunlavey feasibility study that was commissioned by City Council; they are two independent things.

- **Council received additional public input at 2:04 p.m.**

Mr. Forrest Alton said he made a choice to live and work in this City and it comes along with a deal; we choose to pay taxes; we choose to vote in an election; and we choose to generate revenue, which subsequently our elected officials and City Manager decide how to invest. He is not a City planner, financial planner or a developer. He said Council has a choice to make as to whether or not we make an investment in this City. He said at a minimum a City needs to provide basic functions. He applauded the administration for addressing infrastructure needs. He said no one wants the bare minimum either. He said

there is an entire generation that is watching to see if you are going to make a City that we want to continue to call home.

Mr. Bob Liming disclosed that he loves baseball, but he is bewildered today. He said many of you were just re-elected and you ran on a campaign for safe streets, police, fixing our decaying water system and our infrastructure. He said now almost like a third baseman free agent on enhancement drugs, you're telling us that the absolute priority is to build a baseball stadium. He suggested that the City use USC's stadium and that we look at all developers. He said a public hearing is for the people and we are the people; let's make our City safe; and let's make it work.

Mr. Jim Reid said he is in favor of baseball in Columbia, but he also believes that tax dollars should be spent to provide basic public safety and basic services that benefit the citizens in Columbia. He asked why Columbia needs a stadium. He said Columbia has five large event venues that sufficiently provide affordable, family friendly entertainment. He said if there is a strong need for a stadium, then the City should pitch it to the private sector. He urged Council not to spend his hard earned money on a stadium.

Ms. Emily Cooper said we've all seen children in third world countries not having water to drink and we now see that other cities in the United States have the possibility of minimally adequate water. She said we have almost \$100 million in EPA fines. She said we must spend major funds on water and sewer, but we are sitting here talking about baseball. She quoted the Mayor as saying that we need more police officers and we need to pay our fire fighters more. She said we had to kill the bus system until we added taxes. She asked about light rail. She said that unless Columbia taxpayers become indentured servants we are not locked into a contract with no retail; we have two great shopping centers that she didn't pay taxes to build.

Mr. Rusty DePass said he is more concerned with the money the City would give up by ruining Bull Street, than he is with the idea of spending \$40 million on a baseball stadium; if you must have a stadium go somewhere else in town and build it like the Kline Iron Steel property or property on the river. He asked Council to not ruin the opportunity we have forever. He read a statement from a friend that served on the Richmond City Council and as the City Manager of Richmond.

Mr. Cam Kreps said the property won't be delivered to the City any cheaper and it is an opportunity to get leverage and an immediate return on the City's investment in infrastructure.

Mr. David Boucher said he supports the project as a taxpayer and they would love to have this project in their backyard. He cited the success of other Minor League teams. He said it doesn't take a CPA to identify that there is an absolute economic impact. He supports in principle, the City being involved in the development of a stadium. He said if you focus on the what, the how will happen.

Dr. Michael Stout said he grew up in Fenway Park, but he doesn't support a publicly financed stadium. He cited numerous quotes from the *Wall Street Journal* that spoke against public financing.

Mr. Carl Gullede, Jr. said we have a situation where we don't want the government picking winners and losers in the private sector; we're talking about a significant amount of money; and if it's that good of a deal, there are bankers that would love to get in on that. He doesn't want to see another Air South, trolley system or some other boondoggle that the City of Columbia and Richland County citizens will pay for.

Ms. Ebbon Hixson, Leadership Columbia Class 2014 said she came from Charleston, attended USC and found a job here. She said we need to work on our self-esteem and investing in something like this is good for our self-esteem.

Mr. Eric Dickey, Leadership Columbia Class 2014 said he has a family that he would love to bring into downtown. He loves the idea of packaging the destinations together. He said the City deals with more than water and sewer and we have to focus on more than one issue at a time. He said this project will not take away from water and sewer funds; it's a quality of life issue; this will be geared towards family entertainment; and this is the perfect venue for faith based concerts. He said Hardball Capital is coming here to make a profit and they won't see it lose.

Mr. Price Cameron, Vice President for Hughes Commercial Property Inc., as the representative of the retail developer for the front portion of the property he said they've met with over 100 retailers and their response to baseball has been very positive, because baseball will boost the project to the level of quality that many of these well-known retailers require; it brings people in from far away; and it's a long-term commitment. He said they fully support baseball in Columbia and they think it's an excellent step in rebuilding the neighborhood; it is an excellent step toward remaking a neighborhood, bringing new things to the City and completing the vision for a first-class retail project.

Mr. Sam Chestnut expressed concerns about public money being spent on a private project. He owns a private company, but he didn't reach out to the City of Columbia to fund it. He loves baseball, but believes there are other opportunities and places to do this; it doesn't have to be at Bull Street or with public money.

Ms. Susan Creed said this process is debilitating for people who can't sit here for hours at a time; there needs to be a way to bring in the drawbacks for each idea along with a way to evaluate them. She asked that more information be put online so that citizens don't come to the meetings full of ignorance and frustration. She asked how is she to judge the information provided when she was told that Mr. Freier was at the sessions with the firm that conducted the feasibility study.

Mayor Benjamin said that's why it is so important that we give you the information and that you have the opportunity to hear it from the horse's mouth. He stated that Mr. Freier was not there.

Mr. Robert Creed said he tried to find information so that he could develop an opinion. He sent questions to the City and received helpful information. He said there are three things going on: the Bull Street Development Agreement; a proposed contract; and the City's response to this contract in terms of the obligations, meeting those obligations, benefits and risks. He referred to page 22, section 16a of the development agreement and asked if it's true that the City can't build the stadium anywhere else except on that site.

