



CITY OF COLUMBIA
CITY COUNCIL MEETING MINUTES
WEDNESDAY, DECEMBER 3, 2008
9:00 A.M.
COUNCIL CHAMBERS – 3RD FLOOR
1737 MAIN STREET

The Columbia City Council conducted a Regular Meeting on Wednesday, December 3, 2008 at City Hall, 1737 Main Street, Columbia, South Carolina. The Honorable Mayor Robert D. Coble called the meeting to order at 9:12 a.m. The following members of Council were present: The Honorable E.W. Cromartie, II, The Honorable Tameika Isaac Devine, The Honorable Sam Davis, The Honorable Daniel J. Rickenmann and The Honorable Belinda F. Gergel. The Honorable Kirkman Finlay III arrived at 9:14 a.m. Also present were Mr. Charles P. Austin, Sr., City Manager and Ms. Erika D. Salley, City Clerk.

APPROVAL OF MINUTES

1. Minutes of August 6, 2008 - *Approved*

Upon motion by Mr. Cromartie, seconded by Mr. Rickenmann, Council voted unanimously to approve the Minutes of August 6, 2008 as presented.

PRESENTATIONS

2. ****Introduction of Mr. David Wang of the United States China Exchange Association - The Honorable E.W. Cromartie, II.**

Mr. David Wang, Vice Director of the US-China Exchange Association (USCEA) explained that the United States China Exchange Association is a non-profit organization that has been doing business since 2001. The USCEA distributed materials to many cities in China during the post earthquake reconstruction period. On behalf of Dr. George Wong, the President of China, he asked the Mayor to sign the Sister City Memorandum of Understanding.

3. **Top Water Efficiency Policies – Mr. Gerrit Jobsis, Southeastern Director of American Rivers**

Mr. Gerrit Jobsis, Southeastern Director of American Rivers announced that American Rivers is a national river conservation organization and they will be celebrating their 35th Anniversary. It is the only organization to focus on conserving rivers and addressing river related issues. They issued a Water Efficiency Report last year, which was an analysis of how to save water in the southeast region. He explained that 30% of the City's water can be saved. He further explained that the City of Columbia could save 18% to 27% of its water by stopping leaks. The City of Columbia has 15% to 20% leaks versus Raleigh, North Carolina that has 4% to 5% leaks. He suggested that the water be priced right to cover costs and to encourage efficiency; all uses should be metered; retrofit all buildings with water efficient fixtures; landscape to minimize water waste; increase public understanding and education through outreach campaigns; build smart for the future; return water to the river; and involve citizens in decisions. He noted that the City of Columbia uses much more water per customer.

Mayor Coble stated that Raleigh and other cities had severe water shortages, but we don't have the perception that we are about to run out of water because of our sources.

Mr. Gerrit Jobsis, Southeastern Director of American Rivers replied that stresses are being put on the City of Columbia's water sources, because the City of Columbia is expanding its water intake from the Broad River.

Councilor Finlay stated that the City of Columbia has used Water and Sewer to fund other projects. He noted that we did not get the final Black & Veatch report. He added that 50% of the water and sewer system is over 50 years old and we need to begin to fix leakages.

Mr. Gerrit Jobsis, Southeastern Director of American Rivers said that water and sewer are great revenue sources, but you have to reinvest into it. He asked the City of Columbia to partner with American Rivers to conduct a detailed analysis of the City's water usage. He offered to provide recommendations on conservation measures that can be taken.

Mayor Coble suggested that Mr. Jobsis meet with staff to determine how we should proceed. He stated that these things will become national policy.

There was a consensus of Council to direct staff to determine how to proceed with this request.

CITY COUNCIL DISCUSSION / ACTION

4. Fiscal Year 2009 / 2010 Budget Priorities - *This item was withdrawn from the agenda until December 10, 2008.*
5. Central Midlands Regional Transit Authority

Mayor Coble stated that Mr. Tommy Windsor is trying to get annexed into the City of Columbia. He said that it is not a legal requirement for a disabled representative to be appointed, but Mr. Windsor does have a form of a disability; he has been on the RTA and is one of the most faithful members; he is an advocate for the City of Columbia; he is a conservative member in terms of resources; and he attends all of the meetings.

Councilor Cromartie agreed that Mr. Tommy Windsor is an advocate for the City of Columbia, the bus system and ridership, because it is an economic stimulus for the environment and the community. He said that 40% of Palmetto Baptist employees ride the bus. I support the nomination.

Upon motion by Mayor Coble, seconded by Mr. Cromartie, Council voted unanimously to approve the appointment of Mr. Tommy Windsor to the Central Midlands Regional Transit Authority.

6. Columbia Tree and Appearance Commission - *Deferred*

Councilor Cromartie said that he would have a nomination to replace Ms. Madeline Pioreschi on December 17, 2008.

Mayor Coble asked the Council to consider how to incorporate someone from Main Street or to consider appointing a subcommittee of the Tree and Appearance Commission to hear from citizens.

Councilor Gergel said that she spoke with Mr. Howard Duvall, Chair of the Columbia Tree and Appearance Commission and he wants to meet with the City of Columbia to discuss their priorities; these are strong recommendations that we have before us.

Councilor Devine suggested that they go with the recommendations of the committee.

Councilor Finlay nominated Mr. Hemphill Pride for an appointment.

Mayor Coble asked that staff schedule a presentation of the committee's recommendations and the appointments for next week.

Councilor Devine said that she forwarded an e-mail from Earlewood representatives requesting a moratorium on tree cutting until they can meet with staff.

Ms. Sara Hollar, Superintendent of Forestry and Beautification said that she will be attending the Earlewood Park Neighborhood Association meeting on January 15, 2009. She agreed that no trees would be removed from the area in the interim.

Councilor Davis asked why the trees are being cut down.

Councilor Devine requested a list of what was cut down and why.

Ms. Sara Hollar, Superintendent of Forestry and Beautification said that she is working on that.

Councilor Finlay asked if there is a listing of trees that are okay to plant.

Ms. Sara Hollar, Superintendent of Forestry and Beautification responded that a Reforestation Technician is currently updating the list.

Councilor Finlay stated that citizens need to understand the lifespan and the lifecycle of trees.

Ms. Sara Hollar, Superintendent of Forestry and Beautification said that in the past they worked on an individual basis and now they are working to educate the public.

7. Design Development Review Commission - *Deferred*

Councilor Cromartie nominated Ms. Doris Hildebrand as the President of the Historic Waverly Community to replace Mr. Durham Carter.

Councilor Rickenmann said that he has concerns and that there needed to be a fair balance between neighborhoods and businesses. He would like to discuss this with Mr. Cromartie, because he's not sure that's the right appointment.

Councilor Finlay nominated Ms. Veronica Whisnat, noting that she would be a good representative for the City of Columbia.

Mayor Coble said that he met with Ms. Mindy Taylor who is a young person that would like to serve the City of Columbia. He added that Ms. Mary Winter-Teaster is a great person.

Councilor Finlay nominated Ms. Mary Winter-Teaster for the Planning Commission.

Councilor Devine said that she is not offering any personal endorsements. She suggested that they keep geography in mind, because it is good to have people that bring several things to the table.

Councilor Cromartie asked his peers to consider that we need members that people recognize and feel comfortable with.

Councilor Gergel wonders about the process. We should begin a dialog on screening the applicants. We need people who appreciate the purpose of the mission and we should evaluate their understanding of the mission and the board.

Councilor Davis said that part of the issue has been the complaints about this commission. We need to instill in this commission that we don't want them to pit neighborhoods against businesses. I am not interested in screening applications. We must look at dual talents. He added that Mr. Rhett Anders and Mr. Tony Thompson have been trying to get appointed for some time now; they are business folks; and they are active in the community. We should meet with the commission once per year.

Councilor Devine agreed that there needs to be people on the Commission that are known, but we don't want to limit ourselves.

Councilor Rickenmann suggested that they discuss this matter on December 10, 2008 during the Work Session.

Councilor Devine suggested that they meet with Mr. Dale Marshall while he's here.

Councilor Finlay said that we needed to be clear with board members that there are things beyond their purview; they are not asked to exceed their authority. He noted that all of the architects that applied are from Council District 3 and that we can't always be extremely diverse. He agreed to discuss the matter on December 10, 2008.

Councilor Cromartie said that we have to find the right applicants. We will find an African American architect. I agree with having a multipliCity of talent and geographical diversity.

Councilor Davis stated that the citizens and City Council members expect commonsense judgment from the board members. He said that over-regulation stunts growth and development and it prevents others from seeing their preferences materialize.

Councilor Gergel asked the City Clerk to send the background information on the Design Development Review Commission to all members of Council to include an outline of responsibilities and all potential appointments.

8. Planning Commission

Councilor Finlay nominated Ms. Mary Winter-Teaster as a replacement for Mr. Billy Way.

Councilor Devine said it is time for Council to meet with the different land use boards. We need people that believe in the mission of the board; people that understand that it is a time and a place for personal issues; and we need to address inappropriate behaviors.

