



CITY OF COLUMBIA
WORK SESSION MINUTES
TUESDAY, AUGUST 5, 2014
CITY HALL – 1737 MAIN STREET
2nd FLOOR CONFERENCE ROOM

The Columbia City Council conducted a Work Session on Tuesday, August 5, 2014 at City Hall, 1737 Main Street, Columbia, South Carolina. The Honorable Mayor Stephen K. Benjamin called the meeting to order at 12:12 p.m. and the following members of Council were present: The Honorable Sam Davis, The Honorable Tameika Isaac Devine, The Honorable Leona K. Plough, The Honorable Brian DeQuincey Newman, The Honorable Cameron A. Runyan and The Honorable Moe Baddourah. Also present were Ms. Teresa Wilson, City Manager and Ms. Erika D. Moore, City Clerk. This meeting was advertised in accordance with the Freedom of Information Act. *The minutes are numbered to coincide with the order of the meeting.*

Councilor Baddourah welcomed Ms. Plough back. He said she has been missed by a lot of people and he is glad she is recovering and back with Council to continue her duty; we are praying for you.

Mayor Benjamin told Ms. Plough that he and his daughters are praying for her.

Mr. Chris Trainor, Free Times reporter introduced himself to the members of Council.

PRESENTATIONS

1. [Resolution No.: R-2014-072](#) - Approving the honorary naming of the intersection of Farrow Road and Wilkes Road to “C. J. Whitaker Square” - *Approved*

Councilor Davis said that the great Reverend Whitaker has been the cornerstone in a lot of issues and efforts to bring people together.

Mayor Benjamin said that Reverend Whitaker was the giant of the political scene here in Richland County for quite some time. He said that Reverend Whitaker played a significant role in Greenview and other parts of North Columbia becoming a part of the City.

Upon a motion made by Mr. Davis and seconded by Mr. Baddourah, Council voted unanimously to approve Resolution No.: R-2014-072 - Approving the honorary naming of the intersection of Farrow Road and Wilkes Road to “C. J. Whitaker Square”.

2. Update on the 2014 Black Expo – Mr. Darrin Thomas, President of South Carolina Black Pages

Mr. Darrin Thomas, President of South Carolina Black Pages said the Black Expo was held May 12-17, 2014. He recognized that part of their mission in promoting the City of Columbia is the utilization of various venues for various purposes. He highlighted the events, venues and participants. He stated that members of City Council and the City Manager participated in several events and the City of Columbia was represented with nine (9) exhibitor booths. He noted that for the event preparation, over \$89,000 was spent with minority owned firms. He reported that there was a 15.5% increase in participation from 2013 for a total of 15,867 attendees; over 715 room nights were utilized; and the Marriott sold out. He estimated that the economic impact was \$1.6 million.

Councilor Plaugh inquired about the level of funding provided by the City.

Mr. Darrin Thomas, President of South Carolina Black Pages said they received \$50,000 and an additional \$25,000 from the Hospitality Tax Fund.

Councilor Davis said this is the type of feedback Council should receive from all organizations that are funded, because it tells us where the dollars went and what the impact was. He commended Mr. Thomas for providing this report shortly after the event was held.

Councilor Devine recalled that many years ago the Black Expo was in the Economic Development Fund and that helped with sustainability, but now the Black Expo is in the Hospitality Fund. She noted that the committee approved \$25,000 for the Black Expo last year and Council made an additional allocation of \$50,000. She recalled that Council recently approved funding for external organizations, but the Black Expo wasn't considered. She said there are great organizations that don't have the opportunity to make their case to us and she would hate for the Black Expo to not be sustained, because their funding is cut.

Mr. Darrin Thomas, President of South Carolina Black Pages noted that the funding requested from the City only makes up one quarter of their traditional funding. He said they have a fiduciary responsibility to leverage the funding. He said they were able to sustain the Indiana Black Expo by being very frugal and pragmatic and by using research to their advantage. He recognized their responsibility in making certain that they find the funding and support to undergird the event, but without Council's support, it would put them in a difficult position.

Mayor Benjamin recalled his past challenge to Mr. Thomas to take out Indianapolis, but we're not going to be able to that without consistent sustained financial support to allow them to do their planning. He said we've shared these concerns with the committee in this supplemental round of funding that is coming up, but when things are a priority for us, we have the latitude to act independently. He encouraged Mr. Thomas to keep pushing.

3. [Five Points Corridor Transportation Plan](#) – Ms. Melissa Gentry, P.E., Assistant City Manager for Operations

Ms. Teresa Wilson, City Manager said she is impressed and thankful for this collaborative effort. She said this specific plan is for Five Points, but it is a broad approach for looking at hospitality districts and best practices for a transportation type plan in a corridor such as a hospitality district that has certain nuances. She reported that they approached all colleges and universities for this plan, because we recognize that Five Points has opportunities and challenges and we have lots of college students who frequent the area. She said we wanted to make sure that every college and university has access to a safe haven when they are visiting Five Points, but at the same time it is important for all citizens of Columbia to have safe havens as they approach taxi cabs and other transportation options. She said we are looking at this as a model that can be replicated in the Vista, Main Street and other areas of this city. She said we will accommodate other colleges and universities that may want to implement shuttles going forward.