Mayor Benjamin said that's not true.

Mr. Robert Creed cited paragraph 16a. He said that Mr. Freier and Mr. Johnson have been very helpful, but neither could tell him how the City will determine its benefits and its obligations. For that reason, he concluded that Council should vote no.

Ms. Debbie McDaniel said she has three (3) stores in the City of Columbia and when she started over twenty years ago, no one would loan her a dime. She said what works in one area doesn't necessarily work in another. She asked how this will benefit our people. She stated that our people deserve clean water, safe streets, safe neighborhoods and public transportation. She said it takes one of her employees over two (2) hours to get from North Main Street to the downtown area. She said we need to use our money to help our working poor and to help everyone in Columbia have a better life.

Mr. Wiley Cooper asked where the money is coming from. He asked how the City can be assured of having the money to pay back what it borrows. He asked why the hurry. He said that Hardball has declined to state publicly that we will have a team in 2015. He asked what do we have to lose if we do this right and what are the costs for the businesses and venues already here. [Click here to read Mr. Cooper's comments](#)

Mr. Bill Shuler, President of Prescott Terrace said there's a disconnect between what he is hearing here and what he's hearing in the community; the people don't know what's happening. He asked when our ballpark is coming. He said we don't hear about this in other areas, but we hear about police and Chief Santiago being the best police chief Columbia ever had. He said he went to a lot of the meetings and this sounds good. He said there is a lot of property in Columbia that no taxes are paid on. He sees it as a win-win situation.

Mr. Darien Moyd said as a resident of the Midlands, Columbia is the economic engine that drives the Midlands and for too long we have lagged behind Greenville and Charlotte for the lack of vision and courage. He said there has to be a way for the City of Columbia to transform Columbia and to develop the Bull Street property that is currently dormant. He said this will be a catalyst and a lot of people in the Midlands are pulling for you.

Ms. Kit Smith, former member of the Richland County Council said the energy in this room shows that you have a great citizenry that is involved and that cares. She said it appears that the main reason for doing this is to jump start the Bull Street development. She said if it's not about baseball, then you need to know the effect of that. She urged Council to be careful in looking to make sure you are going to get the result you want

before you commit to investing \$105 million; before you commit to build, get a commitment to develop. She said a major concern is the cost benefit. She said we've heard about the benefits from the people who are trying to sell us the product; it is important to analyze the costs, which are larger than the dollars. She asked what could be done with this money if we didn't spend it here and is there another amenity that we could put on this property that would do the same thing. She said there can be unintended consequences to well-meaning efforts. She reviewed the timeline for the discussions thus far, noting that there is a problem with transparency. She asked what has been agreed to; has the stadium been designed; and why hasn't the public been a part of the process.

Ms. Ahrens Sims-Derrick said she is a numbers person. She said she got her information from the State Newspaper, but there has not been continuous information. She said the public may be willing to support this, but we need information. She recalled that at one point, the Mayor said that the stadium should be publicly funded. She further recalled that the Mayor said that the stadium could be built without any further tax burden. She said that transparency and clear communications build trust. She said the public doesn't know where the funding is coming from.

Mr. Howard Duvall said the development of the Bull Street property is a once in a generation opportunity for the City of Columbia. He asked will a stadium move the Bull Street development from a mixed-use development to another entertainment district. He said the matter should be moved to a referendum for a vote; with careful planning, the Bull Street project can be a crown jewel for the City. [Click here to read Mr. Duvall's statement](#)

Ms. Marilyn Knight, Melrose Heights resident said that she has heard only one idea; she hasn't heard any mention of the Duany Architects; the Duany Plan included a beautiful design for Bull Street. She said there is nothing clever about plumping a stadium in the middle of the Bull Street property; it represents the destruction of the inherent beauty of the grounds. She told Council that she walked the 184 acre property in July and it has the most productive soil. She urged Council to not pave it over. She said not everyone wants to go to a ballgame. She asked the Council to imagine a huge garden where the homeless could learn to grow fine fruits and vegetables; that creates dignity and lots of jobs. She said we can be leaders and not just copycats.

Mr. Floyd Cutner, President of the Residential Executive Council for the Columbia Housing Authority said everybody is focused on baseball, but it's about bringing our young children together and making Columbia a better place to be. He would like to see this provide for the future of our children. He said it will stop crime; provide positive and productive things for Columbia; and it will help our children improve their grades.

Mr. Carlos Andridge said he came here in 1968 and he worked as a doctor on Bull Street. He said if you look at many controversial developments, that is what made countries and cities famous. He said it is a good opportunity to do something visionary for Columbia; there are always risks. He hopes the developer will preserve a lot of the trees. He said this is a good opportunity to have an anchor and if you build it, they will come. He has

attended several Minor League Baseball games and the stadium in Birmingham has grown a lot over the past twenty years.

Mayor Benjamin noted that the Birmingham stadium was modeled after the Fort Wayne stadium.

Mr. Bob Wynn, President of the Arsenal Hill Neighborhood Organization said a leap of faith came when the decision was made to develop the Bull Street property; the opportunity to catalyze it with a ballpark is a wise decision; and the fusion is remarkable when you have a professional private entity that can join in to bring jobs, retail, entertainment, increased hotel revenue, entertainment, property values, tourism and economic activity; a compact with other attractions and businesses; reasonable and affordable pricing and free community events. He has no doubt that the pros outweigh the cons.

