



COLUMBIA CITY COUNCIL MEETING MINUTES TUESDAY, DECEMBER 7, 2021

The Columbia City Council conducted a meeting on Tuesday, December 7, 2021 at City Hall, 1737 Main Street, 3rd Floor, Columbia, SC 29201. The Honorable Mayor Stephen K. Benjamin called the meeting to order at 2:10 p.m. and the following members of Council were present: The Honorable Sam Davis, The Honorable Tameika Isaac Devine, The Honorable Howard E. Duvall, Jr., The Honorable Mayor Pro-Tempore Edward H. McDowell, Jr., The Honorable Daniel J. Rickenmann, and The Honorable William Brennan. Also present were Ms. Teresa Wilson, City Manager and Ms. Erika D. Moore Hammond, City Clerk. This meeting was advertised in accordance with the South Carolina Freedom of Information Act. The minutes are numbered to coincide with the order of the meeting.

PLEDGE OF ALLEGIANCE

INVOCATION

The Honorable Mayor Pro Tempore Edward H. McDowell, Jr. offered the invocation.

ADOPTION OF THE AGENDA

Upon a motion made by Mr. Duvall and seconded by Mr. Davis, Council voted unanimously to adopt the agenda, subject to deferring Item 47, moving the first Executive Session to after City Council Discussion/Action, adding Redistricting and Prisma discussions to Item 57, and adding the Discussion of the Employment of an Employee - City Manager and City Attorney evaluations to Executive Session as Item 58.

APPROVAL OF MINUTES

1. Council is asked to approve the November 9, 2021 City Council Meeting Minutes.

Upon a motion made by Mr. Davis and seconded by Mr. Brennan, Council voted unanimously to approve the November 9, 2021 City Council Meeting Minutes.

PRESENTATIONS

2. Resolution No.: R-2021-128 Approving the Honorary Naming of the northwest corner of Richland Street and Henderson Street, the 1900 block of Henderson Street and the 1600 block of Richland Street "William Joseph Sumter Lane" – *Approved*



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Upon a motion made by Mr. McDowell and seconded by Mayor Benjamin, Council voted unanimously to approve Resolution No.: R-2021-128 Approving the Honorary Naming of the northwest corner of Richland Street and Henderson Street, the 1900 block of Henderson Street and the 1600 block of Richland Street "William Joseph Sumter Lane".

Mayor Benjamin said it has always been a point of personal pride for those who value history to be able to walk these streets, see the beautifully distinct buildings, and be able to point out with pride over a century of African American ownership in the heart of our city.

Ms. Van Dozier, said this is for my great grandfather. This has been a long time coming and we are so appreciative. Thank you.

3. Resolution No.: R-2021-129 Approving the Honorary Naming of Lady Street between Huger Street and Pulaski Street "Kay Kaplan Thigpen Way" – *Approved*

Upon a motion made by Mayor Benjamin and seconded by Ms. Devine, Council voted unanimously to approve Resolution No.: R-2021-129 Approving the Honorary Naming of Lady Street between Huger Street and Pulaski Street "Kay Kaplan Thigpen Way".

Mayor Benjamin said I don't think you can discuss arts in Columbia and the manifestation of it in a meaningful way without talking about the legacy of Kay Thigpen. Representative Beth Bernstein is here to accept this on behalf of the family members and supporters of Kay Thigpen and Trustus Theater.

Representative Beth Bernstein, SC House District 78 said I was contacted by a relative that does not live in Columbia. This community and Trustus meant so much to Kay Thigpen. It is very appropriate that the portion of street where Trustus Theater resides will forever be known as Kay Kaplan Thigpen Way. Thank you.

4. Resolution No.: R-2021-136 Approving the Honorary Naming of the Corner of Colonial Drive and Willow Street; 3800 Block of Colonial Drive; Corner of Colonial Drive and Manse Street; and 4100 Block of Colonial Drive "Dr. Milton Kimpson Drive" – *Approved*

Upon a motion made by Mayor Benjamin and seconded by Mr. Duvall, Council voted unanimously to approve Resolution No.: R-2021-136 Approving the Honorary Naming of the Corner of Colonial Drive and Willow Street; 3800 Block of Colonial Drive; Corner of Colonial Drive and Manse Street; and 4100 Block of Colonial Drive "Dr. Milton Kimpson Avenue".



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The Honorable Milton G. Kimpson, Jr., SC Administrative Law Court Judge said the Kimpson Family would like to say thank you for this wonderful honor. In addition to my dad's love of education and a number of things, he loved the City of Columbia. All of us grew up in the city and this city means so much to us. We thank you so much for this honor and every time we pass that block we will think about this experience.

Mayor Benjamin said Milton Kimpson meant so much to many of us. Everything that I have ever done professionally, I have gone to Deacon Kimpson for advice and counsel. The answer was almost always; go for it, I am with you. The legacy that Deacon Kimpson leaves is so large. Thank you all for sharing him with us.

Ms. Teresa Wilson, City Manager took a moment of personal privilege to present Chief Holbrook with the 2021 Dominion Award for Excellence in Law Enforcement. This award is presented annually at the South Carolina Law Enforcement Officers Association awards banquet. The Dominion Award recognizes the overall activities and outstanding achievements of an entire law enforcement agency or department. This is the second time in five years that the Columbia Police Department has received this coveted award. Congratulations to the Chief and the department.

5. Resolution No.: R-2021-138 Acknowledging the Intent to name the proposed Teaching Kitchen "Deborah Christie Teaching Kitchen" – *Approved*

Upon a motion made by Ms. Devine and seconded by Mr. Davis, Council voted unanimously to approve Resolution No.: R-2021-138 Acknowledging the Intent to name the proposed Teaching Kitchen "Deborah Christie Teaching Kitchen".

6. Recognition of Fall 2021 Mayor's Fellows and Intern - The Honorable Mayor Stephen K. Benjamin

Ms. Teresa Wilson, City Manager said David Olds, a former Mayor's Fellow, has been helping archive all of Mayor Benjamin's things. We wanted to recognize David for all of his hard work.

Mayor Benjamin said I was just telling David's grandfather how much of an amazing contribution he has made; first as a fellow and now as our archivist. He is a representative of our amazing young people of the city. We are grateful to have Blakely Hardin and Jaheem McLaurin, half of our final class of Mayor's Fellows. Sofia Gomez and Zoe Doan couldn't be here with us. Both are students from Benedict College. When we started this program almost 12 years ago, we never really anticipated the success of the program. We have had well over 300



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young people come through this program. The program allows young people to learn more about what interests them. This is my last class of Mayor's Fellows. I know Mr. Rickenmann has been working to continue the program because it is one of the best things we have done. I want to thank you for your service.

Mr. Jaheem McLaurin, Fall 2021 Mayor's Fellow said I am a political science major at the University of South Carolina. My plan is to go to law school. Thank you all for allowing me to be a part of this program. I have enjoyed working with Mayor Benjamin and the rest of the Mayor's Fellows.