Ms. Melissa Gentry, P.E., Assistant City Manager for Operations said they worked with the University of South Carolina and the Five Points Association and reached out to the taxi cab and shuttle companies. She said we also have private partners that made space available for staging areas for taxis and shuttles. She said we worked with organizations to make sure these designated areas are cleaned up the next morning. She noted that some parking meters are being taken up. She presented the signage that will be installed. She announced that the plan will begin on Thursday, August 14, 2014 and will be in effect on Thursday, Friday and Saturday evenings from 11:00 p.m. until 6:00 a.m.

Councilor Devine asked if they have addressed the concerns students may have with using the shuttle if they have been drinking.

Ms. Teresa Wilson, City Manager said the University of South Carolina students will be educated on the Carolina Cabs they are to use; it is meant for them to feel free to utilize the cabs; these are truly safe zones for patrons to use.

Ms. Melissa Gentry, P.E., Assistant City Manager for Operations added that this is the third year that USC has used shuttles and the Carolina Cabs, but this is the first year we've designated specific taxi loading zones and focused on education.

Ms. Teresa Wilson, City Manager clarified that this is for all college students.

Councilor Baddourah asked if there is a traffic pattern for the shuttle and if a student has to be at a designated drop off or pick up point in order to ride the shuttle.

Ms. Melissa Gentry, P.E., Assistant City Manager for Operations said the only pick up point is from the Five Points area; they will come down Blossom, circle Saluda and go back out onto Blossom. She noted that all taxi companies with a business license in the city have been notified about the plan.

Mr. Derrick Huggins, University of South Carolina Vice President for Transportation and Facilities said there are several stops on campus. He explained that the corridor is used only for picking up in Five Points. He said we centralized everything in the corridor so that all students would be picked up in Five Points on that corridor.

Councilor Baddourah said parents are concerned. He asked if the shuttle would pick up a student on Blossom Street or would the student have to go to a designated point.

Mr. Derrick Huggins, University of South Carolina Vice President for Transportation and Facilities said students will have to be at designated points. He agreed to look into the matter.

Councilor Baddourah suggested that they paint a garnet line in the streets to identify the bus route.

Ms. Teresa Wilson, City Manager said we to make sure we are very inclusive.

Mr. William “Skip” Holbrook, Police Chief said we want Five Points to be as safe as it can possibly be at all times while understanding that we have challenges during certain times of the week and the year. He said a plan has been in place; this is more structured and more robust. He said with the creation of the transportation corridor, using taxicabs, education, lighting and officer presence we hope to increase the perception and reality of safety. He said the bump-ins designed at the fountain for taxi pick-ups weren’t being utilized. He said we are trying to regulate where taxis are picked up at; this will create a more fluid traffic flow; and it will be more pedestrian friendly and safer. He said that extra lighting and directional signage will complement the plan. He noted that there will be more combined law enforcement in Five Points.

Councilor Baddourah asked if additional lighting will be installed at the taxi locations.

Mr. William “Skip” Holbrook, Police Chief said the City and the University purchased portable lighting systems and you will find that it’s very well lit.

Councilor Baddourah asked Chief Holbrook to share his plan with other colleges.

Mr. William “Skip” Holbrook, Police Chief reiterated that they contacted the other colleges and universities to find out about their capacity and desire to participate in this plan. He said we are starting to meet with incoming students and we will participate in freshmen orientation programs; we will address fraternities and sororities on what our law enforcement expectations are for behavior and conduct anywhere in the City. He noted that a safety kiosk has been set up at the HUB. He acknowledged that underage drinking is an issue, but it’s not our priority; we want students to use the service; and we will set expectations on how we want people to behave. He did clarify that if they encounter someone for lawlessness and there is an alcohol component to it, they will deal with that. He reported that the Columbia Police Department did an operation with SLED dealing with underage consumption and serving alcohol; there were a number of violations; and it’s important that we set that tone.

4. [Update on the Security Camera Network](#) – Mr. William “Skip” Holbrook, Police Chief

Mr. William “Skip” Holbrook, Police Chief recalled that in 2011, the City identified hospitality tax funding for cameras in the hospitality areas and approximately seventy (70) locations were identified for the installation of cameras to assist law enforcement. He noted that \$700,000 was allocated in the 2012/2013 and 2013/2014 budgets and the Police Department was tasked with participating in the vendor selection process and developing the locations for the expansion of the program. He said they looked at the calls for service and crime density along with main thoroughfares and choke points. He noted that they stayed away from residential areas. He reported that four (4) different types of cameras will be used throughout the network. He reviewed the camera locations in general, noting that exact camera placement is predicated on trees, lighting and other factors.

Councilor Davis asked if the list is final. He inquired about the existing cameras at Main and Monticello.

Mr. William “Skip” Holbrook, Police Chief said it is his final recommendation. He explained that there are seventy (70) existing cameras throughout the city along with an extensive network with another vendor. He said new cameras will not be placed on top of existing cameras. He noted that the cameras can be moved with ease as needed. He said the cameras at Main and Monticello will be supplemented. He further noted that there will be funds remaining.

Ms. Teresa Wilson, City Manager added that as funding is allocated, we will add to the network.

Councilor Runyan said a neighbor walked up on two (2) people having sex in a downtown park. He said the Columbia Police Department was able to manually pull the video, but it was a cumbersome process. He asked if we have invested properly in the ability to remotely view these cameras. He asked what additional capabilities could be added to these cameras to help be a more effective force multiplier for the Police Department.

Mr. William “Skip” Holbrook, Police Chief said the capability to live monitor comes with this project, but the capability to pan, tilt and zoom comes with a monthly cost; and as we continue to rebuild our staffing we need to be forward thinking.