Ms. Martha Fowler asked to please hear what Mr. Hughes and the City Manager has to say now and then she would love to give her opinion.

Ms. Diane Wiley, Belvedere Community resident said she was raised to never accept no for an answer. She said you must take risks; this is an opportunity for Columbia to grow; there's nothing in the gateway of Farrow Road, Beltline Boulevard and Two Notch Road; and having Bull Street on that side would help. She said Allen University and Benedict College are always left out and they need help, too. She thanked the Mayor and City Council, because things are being done in Belvedere.

Mr. Bill Manley agreed that the stadium doesn't have to be built; the development of Bull Street will go on. He spoke about the City's financials at the Hyatt Park-Keenan Terrace meeting last night. He said the City's latest audit goes back to 2012 and at that time, the City's long-term debt was \$523,682,321, which includes a carryover from 2011 of \$80 million. He asked how the June 30, 2013 fiscal year ended; there could be another \$80 million in long-term debt. He said the citizens don't have an idea of the long-term debt that has been added this year. He reported that in 2012, the Water and Sewer Fund had an income of \$117,953,167; expenses were \$113,889,149; there was a balance of \$4,064,018; and the City transferred \$7,431,664 from the Water and Sewer Fund. He further reported that the deficit in the parking garages was \$1,173,699 and \$164,361 was transferred out. He asked what the stadium and two (2) parking garages are going to cost us. He said we will have \$800 million in long-term debt and we don't need that. He asked that the 2013 audit be published. He asked how much more money has been borrowed during the current fiscal year.

Mayor Benjamin clarified that no one has said that there won't be development on the Bull Street site without baseball; we've talked about baseball as an accelerant, but no one has said that it's dependent upon baseball.

Mr. Bob Hughes, President of the Hughes Development Corporation clarified that private money is being spent on a public ballpark that will be owned by the City of Columbia. He recalled Mr. Freier saying that you get to use it for whatever you want to use it for; he gets to use it for seventy baseball games and other entertainment; he gets the revenue off of that; and in exchange, he will pay a large part of your costs and he will take care all of your maintenance into the future. He recalled that the Duany Plan was updated and Andres Duany's final presentation to the public included a baseball stadium on Bull Street. He acknowledged that since 2011, there has never been a site plan or a picture in the paper that didn't have the baseball stadium on it; the stadium was moved in response to conversations with neighbors. He said our goal is to have the best mixed-use neighborhood and baseball is the family piece to this. He said that not one young person spoke against this. He said this is about retaining talent and having a place that young people and young families want to gather and that is done by public/private partnerships in most cities. He has made a commitment with four (4) years of his time and over \$2 million; to date he has not received one dollar. He insisted that he is in this to make it work. He noted that Columbia agreed over a course of 20-years to install the infrastructure so that we have the same benefit as people who bought a lot on Main Street. He said there are milestones to get that money. He said we are committed to creating reasonably priced parking buildings, at the right locations; and at the right time; the City will own those buildings. He said these are mixed-use parking garages that will be used for offices, baseball, retail and residents. He noted that mixed-use garages earn twice the revenue per parking space. He reiterated the fact that he will donate the site for baseball, which will be a commitment worth several million dollars and the land around the stadium will become more valuable. He noted that he won't get the taxes that will be created by such a development; the City will and that will ripple out far from the baseball. He agreed not to use a baseball stadium as a trigger for constructing a parking garage; we are partners; it's not to my benefit to spend your money early nor to build a garage early. He agreed to amend the contract if necessary. He stated that the infrastructure funding allocated for Bull Street can be used to make this the least expensive site to build baseball on in Columbia. He explained that the definition of smart growth is to spend the money on infrastructure one time and use it multiple times; you can use the money spent on infrastructure to produce sewer, storm systems, power and streets for baseball. He cited the Miley Study as saying that when we get Bull Street going, there's going to be \$22 million in property taxes and a \$1.2 billion a year economic impact upon the build out of Bull Street. He said the most important thing in baseball is getting the right owner; baseball is a community asset; we've seen this model work; this is an opportunity for Columbia to leverage its investment; and you can make this kind of impact with an awfully small investment. He thanked City Council for the partnership. He insisted that we are going to take the State Capital, the home of USC, the home of Fort Jackson and create a place that will be the envy of South Carolina and the envy of the nation.

Councilor Plough asked Mr. Hughes about us being on a very fast track. She said we can't reasonably build a stadium in twelve (12) months. She asked what if it's a 2016 team. She asked how that would impact Mr. Hughes and would Mr. Hughes still be willing to contribute the land.

Mr. Bob Hughes, President of the Hughes Development Corporation said Jason will have to comment on the ability to build a stadium rapidly; it can be done. He said he has been talking about baseball in Columbia since 2011; this isn't rushed. He said that baseball means a lot to him in this project and it should mean a lot to Columbia. He noted that parking will be remote to the garage and will cause patrons to walk past stores and restaurants to get there. He said he can't finish a plan for the rest of the land without knowing what will happen with baseball. He is dying to get certain retailers on this project; this is an opportunity for us to do something spectacular. He would not like to wait and he would have to evaluate all of his contracts before he decided whether or not to donate the land in the future. He would like to support it as fast as he can. He said baseball is worth him trying to figure out a way to make it work. He said if we didn't do baseball, it would make it a totally different project; it would have a huge negative impact on his personal finances.

Councilor Plough asked where the \$20 million came from in the contract.