Ms. Blakely Hardin, Fall 2021 Mayor's Fellow said I am a sophomore studying political science at the University of South Carolina Honors College. In the future, I hope to transition to a master's in public policy to work in education policy in South Carolina. I want to thank Mayor Benjamin and Mr. Scott for this program. I have greatly enjoyed and appreciated my time here.

CITY COUNCIL DISCUSSION / ACTION

7. COVID-19 Update - The Honorable Mayor Stephen K. Benjamin

- *COVID-19 Situational Report - Mr. Harry Tinsley, Emergency Management Director*

Mr. Harry Tinsley, Emergency Management Director said on November 24, 2021, a new variant of Sars-CoV-2 was reported to the World Health Organization. The WHO named Omicron a variant of concern (VOC) on November 26th and the U.S. designated it a VOC on November 30th. The first case of Omicron in the U.S. was confirmed on December 1st and has been detected in 19 states. The closest to our state is Georgia. CDC Scientists are working with partners to gather data and virus samples of Omicron to learn more about this new variant. Nationally the 7-day average trend in new hospital admission of patients with confirmed COVID-19 is up 13% compared to the previous 7-day period. As far as case rates, South Carolina has dropped in the rankings and we are now 45th in the nation. Forecast models show cases in our state will remain stable for the next four weeks. As of the latest report, COVID-19 key indicators as provided by DHEC continue to show down trends. In South Carolina, the confirmed case count stands at 739,796 with 12,636,626 tests to date. Today's case count is 661 with a 6.4% percent positivity rate. There were two new confirmed deaths and two probable deaths at last reporting. The state's total is 12,386 confirmed deaths due to COVID-19 and 14,318 combined. In Richland County, there were 57,297 confirmed cases. Today's case count is 41. To date there are 670 confirmed deaths and 121 probable, totaling 791. Richland County is averaging 31 new confirmed cases each day. As of December 1st, Richland County's 14-day recent disease activity incidence rate is



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medium and the percent positivity rate is 2.4%. The statewide hospitalizations bed utilization rate is 76.29%. As of December 6th, there were 471 patients currently hospitalized with COVID-19 confirmed or suspected. The Richland County utilization rate is 71.7%, with 18 COVID-19 patients hospitalized and one COVID-19 pediatric patient. DHEC reports 5,943,278 doses of COVID-19 vaccines have been administered in South Carolina. As of December 5th, approximately 50.6% of South Carolina's eligible population is fully vaccinated and 58.6% have received at least one dose. Out of children aged 5-11, 8.3% have received at least one vaccine dose and 63.5% of children aged 12 and older have received at least one vaccine dose. In Richland County, 53.5% have completed their vaccinations and 62.2% residents have received at least one vaccine. According to the CDC's latest reporting on December 6th, 63.8% of the U.S. population five and older have been fully vaccinated and 75.6% have received at least one dose; 86.6% of those 65 and older have been fully vaccinated and 99.9% have received at least one dose; and 83.5% of the population 18 and older have received at least one dose. City staff continues to work with our partners to host vaccination clinics after hours, weekends, and mobile. Safety and Risk Management continues to provide staff with updates on COVID-19 protocols.

Mayor Benjamin asked about the employee vaccination rate.

Ms. Teresa Wilson, City Manager said we are at 87%.

Mayor Benjamin said that is fantastic and I want to thank everyone for their leadership in that space. We are seeing the benefits of good practices and vaccinations. Regardless of what may come, we have so many more tools at our disposal now with vaccination being the most important. We are nearly at 90% of vaccinated city staff, that is something to be thankful for.

8. 2021 Municipal Equality Index Report - The Honorable Tameika Isaac Devine

Councilor Devine said the Human Rights Campaign was established in 1980 and strives to end discrimination against the LGBTQIA community. This index is done on an annual basis for 506 municipalities. We have ranked high in the annual index over the last couple of years. Last year, Councilman Duvall and I were asked by the Mayor to take the lead in looking at where the city was ranking. This is the tenth year of the scorecard for the city and it is my pleasure to announce that the city has received a score of 82; the highest rate of a city in the state of South Carolina. This shows the intention of the current leadership to make sure that we have an inclusive city that meets the needs of all residents. This year, we established our Advisory Council on Equality, which Councilman Duvall will continue to lead, keep improving our score, and work to bring in more inclusiveness.



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Mr. Tyson Lusk, Advisory Committee on Equality member said thanks Councilwoman Devine and Councilman Duvall for your leadership on this issue. What was endearing about this process, is that this worked as we want our city to work. It was elected officials, city staff, and citizens coming together for the betterment of our community. I appreciate all of your efforts. We talk a lot about the importance of our city being equitable and inclusive, but it is also an economic issue. We talk a lot about wanting to retain students from the colleges and I think this is an economic driver for our community. Young people are now more open about LGBTQIA+ equality. We can take pride in City of Columbia having the highest rate in South Carolina. Thank you to everyone involved; 82 is great but we can always keep going forward.

EXECUTIVE SESSION

Upon a motion made by Mr. Duvall and seconded by Mr. Davis, Council voted unanimously to enter into Executive Session at 3:00 p.m. for the discussion of **Item 9**.

9. Receipt of legal advice related to matters covered by attorney-client privilege pursuant to S.C. Code §30-4-70(a)(2) – *Received as information, no action was taken.*
Administrative Policies

Upon a motion made by Mr. McDowell and seconded by Mr. Davis, Council voted unanimously to adjourn Executive Session at 3:23 p.m. and reconvene the meeting.

CITY COUNCIL COMMITTEE REFERRALS / REPORTS

10. Administrative Policy Committee - The Honorable Edward H. McDowell, Jr. – *Approved*

Upon a motion made by Mr. McDowell and seconded by Mayor Benjamin, Council voted unanimously to remove the referrals dealing with revisions to the administrative policies from the committee's agenda.

11. Public Safety Committee - The Honorable Daniel J. Rickenmann – *Approved*

Upon a motion made by Mr. Rickenmann and seconded by Mr. Davis, Council voted unanimously to remove the referral dealing with revisions to code enforcement policies from the committee's agenda.



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ADMINISTRATIVE POLICIES - ORDINANCES FIRST READING

12. Ordinance No.: 2021-097 Amending the 1998 Code of Ordinances of the City of Columbia, South Carolina, Chapter 2, Administration, Article I, In General, Sec. 2-9 and Article II, Mayor, Council and City Manager, Sec. 2-51 – *Approved on first reading*

Upon a motion made by Mayor Benjamin and seconded by Mr. Duvall, Council voted unanimously to give first reading approval to Ordinance No.: 2021-097 Amending the 1998 Code of Ordinances of the City of Columbia, South Carolina, Chapter 2, Administration, Article I, In General, Sec. 2-9 and Article II, Mayor, Council and City Manager, Sec. 2-51, as amended to change the Council Meeting start time to 4:00 p.m.