Councilor Baddourah said everybody wants cameras in their neighborhoods. He asked if they considered parks and hospitality districts or just statistics from the Call Center.

Mr. William “Skip” Holbrook, Police Chief said the infrastructure is already in place in the hospitality areas and that was the foundation from which this was built out; we stuck to the data as we expanded beyond the entertainment districts; we know we have to keep an eye on the parks, but we haven’t deviated from the data. He noted that the park Mr. Runyan referred to has generated a lot of calls for service.

Councilor Davis asked if we are sharing data from cameras that may be owned by DOT. He said he is sensitive to cameras in parks, because we have a lot of seniors that walk in the parks and are not able to defend themselves. He said he needed to speak with the City Manager regarding existing cameras.

Mr. William “Skip” Holbrook, Police Chief said if we have access to a camera, we would not put another box there. He noted that the majority of cameras at major intersections sense traffic, they don’t capture images. He said if there is redundancy at an intersection, we will make the necessary adjustments.

Councilor Devine inquired about the shot spotters or cameras that respond to loud noises.

Mr. William “Skip” Holbrook, Police Chief said that the shot spotter technology would be tremendous for this community with some of the challenges we are facing, but none of the current equipment responds to sound; some of it is motion sensitive and if something comes into view the camera will follow it.

Councilor Devine asked who would own the data; are there any contingencies in the contract to ensure that the data is secure; and are there repercussions if the data is shared inappropriately.

Ms. Melissa Gentry, P.E., Assistant City Manager for Operations said we will own the data; we will have a single point of contact at the Police Department that will retrieve data from the vendor when we need it; and it has been made clear to the vendor that data cannot be released without our approval. She noted that the same freedom of information process will be used. She clarified that there are some third party cameras that we can access, but we don’t own the data.

Councilor Plough inquired about the criteria for residential areas with high traffic volumes; how is that computed.

Mr. William “Skip” Holbrook, Police Chief said that was addressed through main thoroughfares and choke points and we made our best efforts to put cameras at those locations to capture egress and ingress from the neighborhoods.

Councilor Newman asked about the timeframe for implementation and the finality of the list. He said the community has been helpful with identifying hotspots. He asked what the parameters are in the event that cameras are needed at other locations, but in the same area.

Mr. William “Skip” Holbrook, Police Chief said if funding is adequate, new hotspots would be addressed with a camera. He explained that a camera can be easily relocated if there is a dramatic change in data. He noted that cameras have already been installed in covert locations and we are identifying poles for an ongoing rollout of the cameras.

5. [A Comprehensive Approach to Combining Code Enforcement with the Columbia Police Department](#) - Mr. William “Skip” Holbrook, Police Chief

Mr. William “Skip” Holbrook, Police Chief recalled that the Public Safety Committee directed the City Manager to explore ways to make Code Enforcement more efficient and in July Ms. Wilson placed the division under the purview of the Police Department, while leaving the Fire Department with the responsibility for maintaining fire and life safety issues associated with commercial properties. He reported that a Quality of Life Unit was created with twenty (20) Code Enforcement personnel, supervisors and employees that will assist with issues that add to blight in a neighborhood. He noted that the Code Enforcement Inspectors are being assigned to the regions. He said the philosophy is not to be punitive in nature; we need to help residents identify the problems that lead to blight and help them identify strategies to correct the problem; the goal is compliance, not punishment. He believes this will be a holistic approach.

Councilor Baddourah asked how this was budgeted; was this considered during the budget process. He doesn't want to take away from the Police Department's budget.

Mr. William “Skip” Holbrook, Police Chief said funding came from the previous department where the Code Enforcement Division was housed.

Ms. Teresa Wilson, City Manager said funding will be transferred to the Police Department for code enforcement in order to compensate for more aggressive efforts.

Councilor Plough said the concept is good, but she isn't hearing quantifiable actions that might feed into our strategic plan; what accomplishments can we expect.

Ms. Teresa Wilson, City Manager said we've done the research and we think this is the best practice. She recalled the Neighborhood Improvement Plan that was implemented earlier this year. She said that plan included data that showed where most of our quality of life concerns are; we will refresh that data and implement Neighborhood Improvement Plans. She said that is where we will see quantifiable results. She said that staff knows the importance of this, because we are growing by leaps and bounds every day and we don't want it to get lost that there are every day citizens who feel the need for quality of life improvements.

Mr. William “Skip” Holbrook, Police Chief said we have to establish a baseline and work towards compliance. He acknowledged that the number of cases have declined over the last year.

Mayor Benjamin asked that cameras be added to locations on Sumter Street near Blanding Street and Laurel Street.

Councilor Davis said this is a good approach. He asked if they will consider cross-training in an effort to have more eyes out there. He asked how much is collected in fines on an annual basis; we have a lot of money out there that could help with the budget. He expressed concerns about the length of time houses are boarded up.

Councilor Devine asked about the hours of operation for the Code Enforcement Division.

Mr. William “Skip” Holbrook, Police Chief said they will work different hours; there will be some rebranding, because we don’t want them to be confused with a police officer.