Mr. Bob Hughes, President of the Hughes Development Corporation said it came from the costs he looked at for the Charleston and Greenville stadiums. He admitted that he didn't realize the ongoing maintenance exposure, which wasn't included and he didn't understand the difference between a really good stadium in Greenville that cost \$26 million ten (10) years ago and a great stadium in Fort Wayne.

Councilor Baddourah said Chapter 4 page 5 of the feasibility study showed that the private share in Greenville was 70% and the public share was 30%. He said that Greenville should have been more active in funding the deal. He asked why Mr. Hughes chose to put in 70% of his money into that stadium and why don't we have that relationship here.

Mr. Bob Hughes, President of the Hughes Development Corporation clarified that he doesn't have anything to do with the baseball stadium in Greenville. He said he is active in that neighborhood as a developer; he is not an owner of the stadium or the land around the stadium. He said that was a hay day when you got loans for anything; you can't do that now. He said there is a City currently building a stadium without a team, hoping to attract a team when they finish; they are paying 100% for the park.

Councilor Davis asked who represents the 70%.

Mr. Bob Hughes, President of the Hughes Development Corporation said a man named Craig Brown is the managing partner of that organization.

Councilor Devine said she talked to a few councilmembers in Fort Wayne who said that the stadium meant a lot more to their community than expected; however, they stressed that baseball has to be part of a bigger development. She asked if there is a possibility that the ballpark will be happening at the same time as retail development if there is a desire of this Council to do so.

Mr. Bob Hughes, President of the Hughes Development Corporation said the pace of baseball would be helpful by getting it in the core and getting it done early; the retailers are planning their shops around baseball. He explained that some of the baseball development will have to be elevated with retail tucked under it. He said the retailers have been told to expect construction to start later this year if baseball comes. He reported that they have an agreement out for signature for the renovation of the Babcock Building into a significant facility, but in that agreement we have the right to cancel if baseball isn't approved by the City of Columbia. He further reported that there is another six (6) acre project that will come whether baseball comes or not.

Councilor Devine said it would be helpful to know those things under a nondisclosure agreement with an understanding that it can't be disclosed publicly.

Mr. Bob Hughes, President of the Hughes Development Corporation agreed, but asked Council not to call the retailers.

Councilor Devine sought an explanation on the commitment for infrastructure; is it additional funding.

Mr. Bob Hughes, President of the Hughes Development Corporation said the \$31.5 million is expected to be paid over twenty (20) years and we are under negotiations with one utility company to see if they can do it at a reduced rate. He said you have to bring water, sewer, sidewalks and roads to the development. He said we have money in the plan to build the roads, but sewer and storm water retention has to be provided; we can get the power company to run power and gas there; these are public infrastructure items that the owner/operator doesn't have to pay for.

Councilor Devine asked how the stadium will work with the other public amenities that have been proposed.

Mr. Bob Hughes, President of the Hughes Development Corporation said they are designing the park at Gregg Street, but we can't complete the design until we know about baseball. He committed to doing twenty-five (25) acres of parks and the concourse, which is also a public park will be two (2) acres; we may be able to use part of the parks budget for the concourse.

Councilor Plough asked if Mr. Hughes will provide that "but for" list so that Council can get a sense of commitments if baseball moves ahead.

Mr. Bob Hughes, President of the Hughes Development Corporation said he can almost do that; he agreed to sit down with the Director of Economic Development and City Council, noting that each step tells you what the next step can look like. He said it all draws back to baseball for the first step.

Councilor Plough asked if retail will include fast food.

Mr. Bob Hughes, President of the Hughes Development Corporation said not fast food, but we are talking about having food; the anchor retail will not be restaurants. He doesn't want to circumvent the public process, but he can't put it out publicly.

- **Council recessed at 4:19 p.m.**
- **Council reconvened at 4:29 p.m.**

### **STAFF RESPONSE ON BASEBALL IN COLUMBIA**

Ms. Teresa Wilson, City Manager explained that the work plan that is to be presented is based off of management and staff's review of what has been heard thus far; it has not been developed in consult with any of the individuals you've heard from today; it is an objective document that will serve as the framework for a path forward. She said while there have been lots of forums, briefings and discussions, there has been no directive by this Council for the Manager to do anything. She explained that this document will take you from where we are and encompasses opportunities and challenges that must be considered. She presented the twenty-three (23) part work plan. She reported that staff was asked by Council, who commissioned a feasibility study to look at the possibilities of baseball; that presentation was given on January 7, 2014; not the full study. She reiterated to the public that Council now has the full study along with answers to questions that were presented to Brailsford and Dunlavey as the objective and independent consultant that Council asked to work with us. She said City Council can possibly direct management to begin to conduct the due diligence and many City departments were asked to look at the possibilities that are being discussed. She said if directed, we would now formally conduct more due diligence to make adequate recommendations to you regarding a true public private partnership for the construction and operation of a Multi-Use Sports Entertainment Venue. She noted that she will always refer to it as that, unless directed otherwise. She stated that we will need to determine if this will be a part of a larger redevelopment project; identify all involved parties and the implementation schedule; ascertain the extent of private investment; and City Council will need to enact policy supporting the chosen path forward. She said that items 3-9 involve many of the things that have been mentioned to include outside consultant review, bond counsel review, internal reviews, etc. She said that item 16 brings us back to a review with City Council to determine if our findings meet Council's direction and objectives. She clarified that the original feasibility study that was commissioned had a scope of work that did not include surveys. She noted that she was not asked to look at site selection. She said that we have to consider other cost and revenue estimates for design, construction and land and infrastructure improvements for the venue; other attendant components associated with the venue; annual and ongoing maintenance and operating costs; interior and exterior security; clean-up for the events; naming rights and revenue sharing; suite and ticket sales revenue; and a project timeline. She said that the Columbia Police and Fire Departments would need to be at the table regarding ongoing event needs, traffic and noise. She said that Jeff Palen will present the most palatable financing options to Council. She said it is incumbent upon her to present the ongoing obligations of this City to include: public safety, compensation and classification study, capital