13. Ordinance No.: 2021-099 - Amending the 1998 Code of Ordinances of the City of Columbia, South Carolina, Chapter 2, Administration, Article I, In General, Sec. 2-7 and Article III, Directors, Departments and Employees, Sec. 2-127 – *Approved on first reading*

Upon a motion made by Mayor Benjamin and seconded by Mr. Duvall, Council voted unanimously to give first reading approval to Ordinance No.: 2021-099 Amending the 1998 Code of Ordinances of the City of Columbia, South Carolina, Chapter 2, Administration, Article I, In General, Sec. 2-7 and Article III, Directors, Departments and Employees, Sec. 2-127, as amended to change Sec. 2-7 regarding the Mayor Pro Tempore to read: on or before the second meeting in January following a general election for the Council, the Council should elect one member of the body as a Mayor Pro Tem to serve as such for one year.

CONSENT AGENDA ITEMS 14 THROUGH 33

Ms. Teresa Wilson, City Manager said there are several items where we are utilizing the protégé led project method for some of our major water and sewer projects.

Upon a motion made by Mr. McDowell and seconded by Mayor Benjamin, Council voted unanimously to approve Consent Agenda **Items 14** through **33**.

14. Council is asked to approve an Agreement to Purchase a Gas Chromatography-Mass Spectrometry Analysis Tool, as requested by the Columbia Police Department. Award to Agilent Technologies Inc., as a Sole Source in an amount not to exceed \$84,111.44. The vendor is located in Chicago, IL. – *Approved*



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Funding Source: U.S. Justice Grants Control - Computer/Electrical Equipment - Capital; JAG Drug Analysis Lab Improvement - Computer/Electrical Equipment - Capital (2659999-658600) (9211000118-658600). The original budget amount is \$84,111.44.

15. Council is asked to approve the Renewal of Cityworks Software and License Support for the term of January 15, 2022 through January 14, 2023, as requested by the Information Technology Services Department. Award to Azteca Systems, LLC, in the amount of \$113,400.00. The vendor is located in Sandy, UT. – *Approved*

Funding Source: Public Works Administration - Maintenance & Service Contracts (1011124-638200) \$8,089.20; Forestry Horticulture - Maintenance & Service Contracts (1011217-638200) \$8,640.00; Streets Street & Sidewalk Repair - Maintenance & Service Contracts (1013201-638200) \$2,700.00; Traffic Operations - Maintenance & Service Contracts (1013204-638200) \$3,780.00; Streets - Storm Drains - Maintenance & Service Contracts (5534203-838200) \$2,160.00; Streets - Water & Sewer Repair - Maintenance & Service Contracts (5513202-638200) \$2,700.00; Customer Service - Maintenance & Service Contracts (5511407-638200) \$3,780.00; Meter Reading - Maintenance & Service Contracts (5516202-638200) \$16,740.00; Utilities Wastewater Maintenance - Maintenance & Service Contracts (5516205-638200) \$53,470.80; Solid Waste Street Sweeping - Maintenance & Service Contracts (5534408-638200) \$11,340.00. The original budget amount is \$113,400.00.

16. Council is asked to approve a Contract to Purchase a Heil Python Side Loader with a 2022 Mack LR chassis for the Solid Waste Division, as requested by the Fleet Services Division. Award to Carolina Environmental Systems, using the Sourcwell Contract in the amount of \$310,025.00. The vendor is located in Kernersville, NC. – *Approved*

Funding Source: Capital Replacement - Auto, Trucks, Heavy Equipment - Capital (6308972-658500). The original budget amount is \$310,025.00.

17. Council is asked to approve the Renewal of Grant Management Services to support the City's continuation of FEMA associated grant programs for the term of January 1, 2022 through December 31, 2022, as requested by the Budget, Program Management and Grants Office. Award to Landmark Consulting, LLC, a Minority Business Enterprise (W), in the amount of \$635,481.00. The firm is located in New Orleans, LA. – *Approved*

Funding Source: Flood Recovery Program Management - 2015 October Flood Recovery (2531116-638400); Flood Recovery Program Management - Coronavirus Services (2531116-638412). The budget amount is \$635,481.00.



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18. Council is asked to approve a Contract for T.S. Martin Park Improvements Phase II, as requested by the Parks and Recreation Department. Award to AOS Specialty Contractors, Inc., in an amount not to exceed \$229,134.00, which includes contingency. The firm is located in Lexington, SC. – *Approved*

Funding Source: Community Development Block Grant (CDBG - General Capital Projects - T.S. Martin Park Improvements - Professional Services for Capital Projects (4039999-PK004602-658660). The original budget amount is \$229,134.00.

AOS Specialty Contractors, Inc., a Minority Business Enterprise (W), is the prime contractor and will be performing park revitalization services at 52.59% (\$118,285.00) of the total contract amount.

The following subconsultants will provide additional services:

Detail Fence, LLC of Lexington SC will provide fencing services at 47.41% (\$108,639.00) of the total contract amount.

19. Council is asked to approve an Agreement for Finlay Park Design Services, as requested by the Parks and Recreation Department. Award to Stantec Consulting Services, Inc. in an amount not to exceed \$1,500,000.00, which includes contingency. The firm is located in Columbia, SC. – *Approved*

Funding Source: General Capital Projects - Finlay Park Rehabilitation - Professional Services for Capital Projects (4039999-PK005608-658660). The original budget amount is \$1,500,000.00.

Stantec Consulting Services, Inc., located in Columbia, SC, will provide design services at 17.84% (\$222,980.00) of the total contract amount.

The following subconsultant will provide additional services:

Civitas, Inc., located in Denver, CO, will provide park planning services at 16.00% (\$200,000.00) of the total contract amount.

LS3P Associates, Ltd., located in Columbia, SC, will provide architecture services at 18.00% (\$225,000.00) of the total contract amount.

Chao and Associates, a Minority Business Enterprise located in Columbia, SC, will provide civil and structural engineering, survey, and permitting services at 20.64% (\$258,000.00) of the total contract amount.

Aiken Cost Consultants, Inc., located in Greenville, SC, will provide cost estimating services at 1.28% (\$16,020.00) of the total contract amount.



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Johnson and King Engineers, Inc., located in Columbia, SC, will provide building structural engineering services at 1.20% (\$15,000.00) of the total contract amount.

Buford, Goff and Associates, Inc., located in Columbia, SC, will provide mechanical, electrical, and plumbing engineering and site electrical services at 8.00% (\$100,000.00) of the total contract amount.

W.P. Law, Inc., located in Lexington, SC, will provide aquatic/water feature and design/irrigation services at 11.24% (\$140,500.00) of the total contract amount.