Councilor Davis concurred with Ms. Devine and suggested that they meet with the Board of Zoning Appeals (BOZA) first and then schedule meetings with the other boards.

Councilor Gergel asked if appointees understood the training requirement.

Mr. Marc Mylott, Director of Planning and Development Services said that board members are required to have six (6) hours of training during the first year and three (3) hours of training each additional year.

Councilor Davis asked if training occurred on time.

Mr. Marc Mylott, Director of Planning and Development Services said yes and the information is on file with the City Clerk.

Councilor Davis said that it would be helpful to have an attendance roster on a quarterly basis.

Mr. Marc Mylott, Director of Planning and Development Services said no problem.

Upon motion by Mr. Finlay, seconded by Mayor Coble, Council voted unanimously to approve the appointment of Ms. Mary Winter Teaster to the Planning Commission for a three (3) year term.

REPORTS AND UPDATES

9. City Manager's Report – Mr. Charles P. Austin, Sr., City Manager

Mr. Charles P. Austin, Sr., City Manager reported that Operation Taking Back Our Streets has been successful to this point; we are still collecting data; and a report is forthcoming. He said that they would like to meet with Council members individually to discuss the Columbia Police Department's Comprehensive Plan and then schedule a presentation on December 10, 2009.

Mayor Coble said that this is one of the most important things we will do. We need to send out the report and meet with folks to get a consensus. We can find additional resources from the Federal COPS Fund and we should do this together.

Councilor Finlay requested a copy of the report as soon as possible. We need to do something to understand how we got to this point; what caused it; and how do we get our City back. At our first meeting in January, we need a defined synopsis on how we got to this position.

Mr. Charles P. Austin, Sr., City Manager asked the Council members to get with Ms. Florence to schedule a time to meet with him.

Councilor Finlay asked if we should be discussing this in private. He said that funding will be a dramatic issue and it will effect our planning for the upcoming budget.

Mayor Coble said that we do a better job when City Council has a chance to review and discuss the issue. We should do what makes people feel comfortable.

Councilor Devine said that she is hearing that we need twenty (20) additional officers; how do we fund that? The Southeast Region is too big; how did that happen? Should we reduce that? She suggested that a Work Session be scheduled to discuss these matters. Also, back up materials should be provided for the meeting. We need to discuss recruitment and how to fill twenty (20) vacancies. How do we compensate officers in other ways?

Councilor Davis concurred with Ms. Devine. The other aspect is the numbers that are being thrown around. The perception is that the twenty (20) officers are being committed to one (1) area. He insisted that there should be partnerships with neighborhoods and businesses.

Councilor Rickenmann stated that the Council has been waiting on the report and he agreed with scheduling a Work Session prior to the holidays to decide how we will tackle the priorities.

Mr. Charles P. Austin, Sr., City Manager agreed to coordinate the scheduling. He continued to report that the Information Technology Department has worked through many kinks as it relates to the website. The Centralized Bidder Registration is up and ready for input, but it is not a done deal. He said that the system meets the standards of Attorney Lee. He said that we will do online payments through kiosk testing units; if the demo works then we will set up kiosks at central locations for public use.

Councilor Devine suggested that the system be tested internally through February 2009.

Councilor Finlay suggested that the City Manager ask fifty (50) to seventy-five (75) individuals to test it.

Mr. Charles P. Austin, Sr., City Manager said that Mr. Vincent Simonowicz, Director of Information Technology would demonstrate the use of the Bill Pay Online system for Council while he completes his report. He added that the payment of parking tickets will be included in Phase 2.

Councilor Davis asked if the system was designed to receive and handle disputes.

Ms. Carmen Fleming, Information Technology Department replied that individuals would contact the Customer Service Division about disputes and SC.gov would handle payment disputes.

Councilor Davis asked how much time will lapse before customers hear back from a representative.

Mr. Charles P. Austin, Sr., City Manager stated seventy-two (72) hours.

Councilor Devine asked if we could offer electronic billing to customers.

Ms. Carmen Fleming, Information Technology Department said that they are discussing that option with Laser Print representatives.

Councilor Devine asked if we would be accepting ACH payments.

Ms. Carmen Fleming, Information Technology Department said that they are working on that. She noted that it is risky when dealing with bad checks.

Councilor Cromartie asked when the system will go into effect.

Ms. Carmen Fleming, Information Technology Department said that they need to test it first.

Councilor Finlay said that we have to advertise this.

Mr. Charles P. Austin, Sr., City Manager stated that he plans to make the system accessible to staff and City Council members; work out the kinks and bugs; and then go through the public relations process.

Councilor Rickenmann suggested that customers with commercial and residential accounts receive a discount.

Councilor Finlay said that he would ask his employees to use the system for his commercial accounts.

Mr. Charles P. Austin, Sr., City Manager said that the system would go live on February 1, 2009.

Mayor Coble agreed that the system should go live on that date unless there are problems.

Councilor Finlay suggested that the system go live on March 1, 2009 to allow for two (2) billing cycles.

Mr. Charles P. Austin, Sr., City Manager said let us fine tune this; provide an update on December 10, 2008; and then determine the dates for testing and release.

Mayor Coble suggested that Attorney Franklin Lee or Mr. Tony Lawton do an interview on Channel 2.

Mr. Charles P. Austin, Sr., City Manager agreed to ask Mr. Lee to do a public relations shot.

Mayor Coble asked that Mr. Lee's interview be done in January 2009.

Councilor Davis suggested that we consider senior citizens and people with challenges as part of the testing pool.

Mr. Charles P. Austin, Sr., City Manager stated that the federal and state lobbyists are here to present to the Council as part of a working lunch. He announced that the planning for the 2009 Retreat is underway; we need to select a date; determine a location; and set an agenda for two (2) full days to include team building and diversity training.

Councilor Finlay stated that there should be a deep review of the numbers.

Councilor Rickenmann suggested that there be one (1) day of each and that the City Manager talk with the Riley Institute at Furman University about conducting the training.

Councilor Devine said that the trainer also needs to understand the dynamics of working in government.

Mayor Coble insisted that the Council should not travel for the Retreat; we need an appropriate location in town.

Mr. Charles P. Austin, Sr., City Manager said that he is considering three (3) locations all within a 50 mile radius.

Councilor Davis suggested that he talk with Dr. Whitson of Columbia College about meeting space.

Councilor Gergel suggested that he talk with Columbia College about a trainer as well.

Mr. Charles P. Austin, Sr., City Manager agreed to provide a progress report on the Retreat options on December 17, 2008.

Councilor Cromartie requested the tentative dates for the Retreat in advance.

Mr. Charles P. Austin, Sr., City Manager said that the dates will be provided today by Ms. Gladys Brown, Assistant City Manager for Administrative Services.

- **Council recessed at 11:00 a.m.**
- **Council reconvened at 11:09 a.m.**

CONSENT AGENDA

Councilor Rickenmann asked if we should be paying taxes on the gifts cards.

Councilor Finlay inquired about the Workers Compensation policy. How did we underestimate our payroll in past years? He requested the estimated payroll amount versus the audited payroll amount.

Councilor Rickenmann asked to defer **Item 12**.

Councilor Finlay stated that \$84 million is needed for 2009; is that jiving with the actual budget? It seems to demonstrate that we grew our payroll.

Mr. Ken E. Gaines, City Attorney explained that the coverage is statutorily required and it won't change. He reported that Safety National was the lowest bidder based on market requirements.

Councilor Rickenmann agreed to approve this matter, but he asked for an explanation on how this happened.

Mr. Charles P. Austin, Sr., City Manager said that he is not prepared to provide a response.

Councilor Finlay said that this issue ducktails on his request for the numbers on November 19, 2008. He requested a hard date for receiving the information.

Upon motion by Mr. Cromartie, seconded by Ms. Devine, Council voted unanimously to approve the **Consent Agenda Items 10.** through **23.** with a single motion and as presented.

