

**CITY OF COLUMBIA CITY COUNCIL
WORK SESSION MINUTES
AUGUST 21, 2012 – 2:00 P.M.
EAU CLAIRE PRINT BUILDING
3907 ENSOR AVENUE**



The Columbia City Council met for a Work Session on Tuesday, August 21, 2012 at the Eau Claire Print Building, 3907 Ensor Avenue, Columbia, South Carolina. The Honorable Mayor Steven K. Benjamin called the meeting to order at 2:20 p.m. The following members of Council were present: The Honorable Sam Davis, The Honorable Leona K. Plaugh, The Honorable Brian DeQuincey Newman, The Honorable Cameron A. Runyan and The Honorable Moe Baddourah. The Honorable Tameika Isaac Devine arrived at 2:24 p.m. Also present were Mr. Steven A. Gantt, City Manager and Ms. Erika D. Moore, City Clerk. This meeting was advertised in accordance with the Freedom of Information Act.

CITY COUNCIL DISCUSSION / ACTION

1. [Climate Protection Action Committee Bylaws](#) – Ms. Mary Pat Baldauf, Sustainability Facilitator

Ms. Mary Pat Baldauf, Sustainability Facilitator asked the members of Council to approve the proposed bylaws for the Climate Protection Action Committee. She stated that the bylaws were presented to the Environment and Infrastructure Committee in July and has since been amended. She noted that the Mayor or a City Council member may appoint more than one member, but there will be one vote per elected official. She clarified that the Chair may or may not be a City Council member, but will also serve as a member of the committee. She further clarified that while the chairperson has traditionally been a City Council member when appointed, that decision is left up to City Council.

Councilor Plaugh said that a couple of people from her district are active participants on CPAC, but only one gets to vote. She asked how they decide who gets to vote.

Ms. Mary Pat Baldauf, Sustainability Facilitator said that it would not be a problem.

- **Councilor Devine joined the meeting at 2:24 p.m.**

Councilor Davis suggested that it would be best for Council to designate the voting member or the committee members can determine who will carry that vote at all times.

Mayor Benjamin inquired about the composition of the committee. He asked if there is an advisory committee.

Ms. Mary Pat Baldauf, Sustainability Facilitator confirmed that there is an advisory committee. She said that other individuals attend, provide advice and participate, but they are not voting members. She stated that they meet quarterly, but the appointees meet on a monthly basis.

Councilor Plough concurred with one of her appointees serving in an advisory role.

Mayor Benjamin asked how many people serve in an advisory role.

Ms. Mary Pat Baldauf, Sustainability Facilitator confirmed that there is an advisory committee. She stated that there are 8 Council appointees and up to 30 advisory members who attend and participate in meetings.

Mayor Benjamin asked if the advisory committee needed more formality. He said that the Chair should return to Council, because it's the place where they develop both the in-house and public/private strategies to deal with a number of significant environmental issues and having stakeholders here at this table, particularly as chair, is important. He suggested that Council consider cycling Mr. Rickenmann off as Chair of the committee on December 31st and appointing Mr. Cameron Runyan as Chair effective January 1st.

Councilor Runyan said if a Council member serves as Chair, it would make sense to have a term for the chair that would coincide with the Council cycles.

Upon a single motion made by Mayor Benjamin and seconded by Mr. Baddourah, Council voted unanimously to reappoint Mr. Daniel Rickenmann as the Chair of the Climate Protection Action Committee until December 31, 2012 and to appoint Mr. Cameron Runyan as Chair for the Climate Protection Action Committee for a two year term effective January 1, 2013.

Upon a motion made by Mr. Runyan and seconded by Mr. Baddourah, Council voted unanimously to adopt the bylaws as amended to assign Council appointees beyond one to the Advisory Committee in order to maintain the policy of one voting member per elected official.

2. [Regional Sustainability Energy Plan](#) – Ms. Mary Pat Baldauf, Sustainability Facilitator

Ms. Mary Pat Baldauf, Sustainability Facilitator reported that two years ago, the City used its Energy Efficiency and Conservation Block Grant (EECBG) allocation for a lighting efficiency project and Richland County and Lexington County used their funding to create a Regional Sustainability Plan for the Central Midlands Region. She said that they invited the City of Columbia to participate in the plan, which was conducted by David Brandes.