F&ME Consultants, Inc., located in Columbia, SC, will provide geotechnical engineering and special inspections services at 5.00% (\$62,500.00) of the total contract amount.

Brownstone Construction Group, LLC, a Minority Business Enterprise located in Columbia, SC, will provide cost estimate review services at 0.80% (\$10,000.00) of the total contract amount.

20. Council is asked to approve a Contract to Purchase a Pierce Custom Enforcer - PUC with 107' Aerial Ladder for the Columbia Fire Department, as requested by the Fleet Services Division. Award to Spartan Fire and Emergency Apparatus, using the HGAC Cooperative Contract in the amount of \$1,326,459.00. The vendor is located in Roebuck, SC. – *Approved*

Funding Source: Capital Replacement - Auto, Trucks, Heavy - Equipment - Capital (6308972-658500). The original budget amount is \$1,326,459.00.

21. Council is asked to approve a Contract for Project SS7298; Wastewater Relocation at 327 Vincenne Road, as requested by Columbia Water. Award to LG Utility Contractors, Inc. in an amount not to exceed \$72,933.00, which includes contingency. The firm is located in Lugoff, SC. – *Approved*

Funding Source: Engineering - Water & Sewer Improvements (5529999-SS729801-658650). The original budget amount is \$72,933.00.

This is a Mentor Protégé Program Protégé Only project. LG Utility Contractors, Inc., a Minority Business Enterprise (W), is the protégé and will provide pipeline rehabilitation services at 93.00% (\$58,776.40) of the total contract amount.

The following subcontractors/suppliers will provide additional services/supplies:

Fortiline Water Works, of Lexington, SC will provide materials at 7.00% (\$4,643.60) of the total contract amount.



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22. Council is asked to approve an Agreement for Project SS7594; Project Management and Consultant Oversight Services for the Continual Sewer Assessment Program, as requested by Columbia Water. Award to AECOM Technical Services, Inc., in an amount not to exceed \$131,040.00. The firm is located in Columbia, SC. – *Approved*

Funding Source: Utilities Wastewater Maintenance - Special Contracts Water/Sewer, Stormwater (5516205-638305). The original budget amount is \$131,040.00.

23. Council is asked to approve an Agreement for Project WM4543; Lake Murray Taste and Odor Treatment System Project, as requested by Columbia Water. Award to Black & Veatch Corporation in an amount not to exceed \$188,600.00. The firm is located in Columbia, SC. – *Approved*

Funding Source: Water and Sewer Capital Projects - Lake Murray Treatment System - Capital Project Costs (5529999-WM454301-658650). The original budget amount is \$188,600.00.

This is a Mentor Protégé Program Project. Black & Veatch Corporation is the mentor and will provide design, permitting, and construction phase and provide project closeout services at 69.56% (\$131,190.00) of the total contract amount. Howard Engineering, Inc., a Minority Business Enterprise (W) located in Marietta, SC is the protégé and will provide electrical & instrumentation and control design engineering services and construction management services at 29.25% (\$55,160.00) of the total contract amount.

The following subconsultant will provide additional services:

S&ME of Columbia, SC will provide construction materials testing services at 1.19% (\$2,250.00) of the total contract amount.

24. Council is asked to approve a Contract for Project WM4587; Water Main Relocation along Sebring Drive, as requested by Columbia Water. Award to LG Utility Contractors, Inc. in an amount not to exceed \$192,884.40, which includes contingency. The firm is located in Lugoff, SC. – *Approved*

Funding Source: Engineering - Water & Sewer Improvements (5529999-WM458701-658650). The original budget amount is \$192,884.40.

This is a Mentor Protégé Program Protégé Only project. LG Utility Contractors, Inc., a Minority Business Enterprise (W), is the protégé and will provide pipeline rehabilitation services at 85.62% (\$137,620.81) of the total contract amount.

The following subcontractors/suppliers will provide additional services/supplies:



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Fortiline Water Works, of Lexington, SC, will provide water line materials at 14.38% (\$23,116.19) of the total contract amount.

25. Council is asked to approve Contract Amendment #2 for the Purchase of Chemicals for the Canal Water Treatment Plant and the Lake Murray Water Plant, as requested by Columbia Water. Award to Carus, LLC in the amount of \$162,100.00 to support a price per ton increase. The firm is located in Peru, IL. – *Approved*

Funding Source: Utilities Columbia Canal Water Treatment Plant - Chemicals (5516206-624800) \$100,000.00; Utilities Lake Murray Water Plant - Chemicals (5516207-624800) \$62,100.00. The original budget amount was \$162,100.00. The budget amount for this amendment is \$162,100.00. The total revised budget amount is \$324,200.00.

26. Council is asked to approve a Contract for Wet Well Cleaning Services for the Metro Wastewater Treatment Plant, as requested by Columbia Water. Award to EnviroWaste Services Group, Inc. in an amount not to exceed \$191,600.00. The vendor is located in Palmetto Bay, FL. – *Approved*

Funding Source: Utilities Metro Wastewater Plant – Maintenance & Service Contracts (5516208-638200). The original budget amount is \$220,000.00.

27. Council is asked to approve Contract Amendment #2 for the Purchase of Chemicals for the Canal Water Treatment Plant and the Lake Murray Water Plant, as requested by Columbia Water. Award to JCI Jones Chemicals, Inc. in the amount of \$206,700.00 to support a price per ton increase. The firm is located in Sarasota, FL. – *Approved*

Funding Source: Utilities Columbia Canal Water Treatment Plant - Chemicals (5516206-624800) \$85,000.00; Utilities Lake Murray Water Plant - Chemicals (5516207-624800) \$121,700.00. The original budget amount was \$206,700.00. The budget amount for this amendment is \$206,700.00. The total revised budget amount is \$413,400.00.

28. Council is asked to approve Contract Amendment #5 for Project SS7363; Smith Branch 03 Sewer System Evaluation Study and Sewer Rehabilitation Implementation, as requested by Columbia Water. Award to AECOM in the amount of \$222,169.00. The firm is located in Columbia, SC. – *Approved*

Funding Source: Water and Sewer Capital Projects - Capital Project Costs (5529999-SS7363-658650). The original budget amount was \$1,187,509.00. The budget amount for this amendment is \$222,169.00. The total revised budget amount is \$1,409,678.00.



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This is a Mentor Protégé Program project. AECOM is the mentor and will provide general services during construction including construction administration, construction observation, and inspection services at 79.68% (\$177,035.00) of the amendment amount. DESA, Inc., a Minority Business Enterprise (W) of Columbia, SC, is the protégé and will provide easement exhibits, construction administration, observation, and inspection services at 20.32% (\$45,134.00) of the amendment amount.