6. [Resolution No.: R-2014-074](#) - Restating the Founding Principles of Columbia, South Carolina to Welcome Unaccompanied Immigrant and Refugee Children and to Support Comprehensive Immigration Reform – *Approved by a vote of six (6) to one (1).*

Mayor Benjamin said this is the place that we all decided to call our home; we know what a wonderful, warm, loving and welcoming place it is. He explained that we are engaged in a very long and torturous discussion around immigration at the national and federal levels. He said that all people on all sides of the discussion would like to find some type of resolution that works to secure our borders and also allows the United States to be what it has always been, a beacon light of hope to people all across this world. He explained that Resolution No.: R-2014-074 seeks to address a unique situation in which we are dealing with children who are coming from places where they are facing narcoterrorism and violence at unprecedented levels. He said South Carolina received approximately 1.2% of the young people. He said this resolution states that we will remain true to our creed and we want to make sure that people know where we stand on the item. He said it is important that we continue to reach out to non-profits and the school districts to figure out how we can help. He said this is a statement of purpose and ideals, rather than an action item. He said it is important as elected officials to set the proper tone that we want to conduct ourselves by and we want to encourage our citizens to conduct themselves by. He made a motion to approve Resolution No.: R-2014-074 - Restating the Founding Principles of Columbia, South Carolina to Welcome Unaccompanied Immigrant and Refugee Children and to Support Comprehensive Immigration Reform.

Councilor Newman seconded the motion, while expressing his support of the resolution. He acknowledged that he has received practical questions about the timing and the City’s involvement. He agreed with Mr. Baddourah in that if there are efforts that we will have to devote staff time and resources to, it would be a good idea to assemble a taskforce of interested parties to research the issues.

Councilor Runyan acknowledged that Columbia has been a haven for the oppressed for many years. He said we have a real problem on a national level and a federal level; we have to secure our borders; and we must have a lawful path for citizenship for those who want to enter our country. He said he offered his support to the Governor’s administration. He said he can’t support the resolution, but he will do whatever he can to help our children who are in need.

Councilor Baddourah said a lot of us are parents; we feel for the children; we’ll do everything we can for the kids, whether you are in Columbia, South Carolina or across the border. As a father and a public official, he will do everything he can to help the kids. He wants to keep pressing the idea that the we do have homeless children in Columbia and other children that might need help. He expressed his support of the resolution and doing more if we need to.

Councilor Plough said many of these children will be coming to family members in this state and we have a responsibility to reach out, embrace, support and do the very best we can to have them as a part of our family and our community. Based on that caveat, she supports the resolution.

Councilor Devine echoed the sentiments of Mr. Baddourah and Mr. Newman. She said this is certainly something the City cannot and should not take on by ourselves. She agreed that we needed to reach out so that we can be prepared. She recalled when we welcomed victims from Hurricane Katrina; we weren't prepared, but this city did a wonderful job pulling together resources and welcoming everyone that came to our community; that is what we are all about. She said it would be negligent if we did not take a leadership role in making sure we let people know our position. She said with preparation, we can handle anything that this state is asked to take on.

Mayor Benjamin noted that these children are already here and have been coming here over the last six (6) months; they are with people who love them and are taking care of them. He said let's pull together the people that can help us with the challenges. He said this issue brings a whole different range of safety, security and privacy issues.

Councilor Davis agreed that City Council should support this resolution. He stated that it is in fact a moral statement of who we are. He acknowledged that everybody has a role to play and we have to let them do what they do best; we have been a welcoming state. He suggested that we should let it be known that we are also encouraging the policy makers beyond to do what needs to be done to shore up the borders so that no other municipality will be faced with this.

Upon a motion made by Mayor Benjamin and seconded by Mr. Newman, Council voted six (6) to one (1) to approve Resolution No.: R-2014-074 - Restating the Founding Principles of Columbia, South Carolina to Welcome Unaccompanied Immigrant and Refugee Children and to Support Comprehensive Immigration Reform by the Federal Government. Voting aye were Mr. Baddourah, Mr. Newman, Ms. Plough, Ms. Devine, Mr. Davis and Mayor Benjamin. Mr. Runyan voted nay.

EXECUTIVE SESSION

Upon a motion made by Mayor Benjamin and seconded by Mr. Runyan, Council voted unanimously to enter into Executive Session at 1:51 p.m. for the discussion of **Items 7 through 9**.

7. Discussion of negotiations incident to the proposed purchase of property – *This item was discussed in Executive Session. No action was taken.*
8. Receipt of legal advice which relates to matters covered by attorney-client privilege – *This item was discussed in Executive Session. No action was taken.*
9. Discussion of negotiations incident to proposed contractual arrangements – *This item was discussed in Executive Session. No action was taken.*

Upon a motion made by Mr. Runyan and seconded by Ms. Plough, Council voted unanimously to adjourn the Executive Session and reconvene the Work Session at 4:51 p.m. Mr. Baddourah and Ms. Devine were not present at this time.

CITY COUNCIL DISCUSSION / ACTION

10. Water and Wastewater Update and Information ([*Automatic Meter Reading*](#)) – Ms. Melissa Gentry P.E., Assistant City Manager for Operations and Mr. Joey Jaco, Director of the Utilities and Engineering Department – *Discussion of this item was deferred.*

CONSENT AGENDA

Councilor Plough asked who Globe Mountain Partners, LLC is.

Ms. Melissa Gentry, P.E., Assistant City Manager for Operations said it is the former City Manager, Steve Gantt.

Councilor Plough questioned whether or not the Financial Advisor is independent and/or incentivized.

Mr. Brent Robertson, Financial Advisor for Merchant Capital, LLC said they are independent and he is not incentivized. He explained that he is registered with the SEC and so is the firm and the individual can't be associated with another firm that has served as underwriter to this City within the last two (2) years. He said that he has been the City's financial advisor and only the City's financial advisor for the last sixteen (16) years.