Mr. David Brandes, Genesis Consulting Group explained that Central Midlands Council of Governments was the lead on this project and several consultants were hired to assist as technical resources. He stated that the motivating concerns were to create a roadmap for sustainability; to look at how sustainability impacts our economy; energy independence; and environmental health. He outlined the following goals of the plan for the next five years: (1) Maintain current attainment status for ground level ozone and meet future air quality requirements; (2) Increase the number of alternative energy demonstration projects by an average of 3 per year; (3) Decrease the participating governments total energy usage by 10% using the baseline from 2011; (4) Decrease the total energy usage by non-governmental entities by 1%; and (5) Increase the number of green jobs by an average of 1,500 per year. He asked City Council to adopt the plan and to start with the following recommendations:

develop Green Teams; complete a survey of the green jobs; adopt a Green Building Resolution for all municipal facilities; create a regional ride-share program with employees; and continue the Regional Procurement Policy. He noted that funding has been identified for all of the elements; there are metrics for the goals; and a monitoring element for the recommendations.

Ms. Mary Pat Baldauf, Sustainability Facilitator presented a Resolution for Council's consideration, noting that it has been endorsed by the Lexington County Council and will be considered by Richland County in the near future.

Upon a motion made by Ms. Devine and seconded by Mr. Newman, Council voted unanimously to adopt a [Resolution](#) approving the recommendations in the Sustainable Energy Plan for the Central Midlands Regional.

3. [Monthly Financial Report](#) – Mr. Bill Ellis, Finance Director

Mr. Bill Ellis, Finance Director presented the year-end finance report for fiscal year 2011/2012, noting that the local option sales tax revenue is included in these numbers, but the official notification has not been received from Richland County. He reported that the revenue was \$113,884,759 and the budget was \$115,302,263 for a difference of \$1,417,504. He said that they knew revenues would be different from what was anticipated at the beginning of the year. He reported that expenditures were \$3,749,879 under the projected budget resulting in a variance of revenues and expenses in the amount of \$2,499,884. He said that \$2 million of that is allocated in the current year budget. Mr. Ellis announced that the city ended fiscal year 2011/2012 with \$500,000 in the black.

Councilor Baddourah inquired about the intergovernmental revenues.

Mr. Bill Ellis, Finance Director explained that the line item includes the transfer for indirect costs reimbursement that we receive from water and sewer along with other costs from intergovernmental agencies.

Councilor Plaugh inquired about the listing for the estimated local option sales tax revenue.

Mr. Bill Ellis, Finance Director explained that it's in taxes, which is line 7. He explained that the local option sales tax is reimbursed from the State, but the city will not receive its share of the local option sales tax until a resident physically pays its taxes.

Councilor Plaugh inquired about line 10, charges for service, noting that the revenue is down significantly. She noted that costs in Public Works were decreased, but increased in the Police Department, because we are at full staff.

Ms. Melisa Caughman, Budget Director said that line 10 includes the indirect costs that were referred to earlier.

Mayor Benjamin stated for the record that the city has \$2 million in unallocated reserves resulting in us being \$2.5 million in the black.

4. [Fiscal Year 2012/2013 Accommodations Tax Funding Recommendations](#) – Ms. Wendi Nance, Chair of the Accommodations Tax Committee

Fiscal Year 2012/2013 Hospitality Tax Funding Recommendations – Ms. Cynthia Hardy, Chair of the Hospitality Tax Advisory Committee

[Review of Requests from Outside Agencies](#)

Ms. Libby Gober, City Council Assistant appeared on behalf of Ms. Wendi Nance, Chair of the Accommodations Tax Advisory Committee. She asked for City Council's support of the committee's recommendations and to divide the surplus accommodations tax fund pro-rata between Capital City Lake Murray Country Regional Tourism and the Columbia Metropolitan Convention and Visitors Bureau. She highlighted the following changes:

- Item 11 – The committee allocated \$30,000 to the Carolina Carillon Holiday Parade, but it was changed to \$10,000, because they are carrying forward \$17,000.
- Item 14 – The City Center Partnership was the fiscal agent for the 2011 Famously Hot New Year's Eve event and now the Central Carolina Community Foundation will be the fiscal agent.
- Item 89 – Council previously approved \$73,000 for the University of South Carolina Game Day.
- Council previously approved \$20,000 for the Miss SC Pageant and that will be added to the list.
- The contingency balance is \$356,600.