29. Council is asked to approve Contract Amendment #2 for Project SS7582; Wastewater Collection System Manhole Survey, as requested by Columbia Water. Award to Hydrostructures in the amount of \$297,750.00. The firm is located in Cayce, SC. – *Approved*

Funding Source: Engineering Wastewater System Improvement Special Contracts Water/Sewer - Stormwater (5516221-SS758201-638305). The original budget amount was \$424,750.00. The budget amount for this amendment is \$297,750.00. The total revised budget amount is \$722,500.00.

This is a Columbia Disadvantaged Business Enterprise (CDBE) Project. The CDBE goal placed on this project at 12.00% is met at 12.00% (\$35,730.00) of the amendment amount.

Hydrostructures of Cayce, SC will provide technical engineering support for surveying and mapping services at 88.00% (\$262,020.00) of the amendment amount.

The following subcontractors will provide additional services:

DESA, Inc., a Minority Business Enterprise (W) of Columbia, SC, will provide manhole inspection services at 5.00% (\$14,887.50) of the amendment amount.

Construction Support Services, a Minority Business Enterprise of Hopkins, SC will provide surveying services at 7.00% (\$20,842.50) of the amendment amount.

30. ANNEXATION, COMPREHENSIVE PLAN MAP AMENDMENT, AND ZONING MAP AMENDMENT for 7800 Garners Ferry Road; TMS# 19102-05-12 - *First reading approval was given on November 9, 2021 – Approved on second reading.*

Ordinance No.: 2021-085 Annexing and Incorporating 0.69 acres, 29,000 square feet 7800 Garners Ferry Road, Richland County TMS# 19102-05-12 into Columbia Compass: Envision 2036 adopted by Ordinance No.: 2020-028 on August 4, 2020 – Approved on second reading.

Council District: 3

Proposal: Request to annex the property and assign a land use classification of Community Activity Corridor (AC-2) and assign zoning of General Commercial (GC) at the time of annexation. The property is currently classified as Neighborhood (Medium Density) and zoned GC by Richland County.



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Applicant: Take 5 Carolinas Property Company, LLC

Staff Recommendation: Approval

PC Recommendation: 05/03/2021; Approval (9-0)

31. ANNEXATION, COMPREHENSIVE PLAN MAP AMENDMENT, AND ZONING MAP AMENDMENT for NX3900 River Drive a/k/a 3820 River Drive; TMS# 09103-05-09 - *First reading approval was given on November 9, 2021 – Approved on second reading.*

Ordinance No.: 2021-084 Annexing and Incorporating 0.22 acres NX3900 River Drive, Richland County TMS# 09103-05-09 into Columbia Compass: Envision 2036 adopted by Ordinance No.: 2020-028 on August 4, 2020 – Approved on second reading.

Council District: 1

Proposal: Request to annex the property and assign a land use classification of Urban Core Mixed Residential Type 2 (UCMR-2) and assign zoning of Employment Campus (EC) at the time of annexation. The property is currently classified as Mixed Use Corridor and zoned GC by Richland County.

Applicant: Osama Khammash

Staff Recommendation: Approval

PC Recommendation: 09/13/2021; Approval (6-0)

32. ZONING TEXT AMENDMENT to Amend the text of the Unified Development Ordinance - *First reading approval was given on November 9, 2021 – Approved on second reading.*

Ordinance No.: 2021-087 Amending The Unified Ordinance of the City of Columbia, South Carolina, Article 2: Administration, Sec. 17-2.2(d) Table 17-2.2; Sec. 17-2.5(c)(3)(b); Sec. 17-2.5(g); Sec. 17.2.5(y); and, Article 3: Zoning Districts, Sec. 17-3.3(d); Sec.17-3.3(f)(3); Sec. 17-3.3(g)(3); and, Article 4: Use Regulations, Sec. 17-4.2(b); Sec. 17-4.2(b) Table (4); Sec. 17-4.2 (c)(4); Sec. 17-4.3(d)(1); Sec. 17-4.3(d)(6); and, Article 5: Development Standards, Table 17-5.2(I)(1)B; Sec.17-5.3(b); Sec.17-5.3(i)(5) and 17-5.4 (f); 17-5.10(c)(5); Table 17-5.10(c)(6)a.1; Table 17-5.10(c)(6)a.3; Table 17-5.10(c)(6)a.4.i; Table 17-5.10(c)(6)a.4.ii; 17-5.11(d); Table 17-5.11(D)(4); Article 7: Nonconformities, Sec17-7.1(c); Sec17-7.6(b)(1); Sec17-7.6(b); Sec17-7.6(c);and, Article 9: Definitions and Rules Management, Sec17-9.2(a)(6); Sec.17-9.4; and Appendix C: Type: Landmarks; Table C: Type 3 Landmark s – Approved on second reading.



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Proposal: Amendments to the text of Chapter 17 of the Columbia Code of Ordinances entitled "Unified Development Ordinance of the City of Columbia, South Carolina"

Applicant: Rachel Bailey, Zoning Administrator

Staff Recommendation: Approval

PC Recommendation: 10/04/2021; Approval (7-0)

33. MAJOR AMENDMENT to a Planned Development at S/S Broad River Road, TMS# 05013-01-01 & 05009-02-52 - *First reading approval was given on November 9, 2021 – Approved on second reading.*

Council District: 1

Proposal: Request to make a Major Amendment to a Planned Development (PD).

Applicant: Philip Reames, Great Southern Homes

Staff Recommendation: Approval

PC Recommendation: 10/04/2021; Approval (7-0)

ORDINANCES - FIRST READING

34. Ordinance No.: 2021-075 Granting an encroachment to the University of South Carolina for the use of the right of way area of the 1300 block of Barnwell Street for the installation and maintenance of a concrete sidewalk adjacent to 1307 Barnwell Street, Richland County TMS#11402-09-01 – *Approve on first reading.*

Upon a motion made by Mr. Brennan and seconded by Mr. Duvall, Council voted unanimously to give first reading approval to Ordinance No.: 2021-075 Granting an encroachment to the University of South Carolina for the use of the right of way area of the 1300 block of Barnwell Street for the installation and maintenance of a concrete sidewalk adjacent to 1307 Barnwell Street, Richland County TMS#11402-09-01.

35. Ordinance No.: 2021-076 Granting an encroachment to Columbia Student Property Owner, LLC for the use of the right of way area of the 1400 block of Assembly Street and the 1000 block of Washington Street for the installation and maintenance of sidewalks, landscaping, irrigation, and parking adjacent to its building under construction



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at 1401 Assembly Street, Richland County TMS#09013-03-06 – *Approve on first reading.*

Upon a motion made by Mayor Benjamin and seconded by Mr. Duvall, Council voted unanimously to give first reading approval to Ordinance No.: 2021-076 Granting an encroachment to Columbia Student Property Owner, LLC for the use of the right of way area of the 1400 block of Assembly Street and the 1000 block of Washington Street for the installation and maintenance of sidewalks, landscaping, irrigation, and parking adjacent to its building under construction at 1401 Assembly Street, Richland County TMS#09013-03-06.