Councilor Plough asked when the cap will reach \$450,000.

Mr. Brent Robertson, Financial Advisor for Merchant Capital, LLC explained that the cap functions as a not to exceed annual amount to pay for work done on bond transactions; whether it's one bond deal or 100 bond deals of this City, Merchant Capital would never get paid more than the maximum amount of \$450,000 in that year. He further explained that they look at the resources they put into each transaction, the time and the personnel and they work with the Finance Department to determine the right number to charge. He noted that they are paid out of the bond deal and if the bond deal doesn't close, they don't get paid.

Councilor Plough said you are incentivized to issue debt.

Mr. Brent Robertson, Financial Advisor for Merchant Capital, LLC said we are incentivized to help you issue debt.

Councilor Plough said that doesn't make you independent, because your compensation is tied to the issuance of City debt.

Mayor Benjamin said it is your job to bring opportunities to us and it is our responsibility to decide whether or not to pursue that; you are not bringing us debt. He said it is our responsibility to issue debt to fund any transaction in the City; it is your job to help us figure out how to do it in the best way. He asked if there are other situations in which we would consider a debt issuance.

Mr. Brent Robertson, Financial Advisor for Merchant Capital, LLC said I've never brought those to Council; I've identified refinancings to save money and you've brought bond deals to me. As it relates to independence and his level of responsibility to the City, he submitted that over sixteen (16) years he has demonstrated that. He stated that the SEC doesn't take a dim view of the responsibility of the financial advisors role; there is a very strict and clearly defined fiduciary responsibility that financial advisors have to any issuer. He acknowledged that they are compensated from those transactions and they are incentivized to see the transactions happen to the extent that they are paid on a contingent basis. He also hopes there has been demonstrated good faith on Merchant Capital's part.

Councilor Plough said that she has worked with Brent Robertson for many years; she respects him and his opinion, but due to her concerns, she will vote against his contract. She asked that **Item 16** be removed from the Consent Agenda.

Mayor Benjamin said that Brent has done a great job and he thinks it's good to re-evaluate every relationship. He said you have gotten us through some very challenging situations working with our Finance Department; it's good to make sure you still have that arm's length, an independent advisory role. He said you've been very independent.

Upon a single motion made by Mr. Runyan and seconded by Mr. Newman, Council voted unanimously to approve the **Consent Agenda Items 11 through 15 and 17 through 21. Item 16** was approved by a separate motion.

OTHER MATERS

11. Council is asked to approve a [Request for a Certificate of Convenience and Necessity](#), as requested by the Business License Division. Award to Joaquin Martinez de Andino doing business as Cycle Cab and Rickshaw, which is a limousine service located at P.O. Box 690254, Charlotte, NC. – ***Note:** The applicant is planning to place three (3) pedicabs into service. - Approved*

CONSIDERATION OF BIDS and AGREEMENTS

12. Council is asked to approve an [Independent Contractor Agreement to provide Operations Assistance for Public Infrastructure Projects](#), as requested by the Assistant City Manager for Operations. Award to Globe Mountain Partners, LLC in the amount not to exceed \$66,300.00. This vendor is located in Columbia, SC. *Funding Source: Administrative Operations Budget; 1011107-636600 - Approved*

13. Council is asked to approve a [Professional Services Agreement for State Lobbyist Services](#), as requested by Governmental Affairs. Award to Kyle Michael Law Firm in the amount of \$72,000.00. This vendor is located in Columbia, SC. *Funding Source: 1011103-638300 - Approved*
14. Council is asked to approve the [Purchase of Radio Airtime for Fiscal Year 2014/2015](#), as requested by the Fire Department. Award to Motorola Systems, using the SC State Contract in the amount of \$75,000.00. This vendor is located in Blythewood, SC. *Funding Source: Fire Suppression/Maintenance and Service Contracts; 1012303-638200 – **Note:** The original budgeted amount is \$75,000.00. - Approved*
15. Council is asked to approve [Roof Repairs at the Finlay Park Restaurant and the Fire Department Museum](#), as requested by the Support Services Division. Award to Aqua Seal Manufacturing and Roofing, Inc., in the amount of \$136,493.00. This vendor is located in West Columbia, SC. *Funding Source: General Capital Projects-Special Contract/Capital Projects; 4039999-658650/CP080106-658650; \$38,233 and 4039999-658650/CP080105-658650; \$98,260 – **Note:** This will be funded thru 2007 GO Bond. The original budgeted amount for this project is \$88,000.00. - Approved*
16. Council is asked to approve a Two-Year [Professional Services Agreement for Financial Advisory Services](#), as requested by the Finance Department. Award to Merchant Capital, LLC in an amount not to exceed \$450,000.00 for one year. This vendor is located in Columbia, SC. *Funding Source: Finance Administration Professional; 1011402-636600 – Approved by a vote of five (5) to one (1).*

Upon a motion made by Mayor Benjamin and seconded by Mr. Runyan, Council voted five (5) to one (1) to approve a Two-Year Professional Services Agreement for Financial Advisory Services, as requested by the Finance Department. Award to Merchant Capital, LLC in an amount not to exceed \$450,000.00 for one year. Voting aye were Mr. Baddourah, Mr. Runyan, Mr. Newman, Mr. Davis and Mayor Benjamin. Ms. Plough voted nay.