CONSIDERATION OF BIDS, AGREEMENTS and CHANGE ORDERS

10. Council is asked to approve the Purchase of \$35.00 Value Gift Cards for Employees' Holidays. Award to Columbia Fresh Market, the successful bidder in the amount of \$38,787.50. This vendor is located in Columbia SC. *Funding Source: 1011125-624200 - Approved*
11. Council is asked to approve the Purchase of a Wheel Loader with Tink Bucket, as requested by Fleet Services. Award to Linder Industrial Machinery, the lowest bidder in the amount of \$123,730.52. This vendor is located in West Columbia, SC. *Funding Source: 6308972-658500 - Approved*
12. Council is asked to approve the Workers' Compensation Excess of Loss Policy Renewal, as requested by the Legal Department. Award to Safety National, the lowest bidder in the amount of \$166,434.00 (\$83,217.00 per year for a two year term). This firm is located in St. Louis, MO. *Funding Source: 6098939-636200 - Approved*
13. Council is asked to approve Project SS7058; the Agreement for Disinfection Improvements at the Metro Wastewater Treatment Plant, as requested by Engineering Operations. Award to Black & Veatch in the amount of \$254,500.00. This vendor is located in Greenville. SC. *Funding Source: Sewer Improvement Fund - Approved*
14. Council is asked to approve Project SS6911; Root Removal Annual Contract, as requested by Utilities and Engineering. Award to Dukes Root Control in the amount of \$310,550.00. This vendor is located in Syracuse NY. *Funding Source: SS691102-851600 - Approved*
15. Council is asked to approve Project SS704402; Rehabilitation of Two (2) Grit Chambers and Associated Parts for the Metro Wastewater Treatment Plant, as requested by the Engineering Department. Award to WSG Solutions, as a sole proprietor in the amount of \$579,256.80. This vendor is located in Montgomeryville, PA. *Funding Source: Sewer Improvement Fund 5529999-SS704402-851200 - Approved*
16. Council is asked to approve Project WM4126; 16" Along Beltline Boulevard, as requested by Utilities and Engineering. Award to D.S. Utilities, Inc. (Mentor Firm); 8 Star Construction, Inc (Protégé Firm), the lowest bidder in the amount of \$1,731,307.10. This vendor is located in Little Mountain, SC. *Funding Source: WM412601-851500 – This is a Mentor Protégé Program - Approved*

ORDINANCES – SECOND READING

17. Ordinance No.: 2008-100 - Authorizing execution of a Conserfund Loan Agreement between the City of Columbia and South Carolina Energy Office to fund construction of the City of Columbia's hydrogen fueling station. *First reading approval was given on November 19, 2008. – Approved on second reading.*

CONFIRM ZONING OF PREVIOUSLY ANNEXED PROPERTIES – SECOND READING

18. **211 Redbay Road**, TMS# 28901-03-31; confirm PUD-R zoning – *First reading approval was give on November 19, 2008. – Approved on second reading.*
19. **4033 West Beltline Boulevard**, TMS 11613-01-01, -02, -03; confirm C-3 zoning – *First reading approval was given on November 19, 2008. – Approved on second reading.*
20. **741 Greenlawn Drive**, TMS 16409-05-21; confirm C-3 zoning – *First reading approval was given on November 19, 2008. – Approved on second reading.*

MAP AMENDMENTS (REZONINGS) – SECOND READING

21. **1102 Huger Street**, TMS# 8912-10-09 through -19, rezone from M-2, -DD and M-2, -DD, -DP to M-1, -DD and M-1, -DD, -DP – *First reading approval was given on November 19, 2008. - Approved on second reading.*
22. **Block Bounded by Hampton, Taylor, Gregg, and Laurens Streets**, TMS# 11407-11-03 through -08, -10 through -12, -14 through -17, -19 and -21 through -23; rezone from C-3 and M-1 to PUD-C – *First reading approval was given on November 19, 2008. – Approved on second reading.*
23. **Rezone to add –CC overlay district to all parcels to implement Interim Measures for Community Character Protection to Heathwood Neighborhood**, generally bounded by Devereaux Road on the North, Kilbourne Road on the east, Devine Street on the south, and Adger Road to the west; **TMS# 13804-04-01, -02, -03, -05; 13804-05-01, -02, -03, -04, -06; 13808-01-01, -02, -03, -04; 13808-02-01, -03, -04, -05, -06; 13808-03-01, -02, -03, -04, -05, -07, -08, -09, -10, -11, -12, -13, -14, -15, -16; 13808-04-01, -02, -03, -04, -05, -06; 13808-05-01, -05, -03, -04, -05; 13808-12-01, -02, -03, -04, -05, -06, -07; 13808-13-01, -02, -03, -04, -05, -06, -07, -08, -09, -10, -11, -13; 13808-14-01, -02, -03, -04, -05, -06, -07, -08; 13905-12-01, -02, -03, -04, -05, -06, -07; 13905-13-01, -02, -04, -05, -06, -07, -08, -09; 13905-14-02, -04, -05, -06, -07, -08, -09, -10, -12; 13905-15-01, -02, -03, -04, -05, -06, -07, -08, -09, -10, -11**; rezone to add –CC overlay to all zoning districts – *First reading approval was given on November 19, 2008. – Approved on second reading.*

REPORTS AND UPDATES

23a. Staff Report

- Housing First – Mr. Tony Lawton, Director of Community Development, Mr. David Parker, PH.D, Research Assistant Professor of Medicine Division of Infectious Diseases / University of South Carolina School of Medicine and Ms. Nancy Stoudemire, Director of Human Resources and Planning / Columbia Housing Authority

Mr. David Parker, PH.D, Research Assistant Professor of Medicine Division of Infectious Diseases reported that the statement was awarded almost one (1) year ago; the contract was signed in February 2008; they have signed fifteen (15) clients; placed one (1) client in permanent housing; and they are 11% under budget. The School of Medicine and the Columbia Housing Authority are providing a good value. We will increase the units from twenty five (25) to thirty eight (38), if we receive the housing expansion grant.

Mayor Coble stated that many people believe that Housing First is only one component. We need to evaluate the effectiveness of Housing First and where it fits in the City of Columbia.

Mr. David Parker, PH.D, Research Assistant Professor of Medicine Division of Infectious Diseases explained that it is a continuum of care for the homeless; it's for people who cannot maintain housing on their own; they are hard core homeless.

Councilor Davis asked where the units are located. How are you addressing and managing those with drug problems?

Mr. David Parker, PH.D, Research Assistant Professor of Medicine Division of Infectious Diseases said that they conduct background checks and they provide in-house drug counseling. He outlined the services offered by Housing First and the partnerships that have been created.

Ms. Nancy Stoudemire, Director of Human Resources and Planning said that all of the units are fully furnished one bedroom apartments.

Mr. David Parker, PH.D, Research Assistant Professor of Medicine Division of Infectious Diseases for University of South Carolina, School of Medicine said that there is a huge amount of community support for the program.

Councilor Finlay noted that there is a massive pay out on expenses per person at \$115 to \$120 per day.

Mr. David Parker, PH.D, Research Assistant Professor of Medicine Division of Infectious Diseases said that they are spending \$63 per day.

Councilor Finlay asked how we build a system that is able to be replicated financially and with ease.

Mr. David Parker, PH.D, Research Assistant Professor of Medicine Division of Infectious Diseases reiterated that Housing First is one part of the continuum of care.

Ms. Nancy Stoudemire, Director of Human Resources and Planning reported that they have made five (5) grant applications; they are using existing staff; and they applied for seventy (70) vouchers for veterans.

Councilor Devine asked if the apartments were owned by the Columbia Housing Authority.

Ms. Nancy Stoudemire, Director of Human Resources and Planning stated that none of them are owned by the Columbia Housing Authority and none of them are existing affordable housing. We are using landlords under the Section 8 program to identify housing.

Councilor Devine said that it is critical to get people back to normal lifestyles. Is there any information that suggests that these clients have been served by other organizations such as the Cooperative Ministry?

Councilor Gergel asked Mr. Parker to elaborate on how Housing First fits into the continuum of care.

Mr. David Parker, PH.D, Research Assistant Professor of Medicine Division of Infectious Diseases said that a shelter is needed year round; off-site services are needed; family shelters are needed; and Housing First is needed for people who can't cohabitate. He insisted that it all has to be addressed.

Councilor Gergel asked how clients are referred.

Mr. David Parker, PH.D, Research Assistant Professor of Medicine Division of Infectious Diseases explained that ninety (90) organizations make referrals and we do the outreach. We try to help them by referring them for other services. He added that homelessness could be helped a lot through basic case management.

Councilor Rickenmann asked how long clients are kept in the Housing First Program. What happens to those that can't get out of the program?

Mr. David Parker, PH.D, Research Assistant Professor of Medicine Division of Infectious Diseases said that they work everyday to help people develop skills and to work on specific areas.

Councilor Rickenmann asked how many service providers are currently dealing with the homeless.

Ms. Nancy Stoudemire, Director of Human Resources and Planning said that there were forty two (42) agencies, but they don't do the same things.

Councilor Rickenmann asked how the forty two (42) entities fit into the overall situation. He stated that there is not a single point of entry.

Ms. Nancy Stoudemire, Director of Human Resources and Planning said that applications are kept on file for two (2) years for possible housing.

Councilor Davis asked if they were providing direct services to those that are being serviced elsewhere. Are you providing veterans affairs or social services?

Mr. David Parker, PH.D, Research Assistant Professor of Medicine Division of Infectious Diseases said that there are five (5) programs: Housing Placement; Career Services; Counseling; HIV Case Management; and Local Resources.

Councilor Finlay requested a list of the forty two (42) providers. He asked to meet with Mr. David Parker. What % of the population are you currently serving? What percentage will you serve in the future?

- **Mayor Coble left the meeting at 11:57 a.m. Mayor Pro-Tempore Daniel Rickenmann is now presiding.**

Councilor Gergel suggested that they consider organizing a homeless summit.