36. Ordinance No.: 2021-077 Granting an encroachment to Palmetto Garage Works, LLC, for the use of the right of way area of the 1500 block of Gervais Street for the installation and maintenance of sidewalks, landscaping, irrigation, and parking adjacent to 1507, 1513 and 1517 Gervais Street, Richland County TMS#11401-05-13, 11401-05-12, and 11401-05-11 – *Approve on first reading.*

Upon a motion made by Mr. McDowell and seconded by Mr. Rickenmann, Council voted unanimously to give first reading approval to Ordinance No.: 2021-077 Granting an encroachment to Palmetto Garage Works, LLC, for the use of the right of way area of the 1500 block of Gervais Street for the installation and maintenance of sidewalks, landscaping, irrigation, and parking adjacent to 1507, 1513 and 1517 Gervais Street, Richland County TMS#11401-05-13, 11401-05-12, and 11401-05-11.

37. Ordinance No.: 2021-095 Granting an encroachment to Catawba Apartments, LLC for the use of the right of way area of the 900 block of Catawba Street and the 300 block of Lincoln Street for the installation and maintenance of sidewalks, crosswalks, concrete median, signage, landscaping, irrigation, on-street parking and other pedestrian improvements adjacent to the building under construction at 919 Catawba Street, Richland County TMS#08914-08-02, 08914-08-07, and 08914-08-09 – *Approve on first reading.*

Upon a motion made by Mayor Benjamin and seconded by Mr. Duvall, Council voted unanimously to give first reading approval to Ordinance No.: 2021-095 Granting an encroachment to Catawba Apartments, LLC for the use of the right of way area of the 900 block of Catawba Street and the 300 block of Lincoln Street for the installation and maintenance of sidewalks, crosswalks, concrete median, signage, landscaping, irrigation, on-street parking and other pedestrian improvements adjacent to the building under construction at 919 Catawba Street, Richland County TMS#08914-08-02, 08914-08-07, and 08914-08-09.



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38. Ordinance No.: 2021-096 Granting an encroachment to Sam and Omar Kammash, for the use of the right of way area of the 3700 block of Gibson Street and the 3800 block of River Drive for the installation and maintenance of landscaping adjacent to 3820 and 3900 River Drive, Richland County TMS#09103-05-12 and 09103-05-09 – *Approve on first reading.*

Upon a motion made by Mayor Benjamin and seconded by Mr. Duvall, Council voted unanimously to give first reading approval to Ordinance No.: 2021-096 Granting an encroachment to Sam and Omar Kammash, for the use of the right of way area of the 3700 block of Gibson Street and the 3800 block of River Drive for the installation and maintenance of landscaping adjacent to 3820 and 3900 River Drive, Richland County TMS#09103-05-12 and 09103-05-09.

RESOLUTIONS

Upon a single motion made by Ms. Devine and seconded by Mayor Benjamin, Council voted unanimously to approve **Items 39** through **43**.

39. Resolution No.: R-2021-121 Approving the Issuance by the Housing Authority of the City of Columbia, South Carolina, of its Multifamily Housing Revenue Notes or Bonds (Arrington Place Apartments) in the Maximum Principal Amount of \$7,540,000, in One or More Series, Pursuant to Section 147(F) of the Internal Revenue Code of 1986, as Amended; Providing Certain Other Matters in Connection Therewith; and Providing an Effective Date – *Approved*
40. Resolution No.: R-2021-122 Approving the Issuance by the Housing Authority of the City of Columbia, South Carolina, of its Multifamily Housing Revenue Notes or Bonds (Brookfield Pointe) in the Maximum Principal Amount of \$9,999,999, in One or More Series, Pursuant to Section 147(F) of the Internal Revenue Code of 1986, as Amended; Providing Certain Other Matters in Connection Therewith; and Providing an Effective Date – *Approved*
41. Resolution No.: R-2021-123 Approving the Issuance by the Housing Authority of the City of Columbia South Carolina of its Multifamily Housing Revenue Notes or Bonds (St. Andrew's Crossings) in the Maximum Principal Amount of \$10,500,000, in One or More Series, Pursuant to Section 147(F) of the Internal Revenue Code of 1986, as Amended; Providing Certain Other Matters in Connection Therewith; and Providing an Effective Date – *Approved*
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42. Resolution No.: R-2021-124 Approving the Issuance by the Housing Authority of the City of Columbia, South Carolina of Its Not to Exceed \$30,000,000 Multifamily Housing Revenue Bonds (Haven at Congaree Pointe Project), in One or More Series, Pursuant to Section 147(F) of The Internal Revenue Code of 1986, as Amended; Providing Certain Other Matters in Connection Therewith; and Providing an Effective Date – *Approved*
43. Resolution No.: R-2021-132 Approving The Issuance by the Housing Authority of the City of Columbia, South Carolina of Its Not to Exceed \$35,000,000 Multifamily Housing Revenue Bonds (Garden Lakes Apartment Project), in One or More Series, Pursuant to Section 147(F) of The Internal Revenue Code of 1986, as Amended; Providing Certain Other Matters in Connection Therewith; and Providing an Effective Date – *Approved*
44. Resolution No.: R-2021-126 Certifying A Building Site as Abandoned Buildings Pursuant to the South Carolina Abandoned Buildings Revitalization Act, Title 12, Chapter 67, Section 12-67-100 et seq., of the South Carolina Code of Laws (1976), as amended, regarding the property located at 1509 Gervais Street, Richland County TMS # R11401-05-12 and at 1212 Bull Street, Richland County TMS # R11401-05-16 – *Approved*

Upon a motion made by Mayor Benjamin and seconded by Mr. Duvall, Council voted unanimously to approve Resolution No.: R-2021-126 Certifying A Building Site as Abandoned Buildings Pursuant to the South Carolina Abandoned Buildings Revitalization Act, Title 12, Chapter 67, Section 12-67-100 et seq., of the South Carolina Code of Laws (1976), as amended, regarding the property located at 1509 Gervais Street, Richland County TMS # R11401-05-12 and at 1212 Bull Street, Richland County TMS # R11401-05-16.

45. Resolution No.: R-2021-131 Certifying Building Sites Pursuant to the South Carolina Abandoned Buildings Revitalization Act, Title 12, Chapter 67, Section 12-67-100 et seq., of the South Carolina Code of Laws (1976), as amended, regarding the property located at 2638 Two Notch Road, Richland County TMS # R11516-09-21 – *Approved*

Upon a motion made by Mr. Davis and seconded by Ms. Devine, Council voted unanimously to approve Resolution No.: R-2021-131 Certifying Building Sites Pursuant to the South Carolina Abandoned Buildings Revitalization Act, Title 12, Chapter 67, Section 12-67-100 et seq., of the South Carolina Code of Laws (1976), as amended, regarding the property located at 2638 Two Notch Road, Richland County TMS # R11516-09-21.