needs, water and sewer infrastructure. She outlined the future obligations of the City to include: facilities and other capital needs and catalyst projects across the City. She said that the Chief Financial Officer will review the potential revenues, but she noted that there are positive potential revenue sources from an opportunity like this and we want to keep those in mind. In closing, she urged Council to engage the community and stakeholders to include citizens, neighborhoods, the Bull Street Commission and other venue operators. She noted that these are potential opportunities to partner, but we also want to be cognizant of the notion of substitution dollars and making sure that they are comfortable that we are not displacing sources of revenue to another venue. She said we would recommend as to whether or not the City should create a Venue Authority Board or Advisory Board to oversee the City's interests and to manage civic events. She said that staff wants to be as responsible and efficient in getting this information to you, but at the same time we want to do whatever is ultimately in the best interest of this City. [Click here to view the Work Plan for a Multi-Use Sports Entertainment Facility and Bull Street Development](#)

Mr. Jeff Palen, Chief Financial Officer said they will bring back estimates on what they expect the potential revenues to be. He asked everyone to remember that these are estimates. He presented a list of eighteen (18) potential funding sources for financing the stadium, facility and other obligations on Bull Street. He referred to a memo that was previously presented in June 2013, noting that the 20-page document provided details on these options. He reviewed a list of other City commitments from the Development Agreement. He explained that this is a 20-year commitment; the numbers will be presented in four phases, but as though this was occurring today; and the things discussed today will change over the years as different revenues materialize. He stated that our commitment is estimated at \$31,236,000, \$24 million for parking facilities and \$35 million for a multi-use sports entertainment facility for a total preliminary amount of \$90,236,000.

Councilor Davis asked if additional infrastructure funding is needed for the construction of the stadium.

Mr. Jeff Palen, Chief Financial Officer said if we spent funds on infrastructure for the stadium, that would count towards part of our commitment.

Mayor Benjamin said that would require an amendment to the agreement.

Councilor Plaugh noted that the Development Agreement says that they will provide the land for both parking structures.

Mr. Jeff Palen, Chief Financial Officer said that is his assumption and the estimates do not include land costs.

Councilor Plaugh asked how Mr. Palen arrived at \$35 million. She said the consultants came up with a higher number and our contract says \$20 million.

Mr. Jeff Palen, Chief Financial Officer said the number was provided by the owner/operator.

Councilor Devine said that amount still has to be negotiated.

Mr. Jason Freier, Chairman and Chief Executive Officer of Hardball Capital, LLC said they had a not to exceed amount with the City of Fort Wayne.

Mr. Jeff Palen, Chief Financial Officer confirmed that the Development Agreement states that land will be provided for the parking. He reported that they looked at utilizing \$9,400,000 between one (1) to twenty (20) years in cash or pay as you go to pay for water and sewer infrastructure projects, storm water projects and other potential projects such as parking. He noted that it would not be necessary to borrow funds if cash is used.

Councilor Runyan asked if the \$9.4 million will be pulled from the unassigned fund balance.

Mr. Jeff Palen, Chief Financial Officer said yes, the water and sewer unassigned fund balance.

Councilor Plough asked for the current amount in the unassigned fund balance.

Mr. Jeff Palen, Chief Financial Officer said approximately \$150 million. He noted that the CAFR is posted online now.

Mayor Benjamin insisted that we don't want to consider using water and sewer funds, except for water and sewer projects.

Councilor Devine asked Mr. Palen to clarify that. She believes that storm water projects will come out of the Storm Water Fund.

Mr. Jeff Palen, Chief Financial Officer clarified that it would be \$6,125,000 out of the Water and Sewer unassigned fund balance and \$3,275,000 out of the Storm Water unassigned fund balance for projects outlined in the Development Agreement; it could be a little more; it could be a little less.

Councilor Plough asked if we have an unobligated fund balance in the Storm Water Fund.

Mr. Jeff Palen, Chief Financial Officer said yes, but there are still ongoing projects. He said we may need to reprioritize; this is a starting point; we need to get a better understanding of the plan and when the funds will be needed.

Councilor Plough said they need to know if this affects projects that we've already committed to. She requested a copy of the CAFR.

Mr. Jeff Palen, Chief Financial Officer said this is like any bond issue we do; we can agree to a plan, but every item will come back to Council.

Councilor Plaugh sought clarification on the balance in the Storm Water Fund.

Councilor Baddourah recalled that the Storm Water Fund balances out. He asked if we can use water and sewer funds to complete storm water projects.

Mr. Jeff Palen, Chief Financial Officer said he doesn't believe that we can.

Councilor Baddourah expressed concerns about storm drainage problems across the City.

Mr. Jeff Palen, Chief Financial Officer said if there isn't an appetite to use that, we will pull it out.

Councilor Devine said there is money in the account, but many storm drainage projects exceed the amount of available funding. She said we need to know if that's why the money is there.

Ms. Teresa Wilson, City Manager said they looked at the cost of what needed to be covered along with the relevant funds and the amount that you could take from those funds. She noted that Council would need to decide whether or not to move forward.