Councilor Rickenmann asked to use Mr. Parker as a resource for the summit.

Mr. David Parker, PH.D, Research Assistant Professor of Medicine Division of Infectious Diseases stated that there is a huge sense among service providers that we need to band together.

Councilor Finlay said that we must achieve the most for the least. The challenge is going to be eliminating duplication.

Councilor Cromartie added that it is a holistic approach.

Councilor Devine insisted that they needed to have frank discussions. We can prove that other jurisdictions are sending their homeless to the City of Columbia and we can't afford that. We need a productive dialogue.

Ms. Nancy Stoudemire, Director of Human Resources and Planning reported that 76% of the people interviewed were born in Richland County.

Councilor Devine stated that last week the City of Columbia's shelter housed people that were dropped off. The State needs to look at the fact that the City of Columbia needs assistance. We need to talk to the State and other providers.

Ms. Nancy Stoudemire, Director of Human Resources and Planning said that Charleston and Greenville receive more federal funds for the homeless, but we have more homeless individuals than they do. We are conducting a new count on January 28, 2009 and we will inform you of those results from the Midlands Area Consortium for the Homeless (MACH).

Councilor Devine agreed that it is necessary to schedule a summit.

Councilor Gergel further suggested that the City of Columbia begin discussions with MACH.

Councilor Finlay said that Miami had a countywide dedicated funding source and were able to set up a trust fund. As we go forward with our budget we won't be able to do that.

- Redevelopment Plan Update – Mr. Tony Lawton, Director of Community Development – *Deferred*
- Operation Taking Back Our City – Mr. Tandy Carter, Chief of Columbia Police Department - *This item was briefly addressed in the City Manager's Report. A report will be given on December 10, 2008.*

ORDINANCES – FIRST READING

24. Ordinance No.: 2008-065 - Authorizing a property tax credit to taxpayers within the corporate limits of the City of Columbia for installation of fire sprinkler systems in compliance with S.C. Code Ann. §12-6-3622 - *This item was moved to Executive Session, but was not discussed. No action was taken.*

25. Ordinance No.: 2008-101 – Annexing 3419 Park Street Richland County TMS #09106-02-07 – *Approved on first reading.*

Upon motion by Mr. Davis, seconded by Ms. Devine, Council voted unanimously to give first reading approval to Ordinance No.: 2008-101 – Annexing 3419 Park Street Richland County TMS #09106-02-07. Mr. Cromartie was not present for the vote.

26. Ordinance No.: 2008-106 - Amending the 1998 Code of Ordinances of the City of Columbia, South Carolina, Chapter 14, Offenses and Miscellaneous Provisions, Article VII Prostitution – *Approved on first reading.*

Upon motion by Mr. Finlay, seconded by Ms. Devine, Council voted unanimously to give first reading approval to Ordinance No.: 2008-106 - Amending the 1998 Code of Ordinances of the City of Columbia, South Carolina, Chapter 14, Offenses and Miscellaneous Provisions, Article VII Prostitution. Mr. Cromartie was not present for the vote.

RESOLUTIONS

Upon motion by Mr. Finlay, seconded by Mr. Davis, Council voted unanimously to approve **Items 27.** and **28.** with a single motion. Mr. Cromartie was not present for the vote.

27. Resolution No.: R-2008-062 – Authorizing Condemnation to Acquire Water Main Easements along Richland County TMS #15100-08-17, 18, 19 &20 for Water Main Construction for North Firetower Road along Community Road and Wilson Boulevard (US HWY. 21) to near Rimer Pond Road; CIP Project #WM3871, Phase 1; CF #250-176 - *Approved*

28. Resolution No.: R-2008-063 – Authorizing Condemnation to Acquire a 15' Water Main Easement Along Richland County TMS #14800-05-17 for the Wilson Boulevard Water Main Extension CIP Project #WM3871, Phase 2; CF#250-176A - *Approved*

**Councilor Finlay suggested that the City launch an educational program for business licenses. We should consider an amnesty day. Can we defer all business license collections for one to two years for businesses moving into the City of Columbia? He requested a report on January 7, 2009.

**Councilor Davis said that he would like for us to ask businesses what we can do to help. This should be included in the report.

**Councilor Devine asked the City Manager to defer the report on the Redevelopment Plan until December 17, 2008.

**Councilor Rickenmann asked what the millage rate is per house. The Auditor is telling people that the millage rate is causing increased bills. I think it's because of the overestimated revenues for the local options sales tax.

**Councilor Gergel announced that the Five Points Parking Advisory Committee will meet at City Hall in the Mayor's Conference Room today at 4:00 p.m. to review the credentials of potential consultants.

**Councilor Devine announced that the Eau Claire Tree Lighting Event is scheduled for this Sunday at 6:00 p.m.

APPEARANCE OF PUBLIC HAVING BUSINESS WITH CITY COUNCIL

No one appeared at this time.

- **Council recessed at 12:24 p.m.**
- **Council reconvened at 12:47 p.m. in the Conference Room located on the second floor. Mayor Coble was present at this time.**

EXECUTIVE SESSION

Upon motion by Mayor Coble, seconded by Mr. Cromartie, Council voted unanimously to go into Executive Session at 12:48 p.m. for the receipt of legal advice, which relates to a pending, threatened or potential claim.

- **Council adjourned the Executive Session at 12:57 p.m.**

29. Receipt of legal advice which relates to pending, threatened or potential claim
- McKesson Corporation

Upon motion by Mr. Rickenmann, seconded by Ms. Devine, Council voted unanimously to enter into a Contract for Legal Services with the law firms Richardson, Patrick, Westbrook & Brickman, LLC and Wyche, Burgess, Freeman & Parham, PA to prosecute an action in the District of Massachusetts against McKesson Corporation, First DataBank, Inc. and other potential defendants for engaging in unlawful conduct that resulted in the City paying inflated prices for certain brand name prescription drugs.

- Hotel Litigation – *This item was not discussed in Executive Session.*

LEGISLATIVE UPDATE

- 29a. Legislative Priorities - Ms. Teresa Wilson Florence, Director of Governmental Affairs and Community Relations and Ms. Barbara McCall, Barbara T. McCall and Associates / Federal Lobbyist

Ms. Teresa Wilson Florence, Director of Governmental Affairs and Community Relations provided information on the 2009 South Carolina General Assembly 118th Session. Our presentation to Council will be on the new leadership, new members and new issues leading into this session in January. This has been a work in progress and Barbara McCall is also joining us from Washington, DC with her counterpart Ralph Garboushian. Our State level lobbyists are also in attendance; Jack West, Ron Fulmer, Mia Butler, Joe Grant and Amelia Mackey. It's very beneficial to us to hear your feedback and candid discussions as we go into the session. This update is a result of our conversations with you as well as feedback from staff in some instances, but mostly it is based off of your directives as far as the priorities. As we speak, the House and the Senate are both reorganizing themselves. The Senate consists of forty-six (46) members elected from single member districts and Richland County has four (4) Senators; one (1) Republican and three (3) Democrats. We expect that leadership changes will include the Majority Whip Danny Verdin of Laurens who is formerly the Chairman of the Agriculture and Natural Resources Committee and Fish Game and Forestry Committee Chairman Ronnie Cromer of Newberry. Expected to continue in leadership roles are the President of the Senate and Lieutenant Governor Andre' Bauer; President Pro Tempore of the Senate and Judiciary Committee Chairman Glen McConnell of Charleston; Education Committee Chairman John Courson of Richland; and Finance Committee Chairman Hugh Letterman of Florence. All indications suggest that Senator Darrell Jackson will move to the Finance Committee, which is beneficial to us as a City. He will take over that leadership role that Senator Patterson once held. There are nine (9) new members or 19% of the total Senate membership including six (6) Republicans and three (3) Democrats. There is one (1) new Senate Richland County Delegation member of note, Senator John Scott of District 19 who will be replacing Senator Patterson.

Councilor Devine said that it would be beneficial for the Council to receive a list of Senators so they can note who they know and whom they might have relationships with. Since we are not doing a reception this year we should consider sending something to the new members welcoming them to Columbia.