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46. Resolution No.: R-2021-120 Authorizing the City to request de-federalization of the Revolving Loan Fund from EDA and to use such award funds for the continuation of a Revolving Loan Fund – *Approved*

Upon a motion made by Ms. Devine and seconded by Mayor Benjamin, Council voted unanimously to approve Resolution No.: R-2021-120 Authorizing the City to request de-federalization of the Revolving Loan Fund from EDA and to use such award funds for the continuation of a Revolving Loan Fund.

47. Resolution No.: R-2021-134 Adopting a Policy and Criteria to Provide a Tax Credit for the Acquisition and Redevelopment of Government Owned Property to a Privately Owned, Taxable Use within the City of Columbia – *Deferred*
48. Resolution No.: R-2021-135 Providing funds to CEZ, Inc. for property acquisition for Parcel A-1 of TMS R13500-02-07 in support of an Affordable Housing Project on the same parcel – *Approved*

Upon a motion made by Mr. Rickenmann and seconded by Mr. Duvall, Council voted unanimously to approve Resolution No.: R-2021-135 Providing funds to CEZ, Inc. for property acquisition for Parcel A-1 of TMS R13500-02-07 in support of an Affordable Housing Project on the same parcel.

Councilor Davis asked where the property referenced is located.

Ms. Teresa Wilson, City Manager said it is located on Atlas Road in Southeast Columbia.

Councilor Devine asked what amount of the funds is being provided.

Ms. Teresa Wilson, City Manager said \$600,000.

49. Resolution No.: 2021-137 Establishing One Columbia for Arts and Culture as the official Local Arts Agency [LAA] – *Approved as amended*

Upon a motion made by Mr. Brennan and seconded by Mayor Benjamin, Council voted unanimously to approve Resolution No.: 2021-137 Establishing One Columbia for Arts and Culture as the official Local Arts Agency, subject to amending the end date from 2022 to 2023.



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EVENT RESOLUTION

50. Resolution No.: R-2021-130 Authorizing consumption of beer and wine only within Boyd Plaza adjacent to the Columbia Museum of Art for the Contemporaries Annual Ball on Saturday, January 29, 2022 – *Approved*

Upon a motion made by Mr. Duvall and seconded by Mr. Brennan, Council voted unanimously to approve Resolution No.: R-2021-130 Authorizing consumption of beer and wine only within Boyd Plaza adjacent to the Columbia Museum of Art for the Contemporaries Annual Ball on Saturday, January 29, 2022.

APPOINTMENTS

51. Columbia Tree and Appearance Commission – *Approved*

Upon a motion made by Mayor Benjamin and seconded by Mr. Brennan, Council voted unanimously to appoint Shannon Kathrein and Kirstin Dow to the Columbia Tree and Appearance Commission for a term of three years.

52. Planning Commission – *Deferred*
53. SC Memorial Park Commission – *Deferred*

OTHER MATTERS

54. Council is asked to approve the Installation of two (2) Speed Humps on Kathwood Drive, as requested by the Public Works Department. – *Approved*

Upon a motion made by Mr. Rickenmann and seconded by Mayor Benjamin, Council voted unanimously to approve the installation of two speed humps on Kathwood Drive.

55. Fiscal Year 2021/2022 Hospitality Tax Supplemental Allocations - Ms. Melisa Caughman, Budget & Program Management and Grants Director – *Approved*

Upon a motion made by Mayor Benjamin and seconded by Mr. McDowell, Council voted unanimously to approve the following hospitality tax allocations: \$10,000 to 7Sunday; \$10,000 to Ann Brodie's Carolina Ballet; and \$25,000 to the Violins of Hope and Varna International.



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Upon a motion made by Mayor Benjamin and seconded by Mr. McDowell, Council voted unanimously to approve the hospitality tax allocation of \$25,000 to SC Women in Leadership for Opening Day. Ms. Devine abstained from voting due to a potential conflict of interest.

REDISTRICTING PUBLIC HEARING & ORDINANCE FIRST READING

59. Ordinance No.: 2021-098 Amending the 1998 Code of Ordinances of the City of Columbia, South Carolina, Chapter 6, Elections, Sec. 6-2, Method of election; election districts, (b) – *Approved on first reading.*

Council opened the public hearing at 4:09 p.m.

Ms. Elizabeth Marks, Historic Robert Mills Neighborhood Association said having looked at the map carefully, I wonder whether or not the people who have given you advice on it have taken into consideration the diminishing numbers of minority density in the district. If you look at the traditional minority neighborhoods, there has been an influx of non-minority property owners and investors because those properties are typically lower cost. Our concern is the diminishing minority representation in those neighborhoods and with the new projects coming online in downtown district two, it is going to impact the minority representation. Redistricting is about trying to make the playing field level and fair. Many of those developments were on the books before the 2020 Census. I'm hoping that Council will recognize that when you combine those new projects with diminishing minority density in traditional district two neighborhoods. We are looking at within 18 months having an inequality and not a complete balance. I am asking that Council take a second look at district two and at the trend of diminishing minority residents in traditional minority neighborhoods. The gentrification in downtown is really impacting that.

Ms. Oveta Glover, SC NCAAP Columbia Branch President said we have submitted maps and a letter. We ask that you look at the maps that we drew for redistricting. The proposal includes an overall city map as well as a map that highlights the downtown area. I also included demographic information. Our focus for redistricting is part of our mission to insure that African American voters and all voters of color receive fair and equitable access to political power and electoral opportunity. We believe it to be of critical importance to maintain two of the city council districts: district one and district two. In drawing our proposed maps, we have been mindful of city council's obligations under the United States Constitution as well as traditional redistricting principles such as minimizing the splitting of communities of interest and keeping districts adjoined. We believe that our proposed map accomplishes fair representation and we urge you to consider it.



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Voicemail from Ms. Wanda Breedlove: My understanding is that there should be an analysis of the racial polarization profile before district lines are drawn and this was not done. I think it is required before the redistricting is finalized. I also think that we should be informed as to why it wasn't done. I also want to know why we were given the information that this was going to be on the ninth and then it was changed to the sixth. These are all things that cast doubt on the process and the decisions that are being made.

Council closed the public hearing at 4:21 p.m.

PUBLIC INPUT

Mr. John Black, President of the 2000 Watermark Association said on Thanksgiving day, a couple of our condos suffered from fire destruction and displaced two families. I want to publicly acknowledge Chief Jenkins and the Columbia Fire Department for a phenomenal job. It was amazing the tools they had and what they did to save property. We have been facing an issue with the city for some time. Months ago we had a water leak. After about eight months the city admitted it was there problem and they fixed the problem finally. We are a small HOA and our roads are private, we have to maintain our own roads. The damage caused by this leaking pipe under the road caused some major damage where we have some serious potholes. We were told it was going to be addresses and that our road will be repaired. This was caused by the city's negligence for allowing the leak to go on as long as it did. This brings to attention the potential damage to vehicles because of these potholes and the city's negligence in addressing this issue. Something needs to be done.