17. Council is asked to approve an [Annual Maintenance Agreement for the Records Management System and Field Based Reporting](#), as requested by the Police Department. Award to Trittech Software Systems in the amount of \$149,898.82. This vendor is located in Castle Hayne, NC. *Funding Source: Police Administrative Services/Maintenance and Service Contract; 1012402-638200 **CIO Note:** The IT Department supports this renewal. It sufficiently supports the service level IT has with the Police Department. - Approved*

18. Council is asked to approve a [Contract Renewal for Radio / Airtime for Fiscal Year 2014/2015](#), as requested by the Police Department. Award to Motorola Systems, using the SC State Contract in the amount of \$230,000.00. This vendor is located in Blythewood, SC. *Funding Source: Police Administrative Services/Other Lease/Rental; 1012402-636500* – **Note:** *The original budgeted amount is \$230,000.00. - Approved*

ORDINANCES – SECOND READING

19. [Ordinance No.: 2014-079](#) – Granting an encroachment to Kenzil F. Summey and Alison Renee Lee for placement and maintenance of a steel Palmetto Tree with concrete foundation within the sidewalk right of way area of the northern side of the 500 block of Lady Street adjacent to 1313 Pulaski Street, Richland County TMS #08912-04-01 – *First reading approval was given on July 15, 2014. – Approved on second reading.*

MAP AND TEXT AMENDMENT – SECOND READING

20. (A) **Map Amendment**

[1230 Sumter Street](#), TMS#11401-03-01 (partial); request recommendation to rezone from C-5, -DD (Central Business District, Design Overlay) to C-5, -DD, -DP (Central Business District, Design Overlay, with a Design Preservation Overlay). – *First reading approval was given on July 15, 2014. – Approved on second reading.*

Council District: 2
Proposal: Rezone parcel (portion) from C-5, -DD to C-4, -DD, -DP to designate structure as a Group II Landmark
Applicant: Rick Patel, Owner
PC Recommendation: Approve (6-0); 04/07/14
Staff Recommendation: Approve

(B) **Text Amendment**

[Amend §17-691 \(c\) Buildings and Sites list](#), to designate **1230 Sumter Street**, TMS# 11401-03.-01 (partial) as a Group II Landmark. – *First reading approval was given on July 15, 2014. – Approved on second reading.*

Proposal: Amend Chapter 17-Article V, Division 3-§17-691 (c) to designate structure as a Group II Landmark.
Applicant: Rick Patel, Owner
PC Recommendation: Approve (6-0); 04/07/14
Staff Recommendation: Approve

[Ordinance No.: 2014-065](#) – Amending the 1998 Code of Ordinances of the City of Columbia, South Carolina, Chapter 17, Planning, Land Development and Zoning, Article V, Historic Preservation and Architectural Review, Division 4, Landmarks, Sec. 17-691 Buildings and sites list, (c), to add 1230 Sumter Street, Richland County TMS #11401-03-01(p) – *First reading approval was given on July 15, 2014. – Approved on second reading.*

21. (A) **Map Amendment**

[1401 Hampton Street](#), TMS# 11402-03-03; request recommendation to rezone from C-4, -DD (Central Area Commercial District, Design Overlay) to C-4, -DD, -DP (Central Area Commercial District, Design Overlay, with a Design Preservation Overlay). – *First reading approval was given on July 15, 2014. – Approved on second reading.*

Council District: 2
Proposal: Rezone parcel from C-4, -DD to C-4, -DD, -DP to designate structure as a Group II Landmark
Applicant: John Glassell, FLB Apartments, LLC
PC Recommendation: Approve (4-0), (6 members in attendance, 2 recusals); 06/02/14
Staff Recommendation: Approve

(B) **Text Amendment**

[Amend §17-691 \(c\) Buildings and Sites list](#), to designate **1401 Hampton Street**, TMS# 11402-03-03; as a Group II Landmark. – *First reading approval was given on July 15, 2014. – Approved on second reading.*

Proposal: Amend Chapter 17-Article V, Division 3-§17-691 (c) to designate structure as a Group II Landmark.
Applicant: John Glassell, FLB Apartments, LLC
PC Recommendation: Approve (4-0), (6 members in attendance, 2 recusals); 06/02/14
Staff Recommendation: Approve

[Ordinance No.: 2014-071](#) – Amending the 1998 Code of Ordinances of the City of Columbia, South Carolina, Chapter 17, Planning, Land Development and Zoning, Article V, Historic Preservation and Architectural Review, Division 4, Landmarks, Sec. 17-691 Buildings and sites list, (c), to add 1401 Hampton Street, Richland County TMS #11402-03-03 – *First reading approval was given on July 15, 2014. – Approved on second reading.*

TEXT AMENDMENT – SECOND READING

22. [Amend CHAPTER 17 - Article V](#) – Historic Preservation and Architectural Review, for updates and modifications. – *First reading approval was given on July 15, 2014. – Consideration of this item was deferred.*

Proposal: Amend §17 - Article V – Historic Preservation and Architectural Review for updates and modifications

Applicant: Krista M. Hampton, Director of Planning and Development Services

PC Recommendation: Approve (6-0), 04/07/14

Staff Recommendation: Approve

[Ordinance No.: 2014-076](#) – Amending the 1998 Code of Ordinances of the City of Columbia, South Carolina, Chapter 17, Planning, Land Development and Zoning, Article V, Historic Preservation and Architectural Review, Division 1, Generally, Sec. 17-652 Definitions, Sec. 17-653 Design and development review commission and Sec. 17-655 Administration; and Division 2, Preservation Standards for Landmarks and Design Protection Districts, Sec. 17-674 Review process – *First reading approval was given on July 15, 2014. – Consideration of this item was deferred.*