Ms. Teresa Wilson Florence, Director of Governmental Affairs and Community Relations said that we can handle that, but we can also engage them by setting up meetings. She continued to report that the House of Representatives consists of one hundred twenty four (124) members elected from single member districts. Richland County has eleven (11) House members: two (2) Republicans and nine (9) Democrats. The expected leadership changes include Speaker Pro Tempore Harry Cato of Greenville, formerly the Chairman of the Labor Commerce and Industry (LCI) Committee; Agriculture and Natural Resources Committee Chairman Jeff Duncan of Laurens; Education and Public Works Committee Chairman Bill Owens of Pickens; Labor

Commerce and Industry Committee Chairman Bill Sandifer of Oconee. Also this morning Mr. Ballentine went from the Labor Commerce and Industry (LCI) Committee to the Medical, Military and Municipal Affairs Committee. Those expected to continue in leadership roles are the Speaker Bobby Harrell of Charleston; Judiciary Committee Chairman Jim Harrison of Richland, which is helpful; Medical, Military and Municipal Affairs Committee Chairman Leon Howard of Richland; and Ways and Means Committee Chairman Dan Cooper of Anderson. There are twenty two (22) new members or 17% of the total House membership to include sixteen (16) new Republicans and six (6) Democrats. There are two (2) new House Richland County Delegation members: Joe McEachern of District 77 to replace John Scott and Anton J. Gunn of District 79 to replace Bill Cotty. Here is the portion of the presentation where we would certainly like your feedback and input. We talked with you all individually about our dealings at the State House and about how things go on a daily basis, but we thought it was worthy of putting it in writing that obviously lobbying is the art of compromise. We try to advance your legislative agenda and educate legislators on a daily basis about the impact of their decisions. This team tries to always keep in mind that communication must be open and fluid at all times, but to do that we need that communication from you all and we need responses and feedback in a decisive and timely manner. We try to keep everyone in the information loop to help determine strategies, allies and adversaries. Full disclosure is key and any inquiries or concerns from legislators or Council members must be disclosed to the lobbying team, please. Personal communications between you all with legislators should be disclosed at your discretion, but there are times when we are asked to work on things without being privy to the conversations that have taken place. Promises/assurances made publicly or privately to legislators by Council must be disclosed to the lobbying team for follow-up and completion.

Councilor Finlay said that we as Council members end up stepping on each other when we are out there lobbying things and not disclosing it.

Ms. Teresa Wilson Florence, Director of Governmental Affairs and Community Relations said sure, that's a very good point. If we ever have the opportunity to know of those things that might cause issues for you ahead of time then we would like to give you a heads up. For success, the lobbying team must collaborate with Council, staff and external organizations. I must say that we did a very good job of that during the last session, particularly with staff; there were several pieces of legislation where staff was up to the State House and reported to committees. This made a big difference with the drafting of some legislation. Our staff has always been receptive to coming to the State House when we need them to do that. She said that cultivating state and local relationships requires a proactive inclusive approach and by developing strategies, partnerships help to protect and promote the City's interest and enhances its influence. She stated that the sharing of pertinent information is vital. We would ask that you let me know if you all are attending meetings or scheduling meetings with legislators so that we can have someone with you, when appropriate. I can't reiterate that enough, but not all legislators want lobbyist present for certain sessions. Most of the time it is appropriate and there should not be a reason why one of us can't join you, it really does help with any commitments that you might make or if they ask things of you we can go back and do the follow-up for you.

Councilor Devine explained that sometimes they have personal relationships and in a personal conversation something may come up. We need to do a better job of communicating that to you all.

Ms. Teresa Wilson Florence, Director of Governmental Affairs and Community Relations said that if something comes up during a personal contact then let us know if we need to follow-up on that matter. It is essential to have debriefings before and after legislative meetings between Council members, lobbyists and the appropriate staff to ensure that relevant background information is shared. We've had many instances where we had to do research on a moment's notice and we need to be able to review it before we hand it to a legislator, because they will let you know if it's not what they asked for just like you all let us know when it's not exactly what you asked for. We like for the sources to be credible.

Councilor Devine requested the e-mail addresses for all legislators.

Ms. Teresa Wilson Florence, Director of Governmental Affairs and Community Relations agreed to send those e-mail addresses to Council.

Councilor Rickenmann suggested that the lobbying team send e-mails to keep City Council informed of discussions and requests and they should be accommodating. Unfortunately, everything gets lumped in with Columbia and we need to know what's going on when we are asked.

Councilor Finlay added that when a lot of stuff is attached to Columbia it becomes much harder to do. You get a pretty clear idea of this when a Speaker says that they have had about as much home rule as they can stand.

Ms. Teresa Wilson Florence, Director of Governmental Affairs and Community Relations said that they discussed the importance of developing a relationship with our delegation; we have to start there and hope that it will trickle down. We are often asked to present at legislative subcommittee meetings and Council members and staff must coordinate/collaborate with the City's lobbying team to ensure that the information to be shared is accurate, appropriate and consistent with the City's legislative agenda. It can't be said enough that promises and assurances do not go unremembered by the legislators and it's better to say that something is not doable and explain it on the front end rather than have things draw out. If it is doable, legal and ethical then we do like to try to do what we can as long as you all have directed us to do so. We would like to be advised so we can follow-up with the appropriate action.

Councilor Devine said that there are run of the mill kinds of things that make it easier for people who do help us and we need to do it as long as we are not breaking the law. It is difficult for us when we get cornered by a legislator who feels that staff did or didn't do something that should or should not have been done. She directed the City Manager to communicate and or reiterate to staff that City Council need for things to be done with ease as it relates to requests from legislators. We don't need to do anything underhanded, but we certainly don't need to make things more difficult. When things happen, staff needs to communicate that to you and you need to communicate that to us so that we are not caught off guard.

Ms. Teresa Wilson Florence, Director of Governmental Affairs and Community Relations stated that the impact of things like that can be devastating in that critical moment at the State House. If we are not privy to certain information then the expectation that we know when we are up there tends to force us in crisis mode at times and then we have to mitigate damages and call you all in a hurry to find out what's really going on. We don't want to monopolize our time up there; we want to use it efficiently and be able to effectively advocate on your behalf. Follow-up is vital and we don't want anything to fall through the cracks. We are really trying to ensure the trust and credibility of the City and to improve the relationships and the way the City is seen by the legislators.

Councilor Finlay asked Ms. Florence why she thinks the City gets such a push back.

Ms. Teresa Wilson Florence, Director of Governmental Affairs and Community Relations said that certain individual legislators have experienced obstacles that they face when dealing with certain matters. It could have been on a personal level or a business level, but they remember those things and they tend to relate what happened to the City. I think that there are statewide efforts to go against home rule and we have to work with the Municipal Association and other large cities to advocate the good things that cities are doing. If we could ever get to the point where we are not in crisis mode on issues, we can do more active things to market the City of Columbia at the State House in a positive light. She asked if the lobbying team had anything to add to that, because they might have a historical perspective.

Mr. Ron Fulmer, State Capitol Group explained that a lot of the local governmental problems are brought to Columbia; they see you all as the local government representative; and they transfer that. They can be mad at something else on home rule that has nothing to do with anything and they bring it to Columbia.

Councilor Devine said that if it's not a major issue, then we need to go ahead and accommodate them so that it doesn't impact us negatively when we are trying to get something accomplished.

Ms. Teresa Wilson Florence, Director of Governmental Affairs and Community Relations said that based on discussions with Council, they are trying to take proactive steps prior to the start of the session to address individual legislators. As stated by Mr. Rickenmann our theme starting out should not be to ask for things, but to engage the legislators and ask them what can we do to improve upon our relations; what kinds of things would you like to see happening. Hopefully that can be part of Council's theme at the dinner.

Councilor Rickenmann suggested that they change the theme with the legislative team to "What Can We Do?" Obviously, we can't honor every request, but we have to improve that relationship.

Ms. Teresa Wilson Florence, Director of Governmental Affairs and Community Relations outlined the 2008 Legislative Priorities, which reflect the issues that require action as approved by the Council last November. These were the priorities for the second half of the 2008 session. She explained that the local spending caps were defeated; fire sprinkler systems passed; tax increment financing passed, as you recall that was the bill that provided the term redevelopment project to include affordable housing projects where all or part of the new property tax revenues generated in the tax increment financing district can be used to provide or support publicly owned affordable housing and that did pass; code enforcement passed as you are well aware; outstanding parking tickets failed so we recommend that you reintroduce this because of all the headway we made with it; we made considerable gains and we would like to reach out to other big cities in South Carolina to support that with this new session; business license tax restrictions were defeated and that was key because the business license tax would be based on net rather than gross income so we wanted to make sure we defeated that; annexations was introduced, but received no legislative action last year; no legislation was introduced on takings/eminent domain; pretrial traffic diversion passed; bicycle traffic safety passed; the assessment of court fines passed; immigration passed and we involved staff through that whole process; and reimbursement for police training also passed. She introduced the Senate and House Legislative Priorities for 2009 as follows: the appropriations bills in both sides; transportation/infrastructure bank.

Mayor Coble asked if that's for funding or if there were changes.

Ms. Teresa Wilson Florence, Director of Governmental Affairs and Community Relations said that she believes it's for funding.

Mayor Coble said that if the Stimulus Bill passes, funding and infrastructure will be at the top of the list. That's one that will move rapidly.

Councilor Gergel asked if we needed to have anything in transportation; I know we have the grants we are working on.

Mayor Coble said that the grant is the only thing that would cover a \$100 million project.

Ms. Teresa Wilson Florence, Director of Governmental Affairs and Community Relations started discussion the payday lending restrictions.