Mr. Jeff Palen, Chief Financial Officer acknowledged that we have a lot of water and sewer needs coming up as well. He continued to report that the use of a Hospitality Tax Bond would be a new issuance estimated at \$24 million. He said we currently have an outstanding hospitality bond issue that will mature in ten (10) years and our goal is to make the new bond fit in with the outstanding bond. He estimated that \$1.1 million would come out of the Hospitality Tax Fund in addition to the \$1.3 million we currently pay each year.

Councilor Runyan asked if that would net \$24 million.

Mr. Jeff Palen, Chief Financial Officer said yes; we are only paying interest in the early years and the principal will be paid off in large amounts after we pay off the current outstanding bond. He said Council must consider the existing coverage; if we issue the additional debt there is still a very strong coverage ratio on that. He explained that the funding could be used for any tourism related project including projects for a multi-use sports entertainment facility, any related parking facilities and potentially any other items under the Bull Street Development Agreement that would be related to tourism. He said the existing average annual debt service on outstanding bonds is \$1,347,000.

Councilor Plaugh asked what else can be funded other than parking and the stadium under the agreement.

Mr. Jeff Palen, Chief Financial Officer said roads.

Councilor Plough asked if only the roads that are tourism related could be funded from the Hospitality Bond.

Mr. Michael Seezen, Esq., City's Bond Counsel / McNair Law Firm, P.A. said that's correct; a hospitality tax bond can be used to fund tourism related facilities, roads and sidewalks, infrastructure and things that provide access to the tourism related development.

Councilor Runyan asked if it is an estimated \$46,000 in annual debt service on every million dollars of issuance.

Mr. Jeff Palen, Chief Financial Officer said they are trying to work this into the current structure and we will only be paying interest until we pay off the first bond then we will begin paying principal payments after we pay off that first bond.

Councilor Runyan asked if it is a 20-year issue.

Mr. Jeff Palen, Chief Financial Officer said no; that's a 30-year issue; most of our facilities we are building will be 30 to 50 year type items.

Councilor Runyan asked what the annual debt service would be per million for a traditional arrangement.

Mr. Jeff Palen, Chief Financial Officer said it was for 20 years at \$70,000 per million.

Councilor Baddourah asked about the borrowing limit on the hospitality revenue.

Mr. Michael Seezen, Esq., City's Bond Counsel / McNair Law Firm, P.A. said the City can issue up to 120% of the maximum debt service on the debt.

Mr. Jeff Palen, Chief Financial Officer agreed to provide the number.

Councilor Baddourah said if we are to do any park renovations or projects, we are limited; we have maximized all we can borrow on that revenue.

Councilor Plough said you are running these numbers with interest only for twenty (20) years.

Mr. Jeff Palen, Chief Financial Officer said it will be ten (10) years; it will parallel with the current issue; once that is paid off, all debt service will go towards paying off the new bond. He reiterated that we will pay interest only for the first ten (10) years on this bond issue as we are paying off the old bond issues; that amortizes over the next thirty (30) years. He continued to report on the use of Installment Purchase Revenue Bonds (IPRB) in the amount of \$57 million that can be used to finance any publicly owned asset in Bull Street; this will allow the City to work with funding sources that have more restricted uses; the credit structure is widely used throughout the state; it is generally accepted

throughout the financing industry; the structure is flexible and allows the City to use multiple sources to make its annual payments without having to directly pledge its sources. He noted that an advantage of using an IPRB is that they know we will issue small short-term General Obligation (GO) bonds to make the payments, but if we identify other eligible sources, we can utilize those as well. He said the \$5.5 million used to make the debt service payment today, will be the same ten (10) years from now. He said they tried to be very conservative while looking at this, assuming that no one else will be giving us revenue to pay for this. He reviewed the assumptions that were made during this analysis.

Councilor Plaugh said this also assumes that our operating expenses will stay flat.

Mr. Jeff Palen, Chief Financial Officer agreed that this doesn't incorporate anything on operating expenses.

Councilor Plaugh said you are anticipating that the growth in the tax base will cover the increased operations costs.

Mr. Jeff Palen, Chief Financial Officer said we will bring back estimates on growth and expenses. He said we are spending \$5.5 million on debt service; that will remain constant over thirty (30) years; and we won't have to raise taxes to make the payments.

Councilor Plaugh asked how we will pay for vehicles and capital items we have used the GO debt for.

Mr. Jeff Palen, Chief Financial Officer said we've used GO debt to fund our rolling capital over the last four (4) years; we've maxed out on our debt capacity; this is the last year we were able to do that; and we are looking for other solutions in the upcoming budget.

Mayor Benjamin said that many of us have expressed that it wasn't the best way to do things.

Mr. Jeff Palen, Chief Financial Officer recalled that the City used to have an internal lease and we are looking at how to fund that along with leases through other financial institutions.

Councilor Davis asked to see a comparison of the funding options.

Councilor Devine clarified that we were using cash, but decided to free up money in the General Fund. She said they should allow staff to complete the due diligence then complete this discussion in more depth. She said we can't make a decision today on a funding option; we clearly need more information and more discussion.

Mayor Benjamin made the following motion:

Whereas, Columbia City Council finds that Minor League Baseball brings vitality to urban centers; and,

Whereas, Columbia City Council finds that baseball stadiums are now being constructed as multi-use venues that are otherwise lacking in Columbia; and,

Whereas, Columbia City Council finds that baseball stadiums can serve as an economic catalyst for revitalization when carefully and thoughtfully built in conjunction with mixed-use neighborhoods; and,

Whereas, Columbia City Council finds that public financial participation in constructing and operating baseball stadiums may be required; and,

Whereas, Columbia City Council wants to conduct all proper due diligence outlining all risks and benefits of the proposed multi use venue;

Now, therefore, I move to direct the City Manager to work with staff to bring forward (1) a draft Venue License Agreement between Hardball Capital, LLC and the City of Columbia and a draft Venue Management Agreement between Hardball Capital, LLC and the City of Columbia to include proposed financing and any commitments by the Bull Street developer and Hardball Capital, LLC and (2) a work plan for the implementation of this public/private partnership, as well at the February 4, 2014 meeting of City Council.