ORDINANCES – FIRST READING

23. [Ordinance No.: 2014-068](#) – To Grant Crown Castle NG East Inc., its Successors and Assigns the Right, Power and Authority to Construct, Install, Maintain and Operate In, Over, Upon and Under the Streets and Public Places of the City of Columbia, its Lines, Poles, Wires, Cables and other Telecommunications Facilities to Render Telecommunications Service to Its Customers in the Limits of the City of Columbia for Such Period as Provider Herein; and to Provide for the Payment of Compensation for the Use of the Streets and Public Places – *Approved on first reading.*

Upon a motion made by Mr. Baddourah and seconded by Mr. Newman, Council voted unanimously to give first reading approval to Ordinance No.: 2014-068 – To Grant Crown Castle NG East Inc., its Successors and Assigns the Right, Power and Authority to Construct, Install, Maintain and Operate In, Over, Upon and Under the Streets and Public Places of the City of Columbia, its Lines, Poles, Wires, Cables and other Telecommunications Facilities to Render Telecommunications Service to Its Customers in the Limits of the City of Columbia for Such Period as Provider Herein; and to Provide for the Payment of Compensation for the Use of the Streets and Public Places.

24. [Ordinance No.: 2014-084](#) – Authorizing the City Manager to execute a Ground Lease between the City of Columbia and the SC Crime Victim’s Council for a Crime Victim’s Memorial Garden at the River Walk entrance of Riverfront Park – *Approved on first reading.*

Upon a motion made by Mr. Baddourah and seconded by Mr. Newman, Council voted unanimously to give first reading approval to Ordinance No.: 2014-084 – Authorizing the City Manager to execute a Ground Lease between the City of Columbia and the SC Crime Victim’s Council for a Crime Victim’s Memorial Garden at the River Walk entrance of Riverfront Park.

25. [Ordinance No.: 2014-075](#) – Amending the 1998 Code of Ordinances of the City of Columbia, South Carolina, Chapter 2, Administration, Article V, Procurement Sec. 2-201 Statutory authority; title; definitions and Sec. 2-204 Competitive sealed bidding required; exceptions – *Approved on first reading by a vote of four (4) to two (2).*

Ms. Melissa Gentry, P.E., Assistant City Manager for Operations explained that Ordinances No.: 2014-075 and 2014-085 are the changes needed to allow the construction manager at-risk process to be used.

Mr. Gregory Tucker, Special Projects Administrator explained that the construction manager at-risk allows the contractor to be brought on board shortly after the designer is brought on board to be able to guide the design.

Councilor Plough asked why this wasn’t in our procurement code before.

Ms. Melissa Gentry, P.E., Assistant City Manager for Operations said it has been in the state requirement and we are cleaning up the language to ensure that it is clear that it is allowed. She added that design build was added a few years ago.

Councilor Newman said they have other matters to discuss in terms of the procurement for the construction manager at-risk. He sought to speak on the minority and local owned goals that were discussed in Executive Session. He stated that we cannot insert a set requirement for minority participation when it comes to this procurement, but we need to send a message that we want local participation in this procurement, particularly with the subcontractors and we want minority participation.

Ms. Teresa Wilson, City Manager said we will have aspirational goals that will require the construction manager at-risk to reach a 49% subcontracting goal and out of that 49%, 20% would have to be Disadvantaged Business Enterprises (DBE) and 20% would be Local Business Enterprises (LBE).

Councilor Newman suggested that 20% of the 49% be increased to 30%-40%. He wants to ensure that as much of the dollars stay here as possible. He sought input from his colleagues and staff.

Councilor Davis said the expectation should be that we ensure within the bounds of the contract and the law that as much of these funds and the benefits thereof are spent locally for the groups that you identified as well as the small businesses in general. He said the more participation there, the more dollars will stay in the local economy. He said that has

always been the goal of the city; that's how we helped to grow this city; that's how we helped to grow small/minority/women businesses.

Councilor Plough said we have 1% of our contracts going to women owned businesses. She said part of that is probably because they don't exist; they don't exist because they must have a revenue source for them to get the skillset to exist. She suggested that they look at a 10% goal for women owned businesses.

Ms. Tina Herbert, Director of the Office of Business of Opportunities clarified that our DBEs include minority and women owned businesses; we should break out the categories into minority owned businesses (MBE) and women owned businesses (WBE). She expressed concerns about creating a standard that we may not be able to meet.

Mayor Benjamin said we want to see groups that haven't been included in the process, included in the process prospectively. He asked if we can have a tiered system that would give weight to a DBE or WBE included in this category. He acknowledged that we've had challenges with all of our businesses, because there are very few firms with the capacity to provide the things we buy, particularly with the infrastructure and sub-terrain work. He said the goals are aspirational, but we can measure ourselves against these goals accordingly. He said participation in a deal this size will open doors for each of those firms that haven't had a chance to participate and it will enhance their ability to work on the next deals.

Ms. Tina Herbert, Director of the Office of Business of Opportunities clarified that the goals for minority and women owned businesses are intended for them to be local.

Mayor Benjamin suggested that staff determine how we get there in a way that is achievable, that creates opportunities for other firms, and done in compliance with federal and state laws.