Mayor Coble asked what are they likely to do on payday lending that would affect us. We are having a Public Hearing with the Code Enforcement Taskforce recommendation on the business license aspect of it.

Mr. Jack West, State Capitol Group explained that a payday license bill is under consideration by the leadership in the House and the Senate, but we haven't seen it yet. Basically, the terms will include a database and depending on which expert you ask, when you put in a database you reduce the number of payday lending stores from 25% to 50% and it would limit you to one (1) payday loan. It won't be multiple borrowing so there won't be multiple stores.

Mayor Coble asked that the Council be informed on Pay Day Lending restrictions as it relates to the Code Enforcement Taskforce's recommendations. If there are wholesale changes by the State then we can move on to another Code Enforcement Taskforce recommendation.

Councilor Gergel asked if it would be introduced early on.

Mr. Jack West, State Capitol Group thinks that it will be introduced early on. We expect the bill to be re-filed this year and we expect it to pass.

Councilor Devine said that it's going to be a big thing for Representative Gunn and he will be in a unique position because of his lobbying experience; he has relationships that most people coming in would not have. She wants to discuss the matter on December 10, 2008.

Mayor Coble asked if Representative Gunn is against payday lending.

Councilor Devine confirmed that he is, noting that he will be on top of it and as we talk about cultivating relationships with our delegation that is somebody that we need to keep constant communication with.

Ms. Teresa Wilson Florence, Director of Governmental Affairs and Community Relations asked if the lobbying team needed to meet with members of Council on what they want to see.

Councilor Devine said that the Council has not agreed on what the Code Enforcement Taskforce is recommending. Perhaps that is something we need to discuss.

Councilor Davis said that he would like to review the recent proposal.

Councilor Rickenmann said that the State level is about a computer system and creating only one (1) loan within a period of time, which will eliminate the groupings that we are seeing now.

Ms. Teresa Wilson Florence, Director of Governmental Affairs and Community Relations asked if they wanted to schedule a Work Session for further discussion on some of the priorities. She noted that she is keeping a running tally on things.

Councilor Rickenmann suggested that they circulate an e-mail with everybody's thoughts and then cultivate a proposal, but we don't need a Work Session.

Councilor Davis said that a Council member may have a special interest and should be able to work with the lobbyist team on behalf of Council.

Ms. Teresa Wilson Florence, Director of Governmental Affairs and Community Relations reiterated that she wants to make sure it's a collective directive from the group. She continued to outline the priorities: cigarette tax increase; restructuring of education funding for both bodies; and the Senate added healthcare for children; 4-year old kindergarten funding; tort reform; energy which is offshore drilling; and water withdrawal from lakes and streams by Georgia and North Carolina.

Mayor Coble inquired about the offshore drilling.

Mr. Jack West, State Capitol Group said that the good gas platforms are offshore.

Councilor Finlay said that there is a fair amount in-State too.

Ms. Teresa Wilson Florence, Director of Governmental Affairs and Community Relations stated that the recommendations are made as a direct reflection of Council's directives or suggestions to the lobbyist team and some are things that we think need to be included. When we say its recommendations, it's based on things we've been hearing from you.

Mayor Coble said that aside from whether it would be a good thing or not, could you all describe what it would take to change the Hospitality Tax law.

Mr. Jack West, State Capitol Group said that it would be very difficult, because you have the entire hospitality industry fighting it statewide and all the people, such as the arts organizations that depend on the tax. Is it impossible; no. Is it difficult; yes.

Mayor Coble said that if that issue comes up as an alternate or a possibility for transit funding we need to be clear on our position and what it would take to implement that.

Councilor Gergel said that she would have real problems supporting this until she knows what the impact of this would be on our cultural infrastructure. I want us to have an opportunity to talk with those groups and agencies that bring in dollars through tourism. We need to have those conversations with them before we take a position so that we understand what the impact would be on our overall City.

Councilor Rickenmann said that we have to have a say in this. If our only source is to reduce hospitality taxes to 1% and then have a 1% tax designated for transportation, then I am willing to do that. I suggest that we invite the folks from Richmond, Virginia down to let us hear how they did it. Their City was having issues and the Mayor took away all outside funding for arts so they could fix the infrastructure and all systems throughout the City and every one of those groups survived and their private donations increased. We should bring in someone who's been through it. We need to think of everything; there could be multiple sources such as registration fees. This will take a period of time and it may not ever happen.

Councilor Gergel said that she would love to see an assessment on the impact of the reduction in hospitality taxes in our City.

Councilor Finlay stated that studies show in comparison to our peer cities that our State funding is \$3.5 million light. Which would you prefer to lobby for at this point; \$3.5 million of State funding to help us fund our bus system so we can get close to our peers nationally or a chance to change our revenue streams a little bit. I don't think they are going to give us \$3.5 million; do you? Is that one impossible?

Mr. Jack West, State Capitol Group said that he thinks that one is impossible in this situation.

Mr. Joe Grant, The Grant Group said that the key to getting any kind of movement on both sides of the tracks is going to be getting the support of the Municipal Association; to try to do it without them is almost impossible.

Councilor Finlay said that their argument from Mr. Sponseller is that this affects businesses. We can raise property taxes.

Councilor Rickenmann said that on yesterday someone cornered him wanting to know how to change legislation, because they can't afford to buy a building to expand their business due to the taxes being \$4,000 per month under the new legislation.

Councilor Finlay said that we are going to impose a countywide sales tax or we are going to do a fee on cars all of which impacts the hospitality industry.

Mr. Joe Grant, The Grant Group said that Mr. Tom Sponseller is a staff person; he has a local board and a state board. He won't make the final decision on that. Just like Council makes the final decision here, his board makes the final decision, too. I would use the local resources.

Councilor Finlay suggested that it be drafted for larger cities only.

Councilor Rickenmann asked why it can't be in Richland County and the City of Columbia. I don't understand why you can't change the legislation to make that happen.

Councilor Devine said that they need to discuss the use of it, but not right now. I am in favor of the vehicle registration fee, but I am in favor of looking at the hospitality tax as well. We are a half year out from the bus system tanking and we have no alternatives. This doesn't mean that we will use the money, but to limit our options is short-sighted. I don't want the lobbyist to put all of their energy into trying to get this passed, but we need to float the idea and see if someone is willing to sponsor it and see what the discussions are. We are going to have a fight. I agree with Mr. Finlay in that even a vehicle registration fee is an additional tax on citizens. We have 1½ years to try and figure this out and everything under the sun should be considered.

Councilor Davis said that we need to not only look at what other states have done with hospitality funding, but we also need to know what other funding options they have been able to put together. There may be some funding opportunities that we haven't thought of. We know that none of them are operating at a profit; they are all in the hole, but there's something they are doing to keep them running.

Mayor Coble told the lobbyist that we should support Walt McLeod's bill that would take some of the money from roads and put it into mass transit. He was at the last meeting and clearly identified it as an uphill battle. It changes the State formula to take a small percentage from county roads to mass transit.

Councilor Rickenmann said that everything is on the table; we can't protect one group over another group; we have to look at all of it.

Mayor Coble said that if it is agreeable he would ask our lobbyists to do what we can to support that effort.

Councilor Cromartie asked what the Mayor is referring to when he says mass transit.

Councilor Finlay said buses, noting that it's \$18 million.

Mayor Coble said that it only seems to have Democratic sponsors not Republican. I think we need to have Richland County extend the mass transit fee that expired on October 31, 2008. The mass transit fee can be done without any approval. The same fee; paid by the same people; in the same manner is called a vehicle registration fee. The County could impose a vehicle registration fee on the City and the County; they could impose it just on the County; or the City could impose it just on the City.

Councilor Rickenmann said that it should be split.

Mayor Coble said that we need to advise them of this option.

Councilor Gergel hopes this occurs sooner rather than later.

Councilor Cromartie asked if there was a fee that we can impose upon ourselves.

Mayor Coble said that the vehicle registration fee can be imposed just on the City.

Councilor Cromartie said that Richland County would have a problem if we imposed it on the City and they impose it just on County residents within the unincorporated area; it makes them feel better because we will be taking the vote.

Councilor Rickenmann said that he heard that the County wasn't interested and that they wanted to look at other options.

Mayor Coble said that we can't get there if the County doesn't impose the mass transit fee, because it seems unlikely that all of the hospitality money would go to transit; you might be able to use a portion, but without the mass transit fee or the amount it generates, which is \$4.2 million countywide. It's hard to come up with any other option that would get us there.

Councilor Rickenmann recommended that the sales tax on vehicles costing over \$20,000 be increased from \$300 to \$500 and use the difference as a dedicated funding source.

Mr. Ron Fulmer, State Capitol Group said that the issue is coming up in the Ways and Means Committee.

Councilor Rickenmann said that we should look at that as a dedicated funding source. A constituent did the homework and the number that could be generated is unbelievable.