Councilor Devine seconded the motion. She said the February 4, 2014 deadline may be a very tight timeframe; however, she agreed that we need to keep moving. She acknowledged that all of the information might not be available by that date. She asked that Ms. Wilson engage whatever professional expertise that is needed, i.e. attorneys and consultants. She said we need to decide if this is something we want to do; whether or not we can afford to do it; and whether or not we can afford not to do it. She hopes that Council can have a real honest dialog. She hopes that this discussion will be part of that bigger strategic discussion we need to have as it relates to investing in our infrastructure needs and long-term goals. She supports the Mayor's motion, noting that this has been a very quick process and more information is needed in order to make an informed decision without artificial timelines.

Councilor Davis said if there's a positive decision to go with this particular venue, there are going to be impacts one way or the other. He said there will be some spinoff if this moves and if it doesn't there still exists a need to do other things that will impact that part of the City. He sees this as a way of not only preparing for one particular path, but understanding and realizing that there are other things that need to be done; we need to give it just as much effort and consideration as we are giving this question, whether we go forward with it or not.

Councilor Plaugh said we've heard staff trying to advise us on how we cobble together \$90 million to invest in a 180 acre site in our City. She said that Bull Street does offer a fabulous opportunity to Columbia and our State; there are fabulous historic properties there and opportunities to do exciting things. She said this City Council has already committed \$75 million towards seeing that dream come to fruition. She is for investing in our future and giving the citizens of this City what they deserve in terms of a responsible government. She doesn't think it's reasonable to think that the things outlined could be professionally addressed by February 4, 2014. She expressed concerns about public safety and security needs. She said we must be careful about what we envision for the future of this City. She isn't against baseball or baseball on Bull Street, but we must be careful about our public safety needs, resurfacing streets, sidewalks, storm drainage, recreation facilities and Finlay Park. She made a substitute motion to stop all negotiations and all other considerations relating to the construction of a Minor League Baseball team as part of the Bull Street development.

Councilor Baddourah seconded the motion.

A substitute motion made by Ms. Plaugh and seconded by Mr. Baddourah, to stop all negotiations and all other considerations relating to the construction of a Minor League Baseball team as part of the Bull Street development failed by a vote of two (2) to five (5). Voting aye were Mr. Baddourah and Ms. Plaugh. Voting nay were Mr. Newman, Mr. Runyan, Ms. Devine, Mr. Davis and Mayor Benjamin.

Councilor Runyan said he has a long list of due diligence questions for the City Manager and he agreed to share those with his colleagues as well. He doesn't disagree with most of what was said tonight. He said we need to understand the risks.

Ms. Teresa Wilson, City Manager said she understands the motion and during the period of due diligence we will be giving weekly updates. She said the motion is asking us to bring back agreements and she asked if Council wants to consider staff doing the due diligence first and then the agreements.

Mayor Benjamin said all questions need to be asked and answered; it may not be to everyone's satisfaction. He said that Ms. Devine's recommendation is clear in that you should avail yourself to whatever advice you need so that you can answer questions from Council and the community; we want this done right and that is what everyone is encouraging.

Upon a motion made by Mayor Benjamin and seconded by Ms. Devine, Council voted five (5) to two (2) to approve Resolution No.: R-2014-011 - Authorizing the City Manager to commence negotiations to include financing strategies of a Venue License Agreement between Hardball Capital, LLC and the City of Columbia and a Venue Management Agreement between Hardball Capital, LLC and the City of Columbia for placement and consideration on the February 4, 2014 City Council Agenda; to direct the City Manager to work with staff to bring forward a draft Venue License Agreement between Hardball Capital, LLC and the City of Columbia and a draft Venue Management

Agreement between Hardball Capital, LLC and the City of Columbia to include proposed financing and any commitments by the Bull Street developer and Hardball Capital, LLC as soon as practical; and to direct staff to bring forward a work plan for the implementation of this public/private partnership with an update during the February 4, 2014 meeting of City Council. Voting aye were Mr. Newman, Mr. Runyan, Ms. Devine, Mr. Davis and Mayor Benjamin. Voting nay were Mr. Baddourah and Ms. Plough.

### **CONSENT AGENDA**

Councilor Baddourah asked that **Item 8** be held until Acting Police Chief Santiago can answer his questions.

Upon a single motion made by Mr. Baddourah and seconded by Mr. Runyan, Council voted unanimously to approve the **Consent Agenda Items 2** through **7** and **9** through **11**. Consideration of **Item 8** was deferred.