Ms. Teresa Wilson, City Manager explained that **Items 25** and **26** create the procurement process that will be utilized to issue the Request for Proposals (RFP) for the Construction Manager at Risk for the multi-use venue. She said that staff is ready to issue the RFP on Monday and this Council wants to make sure that we do everything we can to ensure that small/minority/women owned businesses are at the table. She said these aspirational goals are specific to this project. She said we understand Council's intent; we can wait for you to confirm the percentages or we can craft the percentages and share them with you.

Ms. Melissa Gentry, P.E., Assistant City Manager for Operations reiterated that the businesses don't exist in this area and we need to set goals that are achievable.

Mayor Benjamin stated that this is an aspirational goal. He said we are going to ask them to respond as to what they think is doable, but certainly it's not dispositive. He said if we wind up with 7%, that's 700% more than we've done in the past with women-owned businesses.

Ms. Teresa Wilson, City Manager clarified for the City Attorney and staff that we were making the percentages for DBEs in totality, because we want to ensure that nothing is legally challengeable.

Ms. Tina Herbert, Executive Director of the Office of Business Opportunities explained that we have a DBE component in the Subcontractor Outreach Program and that is a race conscious element of our race neutral program, because it's not a mandatory requirement. She noted that DBE refers to socially and economically disadvantaged businesses, which are presumed to be minority and women-owned businesses. She noted we have a disparity study, geographical limitations, flexibility and waivers. She stated that we are in a good position with all of the things we've done.

Ms. Teresa Wilson, City Manager asked if it is okay to make specific aspirational goals with each of those categories broken out.

Ms. Tina Herbert, Executive Director of the Office of Business Opportunities said yes, but if we break it out we have to clarify the definition we're using.

Mr. Gregory Tucker, Special Projects Administrator suggested that the local preference goal be set at 30%-35%, because you get into odd situations of firms being local, but they are headquartered internationally or it's a franchise.

Upon a motion made by Mayor Benjamin and seconded by Mr. Newman, Council voted five (5) to one (1) to approve the following aspirational goals: 49% subcontracting outreach participation; 40% for Disadvantaged Business Enterprises (DBE) of the 49% Subcontracting Outreach participation; 35% for Local Business Enterprises (LBE); and to incorporate a 10% goal for Women-owned Business Enterprises (WBE) of the 40% Disadvantaged Business Enterprise (DBE) participation, if it passes constitutional muster. Voting aye were Mr. Runyan, Mr. Newman, Ms. Plough, Mr. Davis and Mayor Benjamin. Mr. Baddourah voted nay.

Upon a motion made by Mr. Newman and seconded by Mayor Benjamin, Council voted four (4) to two (2) to give first reading approval to Ordinance No.: 2014-075 – Amending the 1998 Code of Ordinances of the City of Columbia, South Carolina, Chapter 2, Administration, Article V, Procurement Sec. 2-201 Statutory authority; title; definitions and Sec. 2-204 Competitive sealed bidding required; exceptions. Voting aye were Mr. Runyan, Mr. Newman, Mr. Davis and Mayor Benjamin. Voting nay were Mr. Baddourah and Ms. Plough.

26. [Ordinance No.: 2014-085](#) – Amending the 1998 Code of Ordinances of the City of Columbia, South Carolina, Chapter 2, Administration, Article V, Procurement, Sec. 2-208 Source selection method for procurements related to construction and Sec. 2-209 Design-build project delivery method authorized – *Approved on first reading by a vote of five (5) to two (2).*

Upon a motion made by Mr. Davis and seconded by Mr. Baddourah, Council voted four (4) to two (2) to give first reading approval to Ordinance No.: 2014-085 – Amending the 1998 Code of Ordinances of the City of Columbia, South Carolina, Chapter 2, Administration, Article V, Procurement, Sec. 2-208 Source selection method for procurements related to construction and Sec. 2-209 Design-build project delivery method authorized. Voting aye were Mr. Runyan, Mr. Newman, Mr. Davis and Mayor Benjamin. Voting nay were Mr. Baddourah and Ms. Plaugh.

RESOLUTIONS

27. [Resolution No.: R-2014-067](#) – Amending Resolutions R-2013-092, R-2013-86 and R-2005-012 Provisions for Council Agenda Items – *Consideration of this item was deferred.*

Councilor Baddourah explained that we are making a policy for this Council to continue publicizing the agenda as it is now, without the effect of the Supreme Court ruling, which doesn't require municipalities to publish an agenda before the meeting. He made a motion to approve the Resolution.

Councilor Runyan asked the City Attorney for a briefing on the Supreme Court ruling.

Ms. Teresa Knox, Esq., City Attorney agreed to resend the memo to Council.

Councilor Plaugh seconded the motion.

Mayor Benjamin said the Resolution also includes a provision that says the majority of Council can't amend the agenda.

Councilor Baddourah said the intent is to ensure that an agenda is published and that the public understands what is being discussed at every meeting.

Mayor Benjamin said the Resolution that was passed in 2013 still stands as a policy of Council. He suggested that the matter be considered later.

Councilor Runyan asked if the Supreme Court ruling nullified our previous resolution.

Ms. Teresa Knox, Esq., City Attorney said no.

Upon a motion made by Ms. Plaugh and seconded by Mayor Benjamin, Council voted unanimously to adjourn the meeting at 5:33 p.m.

Respectfully submitted by:

Erika D. Moore
City Clerk