Mr. Joe Grant, The Grant Group said that it's a State cap that's imposed by the State and we talk about this every year with the legislator. He reported that they wouldn't move it originally because North Carolina and Georgia had the transit auto cap too, but they moved their cap to \$500. There is flexibility, but I don't know if the political will is there.

Mayor Coble asked the lobbyist to explore the possibility of Mr. Rickenmann's recommendation.

Councilor Gergel concurred with Mr. Davis and asked what other communities are doing to creatively fund mass transit. She said that the RTA may need to provide that information.

Councilor Devine said that it's not going to pass overnight; we have the ability to discuss all of the impacts and ideas, but we should at least float this concept. If it ends up being too hard, then we won't push it.

Councilor Finlay suggested that we show the State where other municipalities are getting their money from and ask for the ability to flex our own funding sources.

Councilor Gergel reiterated the need to begin discussions with the agencies and organizations that are adding a tremendous amount in terms of economic impact.

Mayor Coble suggested that we schedule a separate meeting with the organizations.

Councilor Devine stated that we know what the organizations are going to say. Last year when we were considering raising the millage rate, people were still fussing about not receiving enough money from the City; we know they are going to say "no don't touch our money" and "we want more money". We need to have a constructive discussion about the things we would like to see and let the organizations know that we are thinking about this and in the meantime you all need to pool together your economic impact. If we open up a meeting now all we will hear is "we need the money".

Councilor Rickenmann recalled that when the tax was instituted it was never intended to be a group's lifelong funding, but that's what we are advocating.

Councilor Davis said that if we convince them to share experiences of cuts a number of folks will go back to their original intent and start to bring in more private dollars.

Ms. Teresa Wilson Florence, Director of Governmental Affairs and Community Relations said that the Lobbying Team would float all of the options and revisit that very soon. We have already done research in other cities and states and we would caution you that at the end of the day we don't want you to have a disjointed message to the legislature. The legislature also hears from the organizations and it would appear that you all are indecisive. She noted that time is of the essence. She continued with the recommendations for the 2009 legislative priorities. You all brought up code enforcement as a recommendation; we already had legislation drafted, which passed last year. We want to revisit it and include all of the Code Enforcement Taskforce recommendations that you would like us to include as it relates to lease enforcement with troubled properties, absentee landlords and any others. Obviously annexations are an issue along with the donut holes; outstanding parking tickets will be revisited if you so direct us to; and we can look at any legislation that would improve your ability to do certain things that are currently restricted as it relates to homeless services. The non-legislative priorities are a proposal to the State Infrastructure Bank; obviously we will lobby hard for that as well as the Neighborhood Stabilization Program.

Councilor Devine asked what the Neighborhood Stabilization Program entails on the state level.

Ms. Teresa Wilson Florence, Director of Governmental Affairs and Community Relations explained that the actual dollars would go to the state and we wanted to lobby our delegation members and work with the Community Development Department to show where the troubled areas are in the City so they could see the benefits of rehabilitating homes in the area. There are also a number of foreclosures in their respective legislative districts.

Councilor Cromartie asked if those funds are coming down very quickly.

Ms. Teresa Wilson Florence, Director of Governmental Affairs and Community Relations said no. There has to be an RFP that goes out after the first of the year that we would respond to. So far there has been a comment period.

Councilor Devine said that it goes to State Housing and they have a Board of Directors, which is appointed by the Governor. Should our efforts be with the legislators or the board members?

Ms. Teresa Wilson Florence, Director of Governmental Affairs and Community Relations said that she would find out, adding that the influence that our legislators have is great whether direct or indirect so we wanted to make them aware of the possibilities for funding. We already talked about payday lending; the state spending cap; the issues with the business license tax restrictions may arise again; the special sales tax for capital projects is being discussed already; Greenville's lobbyists met with Greenville County this week as well and there is discussion about the big cities supporting this effort collectively; technology legislation and law enforcement legislation are two issues that staff has brought to our attention. I know that Chief Carter and the Police Chiefs from the other twelve (12) big cities are working with Mayor Riley, who is a big supporter of draft legislation that confirms repeat offenders and bonding issues.

Councilor Devine said that City Council needs to see the Police Department's request in relation to the pending technology legislation.

Ms. Teresa Wilson Florence, Director of Governmental Affairs and Community Relations said that in general the idea of the Police Chief is to have a collective effort like the Firefighters did during this past session to get their issues to the forefront. You all mentioned the external organizations receiving Citywide support and we have listed those groups that we have helped

at either your directive or because they asked us to. She drew their attention to the bulleted items under “The Budget Crisis” and the “FY 2009-2010 Required Funding Items” and asked the members of Council to keep those items in mind. She requested a Council vote on the 2009 legislative priorities.

Councilor Rickenmann said that providing lobbying support for external organizations is an in-kind service and the external organizations should be reminded of that. We are supporting those groups and that’s an added value and that support can be taken away. Also, City Council needs to be aware of and approve requests for lobbying support.

Ms. Teresa Wilson Florence, Director of Governmental Affairs and Community Relations said that this may not be an all inclusive list. She said that if it wasn’t for the lobbying team efforts in certain instances, some groups would have been in dire straits last year.

Councilor Finlay said that on issues like franchise fees and Stateline we took a big hit.

Ms. Teresa Wilson Florence, Director of Governmental Affairs and Community Relations said that with those issues, they attempted to assemble the Council to receive directives before the team proceeded. I want to clarify that out of that whole exercise, I think not only did SCANA, but the City’s accounting department come to terms on exactly what had been transpired financially. I would hate for it to go unsaid that the hit was to the tune of approximately \$300,000 to the Stateline account. We did find out that the outstanding payments weren’t exactly outstanding; they were being received over time with the other payments from SCANA.

Councilor Finlay said that we should be able to call the Senators that we know locally.

Ms. Teresa Wilson Florence, Director of Governmental Affairs and Community Relations stated that the reality is that we were in a position where the State said that was something they were not paying for anymore so we tried to come out as best we could.

Councilor Finlay said that we need some wins on funding, because if we don’t, we will end up raising local taxes again and we can’t have revenue taken away; have no control over the way revenue is spent locally and expect to get away unscathed.

Councilor Devine requested courtesy copies of requests from groups wanting State and Federal funds so we are not blindsided. We need to be strategic about funding and other services we are providing to organizations.

Councilor Gergel asked why the vehicle registration fee is on the state legislative priority list.

Councilor Devine stated that it’s listed there, because our delegation has to approve it.

Councilor Gergel suggested that we advocate for the 4 year old program, because it is important to the City.

Councilor Finlay said that we only get so many asks and we have to narrow it down. A huge number of our asks get taken up by other groups claiming to be on our tab.

Councilor Gergel insisted that the 4 year old program does count big for us and it would be a nice statement of where we feel our priorities should be.

Ms. Teresa Wilson Florence, Director of Governmental Affairs and Community Relations said that we will list the matter under issues on the radar screen, because those are issues we monitor on a daily basis.

Upon motion by Ms. Devine, seconded by Mr. Rickenmann, Council voted unanimously to approve the 2009 Legislative Priorities as presented with the understanding that priorities are subject to change. The issue of funding for 4-year old kindergarten will be monitored by the team as well.

Councilor Devine suggested that the City of Columbia produce a video or a power point outlining the fruits of their labor on our behalf.

Ms. Barbara McCall, Barbara T. McCall and Associates / Federal Lobbyist distributed copies of the City's appropriations requests for 2009, noting that it is an ambitious listing as well. She said that this is a very complicated year in which to write this, because we have a lot happening in Washington, D.C. We have not finished the Appropriations Bill for fiscal year 2009; they will be written into an omnibus bill in January. We have all of our requests from last year, we updated and refined the items on the list and all of those things are still pending. We have a Stimulus Bill that will be written between January 3 and 20, 2009. The intent of the congressional leadership is to prepare that bill. The Mayors recently participated in a conference call with members of the Transition Team who are collecting information on what should be in that Stimulus Package; various numbers are being tossed around, but it will be somewhere between \$350 billion and \$700 billion; the \$700 billion price tag is over two (2) years; and that could grow. There is consensus amongst economist of all flavors that a substantial infrastructure stimulus is needed. The total cost of the package to include money for tax breaks, assistance for Medicaid and extensions on employment insurance. On yesterday, Governors met with the President-Elect and they put forward a request for \$136 billion for infrastructure. The Conference of Mayors is working on a package that is roughly \$90 billion for infrastructure requests from the Stimulus Bill. I met with City of Columbia staff to go over the requests we have in for this year, update them, revise them appropriately and try to frame them in terms of appropriations and then in March we anticipate that the Congress will start writing the next Highway Transit Reauthorization Bill. There will be a call for projects that will be funded in that bill over the course of the next five (5) or six (6) years. We structured the requests accordingly and that's why we have some big ticket items on the list. We removed the North Columbia drainage improvement projects from the list, because we have been able to proceed administratively to get permits and they are all underway.

Councilor Davis asked who moved the projects.