#### **CONSIDERATION OF BIDS, AGREEMENTS and CHANGE ORDERS**

2. Council is asked to approve the [Purchase of Four \(4\) Kubota Utility Vehicles](#), as requested by the Parks and Recreation Department. Award to Carolina Power Equipment, Inc., a certified Local Business Enterprise in the amount of \$65,943.89. This vendor is located in Cayce, SC. *Funding Source: Parks, Building and Ground-Autos, Truck, Heavy Equipment Capital; 1015104-658500 - Approved*
3. Council is asked to approve the [Purchase of One \(1\) Dump Truck with a Five Cubic Yard Body](#), as requested by the Fleet Services Division for the Street Division. Award to Carolina International Trucks, Inc., using the SC State Contract in the amount of \$73,803.00. This vendor is located in Columbia, SC. *Funding Source: Capital Replacement/Auto, Trucks, Heavy Equipment-Capital; 6308972-658500 - Approved*
4. Council is asked to approve [Project SS721514; An Agreement for On Call Engineering Services](#), as requested by the Utilities and Engineering Department. Award to Hazen & Sawyer, P.C. in the amount of \$75,000.00. This firm is located in Columbia, SC. *Funding Source: Sanitary Sewer Improvement Fund; SS721514 – **Note:** The City desires to engage the Engineer to render certain engineering services required from time to time in conjunction with the operation of the City's water treatment plants and respective distribution system. These tasks may include, but are not limited to: on-call sewer hydraulic modeling, capacity assurance support, wastewater engineering support and other related consulting services. – Approved*

5. Council is asked to approve the [Purchase of One \(1\) Backhoe Loader](#), as requested by the Fleet Services Division for the Street Division. Award to Blanchard Machinery Company using the National Joint Powers Alliance Contract in the amount of \$86,131.00. This vendor is located in West Columbia, SC. *Funding Source: Capital Replacement/Auto, Truck, Heavy Equipment-Capital; 6308972-658500 - **Note:** The City of Columbia's membership with the National Joint Powers Alliance creates national cooperative contract purchasing opportunities and solutions that present both time and money savings by consolidating numerous individually prepared solicitations to one cooperatively shared process. There is no-cost, no-obligation or liability to participate in the NJPA contract purchasing program. - Approved*
  
6. Council is asked to approve [Contract Amendment #2 for Project SS6722](#); An Agreement for Engineering Services to provide Operational Assistance at the Metro Wastewater Treatment Plant, as requested by Utilities and Engineering. Award to Hazen and Sawyer in the amount of \$113,580.00. This vendor is located in Charlotte, NC. *Funding Source: Sanitary Sewer Fund; 5529999-SS6722 - **Note:** This contract amendment will allow Hazen & Sawyer to provide additional post-construction related services at the Metro Wastewater Treatment Plant. Improvements were made to the Headworks and Train 1 secondary clarifiers. As a result, a Field Specialist will perform extended operational, maintenance assistance and training for the newly upgraded facilities. - Approved*

#### ORDINANCES – SECOND READING

7. [Ordinance No.: 2013-130](#) – Granting encroachment to Terry Dimmery and Betsy Dimmery for installation and maintenance of a wrought iron fence, brick knee wall, brick columns, a walk gate and drive gate within the right of way area of the 2400 block of Wheat Street adjacent to their property located at 2420 Terrace Way, Richland County TMS #11311-07-04 – *First reading approval was given on January 7, 2014. – Approved on second reading.*

#### RESOLUTIONS

8. [Resolution No.: R-2014-002](#) – Authorizing the City Manager and Interim Chief of Police to execute a Mutual Aid Agreement between the City of Columbia and City of Columbia Police Department and the South Carolina Department of Mental Health – *Consideration of this item was deferred on January 7, 2014 and January 21, 2014.*
  
9. [Resolution No.: R-2014-005](#) – Authorizing execution of a Lease Amendment Agreement between the City of Columbia and MS Joint Venture for lease of office space at 1401 Main Street to be used by the City Attorney and Information Technology Departments - *Approved*

10. [Resolution No.: R-2014-010](#) – Authorizing consumption of beer and wine only at First Thursdays on Main/Art Crawl in the 1200, 1300, 1400, 1500, 1600 and 1700 blocks of Main Street from Gervais Street to Laurel Street and within Boyd Plaza adjacent to the Columbia Museum of Art – *The event begins on February 6, 2014.* - *Approved*
11. [Resolution No.: R-2013-107](#) – Authorizing consumption of beer and wine only at the South Carolina Cornbread Festival – *This event is on March 29, 2014.* - *Approved*

### **ORDINANCE – FIRST READING**

12. [Ordinance No.: 2014-005](#) – Authorizing the City Manager to execute an Amendment to Lease Agreement between the City of Columbia, Bright-Meyers 2001, LLC and Shanahan & Company, LLC for lease of the property known as Capital City Stadium – *Approved on first reading.*

Upon a motion made by Ms. Devine and seconded by Mayor Benjamin, Council voted unanimously to give first reading approval to Ordinance No.: 2014-005 – Authorizing the City Manager to execute an Amendment to Lease Agreement between the City of Columbia, Bright-Meyers 2001, LLC and Shanahan & Company, LLC for lease of the property known as Capital City Stadium.

Councilor Devine asked staff to schedule a meeting with Mr. Hughes before Feb. 4, 2014.

Upon a motion made by Mayor Benjamin and seconded by Mr. Davis, Council voted unanimously to declare Tuesday, January 21, 2014 as Ryan White Care Act Day in the City of Columbia in support of reversing the spread of HIV/AIDS in our community.

Upon a motion made by Mr. Davis and seconded by Mr. Runyan, Council voted unanimously to adjourn the meeting at 5:45 p.m.

### **EXECUTIVE SESSION**

13. Discussion of negotiations incident to proposed contractual arrangements – *This item was not discussed in Executive Session.*
14. Discussion of negotiations incident to the proposed purchase of property – *This item was not discussed in Executive Session.*

Respectfully submitted by:

Erika D. Moore  
City Clerk