Mr. Bobby Williams, Hospitality Tax Advisory Committee Member appeared on behalf of Ms. Cynthia Hardy, Chair of the Hospitality Tax Advisory Committee.

Mayor Benjamin said that he had suggestions after talking to the members of Council. He thanked the Hospitality Tax Advisory Committee for the work they do. He said that they receive a number of requests from outside groups and every single one of them is meritorious and we have to determine how to reach our overall goal as to where we want to go as a City and fund them accordingly. He stated that the additional requests total approximately \$3 million, in addition to the application process. He noted that funding is available as follows for outside requests: \$200,000 from the General Fund; \$34,000 from the Accommodations Tax Fund; \$120,000 un-appropriated Hospitality Tax funding; and \$356,600 Hospitality Tax contingency funding. He said that the challenge is how to deal with prospective considerations by the committee in its quarterly application process. He noted that his suggestions show no reductions in the amounts recommended by the committee.

Councilor Davis asked if the allocations would be one-time or a continuation of funding.

Mayor Benjamin clarified that it's just for this fiscal year, noting that we can't bind future Councils. He reviewed the proposed amendments in allocations, utilizing the funding pools previously outlined.

Councilor Devine noted that until last year, the Council traditionally funded the Community Promotions Fund in the amount of \$200,000 for groups that were ineligible for Accommodations and Hospitality Tax funding.

Mayor Benjamin continued to review the allocations while clarifying his recommendations as needed. Going forward, he asked City Manager Gantt and Assistant City Manager Wilson to focus on the following during fiscal year 2012/2013: an additional \$9,000 for the Columbia Council of Neighborhoods, possibly through the Citizens Advisory Committee for Community Development; \$50,000 for the Renaissance Cultural Arts Center while working to resolve legalese and helping them secure the necessary tax credits; an additional \$50,000 for Nickelodeon; and an additional \$60,000 for the SC HIV/AIDS Council in concert with our health and wellness initiatives. He noted that the budget is short by \$38,500. He suggested that Council consider reserving a percentage of each Hospitality Tax allocation in order to maintain a contingency fund for the committee. He sought input on the best option for maintaining a contingency balance.

Councilor Devine said that she doesn't support cutting funding for any organization at this juncture. She suggested that they forgo a contingency fund, since the recommendations have been publicized. She added that funds are traditionally leftover and inquired about the timeline for determining the balance. She proposed that any remaining funds can be used as a contingency.

Councilor Baddourah suggested that Council decrease the new recommendations by a percentage in order to close the gap.

Mayor Benjamin reiterated Ms. Devine's suggestion to forgo the contingency fund and not reduce any funding.

Councilor Plough inquired about funding for the Incubator.

Mayor Benjamin explained that the Incubator was historically funded through Economic Development.

Councilor Baddourah inquired about funding for the Black Expo, noting that they received \$45,000 last year. He suggested that they be funded at the same level to further close the gap.

Mayor Benjamin concurred. He asked how the application process differs between the Accommodations and Hospitality Tax Funds.

Councilor Devine explained that the Accommodations Tax Fund is harder and that's why they allocate those funds to the two organizations.

Ms. Libby Gober, City Council Assistant noted that it is a very stringent reporting process to the state of every dollar recommended by the committee and every dollar allocated.

Councilor Plough expressed concerns about the Council of Neighborhoods, noting that they aren't on the list even though they submitted an application in advance.

Ms. Teresa Wilson, Assistant City Manager explained that they had not submitted an application for Community Development Block Grant funding, but they will be strongly encouraged to do so going forward.

Mayor Benjamin asked if there is a portion of the Accommodations Tax Fund that can be used as administrative funding.