Ms. Barbara McCall, Barbara T. McCall and Associates / Federal Lobbyist explained that they were Army Corp of Engineers work permits and they have been secured administratively and the work is underway.

Councilor Davis requested a list of projects that have been approved through the Army Corp of Engineers.

Ms. Barbara McCall, Barbara T. McCall and Associates / Federal Lobbyist said that she will provide that information.

Councilor Rickenmann inquired about the Energy Conservation Demonstration Project that's on the list. He said that no clarification is needed on the North Main and Harden Street projects.

Ms. Barbara McCall, Barbara T. McCall and Associates / Federal Lobbyist explained that we put in a request last year for \$5 million as a placeholder until the City's energy audit was done. We put in the request; we've had conversations with congressional staff over the course of the year; we've looked at the projects being funded; and we've been advised that it would be best to have a competitive project by partnering with the University. This proposal calls for \$1.5 to \$3 million and we are still pricing it out; by December 20th we will have the final price tag.

Councilor Rickenmann asked if the funding will be restricted to solar panels, because there are a bunch of other things that we can partner with the University and others on; solar panels are great, but not for the southeast. I can see using the solar panels for a generator backup system, but there are others options that make more sense.

Ms. Barbara McCall, Barbara T. McCall and Associates / Federal Lobbyist said that she can't speak to the technical nature of the solar panels.

Mayor Coble said that this is something that former Councilwoman Anne Sinclair worked on before she left. There is a solar company off of Rosewood Drive that makes panels and is trying to do a project. I recall that Mr. Danny Cromer, Legislative Director for the 6th Congressional District liked the idea of using a local firm and I think the idea of a green economy, green jobs and alternative energy really needs to be pushed. One way is through the Energy Efficiency Block Grant that will hopefully be a part of the Stimulus Bill. This is a pilot project that the Congressman wanted to see if they could get funded.

Councilor Rickenmann said that he brought this up, because we need a homerun and considering our conditions as a State, I think there are some other things we can look at. I would like to see the details of this request. It's all about green collar jobs.

Ms. Barbara McCall, Barbara T. McCall and Associates / Federal Lobbyist reiterated that this is the way to go forward with a competitive project that can be best sold in the environment we are looking at, but I think we will have a lot of opportunity in the coming year for additional projects of this sort and we need to be collecting them.

Mayor Coble clarified that Mr. Cromer did not come up with the solar project; he just wants a demonstration project.

Councilor Rickenmann said that this project was not brought before the Council so it threw him off guard. We've already made a huge investment in the green economy and we can't afford any delays.

Mayor Coble said that the original idea for this pilot project was one that Anne Sinclair and Danny Cromer talked about. Ms. Sinclair came up with the notion of the solar panels as part of the Climate Protection Action Committee's recommendations. We have the opportunity to substitute that with another alternative energy project with Danny who has said that a partnership with USC, Columbia College or an institution like that makes it something that he can better sell.

Councilor Rickenmann said that we might not switch, but we need to understand what this is all about and to ensure that what we are asking for is a success.

Councilor Davis expressed concerns about the City of Columbia's ticket being punched on this. We have to give the matter due consideration when it comes to our priorities. He asked if this USC project would be considered a Columbia project.

Mayor Coble said that it would be a Columbia project; the only connection with USC on this one is putting solar panels in two (2) of the garages at the University. I don't know if they know about this project.

Ms. Barbara McCall, Barbara T. McCall and Associates / Federal Lobbyist stated that they have talked with USC about it.

Councilor Cromartie said that it's collaboration; we've done this before; and it will open the door up for something else to occur.

Ms. Barbara McCall, Barbara T. McCall and Associates / Federal Lobbyist said that it would be wise for the City to put together other projects, because there will be other opportunities. She continued her presentations with the new requests. She reported that the Greene and Williams Street project request has been updated, but the new addition is Police Technology where we included \$600,000 for security cameras; \$200,000 for Emergency Operations Center (EOC) monitoring; and \$200,000 for a driving simulator. I am advised that this is for equipment only and no staffing.

Councilor Finlay said that we are getting a briefing on police next week and I am not sure that these numbers jive with what we may see.

Ms. Barbara McCall, Barbara T. McCall and Associates / Federal Lobbyist said that these are the Police Department's numbers, but it's not the total cost; this is a portion of the cost.

Councilor Finlay said that he received information as a councilperson outlining our major equipment requirements and it is somewhat at odds with these numbers.

Ms. Barbara McCall, Barbara T. McCall and Associates / Federal Lobbyist said that she has to marry the funding with what is needed.

Councilor Gergel asked if we requested as much as we can in this area.

Ms. Barbara McCall, Barbara T. McCall and Associates / Federal Lobbyist said that it certainly is an ambitious request. The final item is the authorization of the InnoVista Water Resources Development Act. We were successful in that language in the House bill last year, but the Senate never acted on the bill so we have to go back with the request.

Councilor Rickenmann asked when this process began.

Ms. Barbara McCall, Barbara T. McCall and Associates / Federal Lobbyist said that the last bill took seven (7) years, because it was so controversial. There is a real pile up of projects around the country. The House did a bill this year; got it out of committee, but they didn't take it past the floor. The Senate did not write a bill in committee. The chair of the Senate Committee has indicated that she wants to write a bill early on, but we also have cap and trade legislation and that committee has a lot of other responsibilities. I don't know how realistic it is, but we are hopeful that there will be a Water Resources Development Act in the next Congress, but again I must say that the last bill took three (3) Congresses. We have a delegation that wants to pursue this project; it's a high priority for them. The problem is the rest of Congress getting its act together and dealing with all of the controversy that is related to the Mississippi River, hurricanes, shipping channels and other huge water issues in the west. The language needs to be in a bill; we need authorizing language before we can secure funding. The way to get authorizing language is in authorizing legislation.

Mayor Coble added that if funding is not authorized, then it's earmarked.

Ms. Barbara McCall, Barbara T. McCall and Associates / Federal Lobbyist said that she doesn't know for sure if the \$750,000 has been received or not, but it's not over until it's over so we want to put it on our list again. We can start planning without an authorization and this is an initial planning grant. You need authorization for any construction projects.

Mayor Coble said that it's clear that the Innovista master plan has the support of the entire South Carolina delegation.

Ms. Barbara McCall, Barbara T. McCall and Associates / Federal Lobbyist said that she is confident that we will get planning money in fiscal year 2009 or 2010. I am confident that we will be in the House and Senate bill, but I can't determine whether or not there will be a final bill.

Councilor Rickenmann said that the funding is an immediate need that this community can't absorb right now; we need it from the federal level.

Councilor Finlay said that we need to further discuss the Police Technology.

Upon motion by Mayor Coble, seconded by Mr. Davis, Council voted unanimously to approve the Priority Projects for Federal Appropriations, subject to the City resubmitting the final request for the Police Department to the Federal Lobbyist by next week. Ms. Devine was not present for the vote.

Councilor Gergel asked Ms. McCall if she has heard anything about the historic homeowner; it's for homes that are in locally designated historic districts.

Ms. Barbara McCall, Barbara T. McCall and Associates / Federal Lobbyist said that when Congress convenes on January 3, 2009 that will be the first opportunity for members to start dropping bills. I have not checked on plans to introduce that, but we will monitor that and let you know.

Councilor Gergel added that there are thirteen (13) historic designated neighborhoods in Columbia.

EXECUTIVE SESSION

Upon motion by Mayor Coble, seconded by Mr. Finlay, Council voted unanimously to go into Executive Session at 2:37 p.m. for the Discussion of the Employment of Employee and Ordinance 2008-065. Ms. Devine and Mr. Cromartie were not present for the vote.

30. Discussion of the negotiations incident to proposed contractual arrangements
- Solicitor's Office
 - Salvation Army
 - South Carolina Research Authority
 - Richland School District One
 - Cellco Partnership d/b/a Verizon Wireless

These items were not discussed in Executive Session.

31. Discussion of negotiations incident to the proposes sale of property
- Bus Barn

This item was not discussed in Executive Session.

- 31a. **Discussion of employment of an employee
This item was discussed in Executive Session. No action was taken.

- 31b. **Receipt of legal advice which relates to matter covered by attorney-client privilege

- Ordinance No.: 2008-108 - Amending the 1998 Code of Ordinances of the City of Columbia, South Carolina, Chapter 8, Environmental Health and Sanitation, Article IV, Pollution Control, Division 5, Regulations and Requirements Relating to Smoking of Tobacco Products, Sec. 8-218 to add (8); and to delete Sec. 8-219 and renumber subsequent sections

This item was not discussed in Executive Session.

- Ordinance No.: 2008-065 - Authorizing a property tax credit to taxpayers within the corporate limits of the City of Columbia for installation of fire sprinkler systems in compliance with S.C. Code Ann. §12-6-3622

This item was discussed in Executive Session. No action was taken.

- **Council adjourned the meeting at 3:00 p.m.**

Respectfully submitted by:

Erika D. Salley
City Clerk