Ms. Libby Gober, City Council Assistant said yes, it is 5% of the total amount received. She clarified that according to her manual calculations a \$12,100 surplus will remain in the Hospitality Tax Fund once the recommendations from the committee and Council are funded.

Mayor Benjamin asked if the administrative portion of the Accommodations Tax Fund or the remaining Hospitality Tax funding can be used to help meet the needs of other organizations.

Ms. Libby Gober, City Council Assistant said that staff will review the numbers and bring them back to Council, if needed.

Mayor Benjamin noted that Black Expo will be funded at \$50,000.

Ms. Valerie Smith, Jannie R. Jackson Women's Center explained that they submitted a proposal to fund a weekend event in June in the amount of \$147,000. She said that the funding was primarily for marketing and they put together a campaign that includes WLTX and WFMV, which would provide access to two million people. She explained that they serve socioeconomic disadvantaged women and girls in South Carolina. She said that they have been a self-sustaining agency for six years. She sought to address concerns from the committee. She asked if Council would consider the request if funding is available. She said that the application was conveyed as a gala.

Mayor Benjamin said that he hadn't seen the application and he's not sure why funding was denied. He looks forward to learning more about the center, but it would be difficult to fund such a sizable request this year without having the due diligence that they rely on.

Councilor Devine said that she has always supported the committee's recommendations. She said that they go through an arduous process. She said that she is comfortable with the fact that no one was cut from the recommendations with the belief that some things could be better funded. She supports the Mayor's proposal. She asked Ms. Gober to bring back the remaining balance for the Hospitality Tax Fund in order for Council to consider additional funding for the four (4) organizations that are funded as line items. She noted that those groups haven't seen an increase in years, but have operational increases.

Councilor Davis concurred with Ms. Devine, noting that he always push for smaller and new organizations that want to aide in bringing people to the City of Columbia and grow into signature events. He said that each year they need to show that new organizations are funded and he suggested that this be done next year.

Councilor Newman concurred with Ms. Devine and Mr. Davis, stating that the committee has done the work that they believe Council wanted done. He said that Council has to clearly articulate what they want to do, which involves quantifying the number of groups that can be involved and setting financial limits. He suggested that they define the guidelines in the next Arts and Historic Preservation committee meeting and have it set in stone at the next Council Meeting so that there is no more confusion during the next round of funding. He thanked the committee for the work done.

Councilor Plaugh said that the committee and staff spend an enormous amount of time each year getting through the process and she wholeheartedly supports the labors of the committee and the arts community. With regard to the Mayor's recommendations, she is hopeful that the recommendations have the same scrutiny as those that submitted applications. She said that she would not historically support these funding recommendations from the General Fund. She said that she will support this, because jobs are critical for this community right now.

Councilor Baddourah suggested that a few committee members sit down with Council to discuss the recommendations that Council may have for them in the near future.

Upon a motion made by Mayor Benjamin and seconded by Mr. Baddourah, Council voted unanimously to approve the recommendations from the Accommodations and Hospitality Tax Advisory Committees in addition to the recommendations presented by Mayor Benjamin with the understanding that staff will review the figures and bring back any necessary adjustments.

EXECUTIVE SESSION

Upon a motion made by Mr. Davis and seconded by Mr. Newman, Council voted unanimously to go into Executive Session at 4:11 p.m. as outlined.

5. Discussion of negotiations incident to proposed contractual arrangements – *This item was discussed in Executive Session. No action was taken.*
 6. Receipt of legal advice which relates to a pending, threatened or potential claim – *This item was discussed in Executive Session. No action was taken.*
 7. Discussion of negotiations incident to settlement of legal claims – *This item was discussed in Executive Session. No action was taken.*
 8. Discussion of employment of employee – *This item was discussed in Executive Session. No action was taken.*
 9. Receipt of legal advice which relates to a matter covered by attorney-client privilege – *This item was discussed in Executive Session. No action was taken.*
- **Council adjourned the Work Session at 6:00 p.m. to convene the Regular Meeting.**

Respectfully submitted by:

Erika D. Moore
City Clerk