EXECUTIVE SESSION

Upon a motion made by Mr. Duvall and seconded by Mayor Benjamin, Council voted unanimously to enter into Executive Session at 4:27 p.m. for the discussion of **Items 56 through 58**, as amended.

56. Receipt of legal advice related to matters covered by attorney-client privilege pursuant to S.C. Code §30-4-70(a)(2)

COVID-19



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57. Discussion of negotiations incident to proposed contractual arrangements pursuant to S.C. Code §30-4-70(a)(2)

*1042 Adeline Drive
1701 Washington Street
Congaree River Remediation Project Update*

58. Discussion of the employment of an employee pursuant to S.C. Code §30-4-70(a)(1)

*City Manager
City Attorney*

Upon a motion made by Mr. Davis and seconded by Mayor Benjamin, Council voted unanimously to adjourn the Executive Session at 6:03 p.m. and reconvene the meeting.

Council reopened the redistricting public hearing at 6:04 p.m.

Mr. Joseph Opperman, Esq. Redistricting Counsel said I have been retained by the city to advise as to the law and help develop the city's plan. The reason we redistrict is because the City of Columbia has single member districts and the Supreme Court has interpreted the constitution to require some parity if you have single member districts. We have four single member districts in the city. There is a legal principle called one person one vote that the City of Columbia and all municipalities and jurisdictions in the United States are required to follow if they have single member districts. It doesn't mean that you must have exactly the same number of people in each district. The Supreme Court has said for other single member districts that aren't the United States House there is room for no more than a 10% deviation from mean district size from the largest district to the smallest district. That will comply with the one person one vote. We started this process based on the 2020 census data and we found that the city changed sufficiently to require redistricting from a one person one vote perspective. Based on the 2020 census data, we found that district one had deviated down in population of about 958 people, district two was up 4,037, district three was up 2,547 people, and district four was up 1,394 people. However, under the new census data we are looking at the deviation from mean district size. You divide your total population by the number of single member districts. According to the 2020 census, the total population of the City of Columbia is 136,632 people and if you divide that by four we get 34,158 people. That is the mean district size. If the difference between the largest district in an adopted plan and the smallest district in an adopted plan is greater than 10% of that number, then the city could be in trouble in regards to one person one vote and could face liability in federal court. Because of COVID and because of the delays, the data was not available until late August and that is why we are doing it now. With the new census data, we discovered that there is a



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deviation of about 14.7%. That comes from district one being under mean population by 2,848 votes and district two being over mean population by a significant number. We have to do this now or future elections might not hold up in federal court and the city could face federal liability and the equality of voting power. The second major legal issue that we have to take into consideration in doing this is compliance with the Voting Rights Act of 1965. Section two of the Voting Rights Act applies everywhere in the country. The primary concern that we would look at for Voting Rights Act compliance is shall we pass a plan that violates the Voting Rights Act, particularly the Voting Rights Act prohibition on vote dilution. This is also relevant because it goes to the process of how Council is deciding to guide this process. The city acting by and through its City Council will follow certain criteria for adopting new boundaries for each election district. Election district shall be contiguous, you can't have one piece over here and one piece over there that aren't connected. The city should also endeavor to reduce the splitting of neighborhoods, primarily residential and minimize the splitting of precincts, provided that these criteria shall be subordinate to election district contiguity and compliance with the law, one person one vote and the Voting Rights Act. The plan that is proposed for first reading moves Columbia into compliance with the one person one vote principle, reduces the total deviation well below 10%, in compliance with the Voting Rights Act, and district one will remain a majority minority district. One of the noticeable changes from 2011 to the 2020 census for district two is that the black voting age percentage in district two dramatically declined apparently due to a strong white population growth in district two, which appears to be primarily concentrated downtown. A racial polarization analysis has been mentioned and it is a valuable tool for determining compliance with section two of the Voting Rights Act. Council will have access to that analysis before making its final decision. In response to, but not exclusively because of that change, the proposed plan for district two has a black voting age percentage of 45.72% and a white by voting age percentage of 45.13%. The criteria that council seeks to adopt in this ordinance is to comply with the law of one person one vote and the Voting Rights Act while following clean lines internally.

Councilor Devine said can we answer the comment that was made before about the racial polarization study. I am not sure if that actually was delivered today. Can you give a timeframe so that people understand and also how that input will impact the final map?

Mr. Joseph Opperman, Esq. Redistricting Counsel said Council requested a racial polarization study. I have commissioned that study through my firm. The results of that study have not yet been available to me or to council. The expectation is that by the end of the week those will be available. The study is necessary for determining compliance with section two of the Voting Rights Act. There are factors that are considered. Factor one is can you draw a reasonably compact majority minority district. Factor two is does the minority community in said district



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tend to block vote. Factor three is does the majority community in the affected area tend to vote in such a way to defeat the minority community's candidate of choice. A racial polarization study is necessary to answer that question on the third factor and is important and very relevant to the Council's considerations in determining whether or not it's proposed district two complies with section two of the Voting Rights Act. In order to get a good study, you need to study the most recent relevant elections. Columbia had elections on November 2nd and November 16th. The data from those elections was only available at the end of last week from the State Election Commission. Our expert is at work on the study as we speak.

Councilor McDowell said it is important that the data be looked at before second reading on December 21st.

Councilor Devine said I want to thank Joey for his good work on this and certainly take into account the concerns. I know we have heard from community leaders today and I'm definitely trying to communicate with as many as possible so that they understand. I think it's important to point out our history, where we came from, and why we are here. Currently we have four single member districts. We are under a plan that people routinely call 4-2-1. A lot of people in our community don't understand how we got to 4-2-1. I think it's important that we continue to know our history. It is interesting that today we honored Dr. Kimpson because he was one of the people on the original city commission that came up with the plan for 4-2-1. The NAACP and Mr. Frank Washington, who we also honored earlier this year, brought a lawsuit against the City of Columbia so that we would be able to have minority representation on this council. After the lawsuit, there was a settlement and the settlement was 4-2-1. To have four districts and out of the four single member districts two would be drawn such that would require or would allow for majority minority districts and for minority communities to have representation of their choosing. Our city has continued to grow and be a very diverse city but I think that there is a growing fear throughout this country that minority voting rights are being taken away. I think we have to understand the concern of the community regarding the preservation of 4-2-1 and understanding that the representation for districts one and two need to be such. It does not mean that there will always be a minority elected, but that there is a reasonable opportunity for a minority to be elected.

Mayor Benjamin said we will continue to allow more public input. We need interaction, transparency, and exposure of information. We want to encourage those of us within the sound of my voice to continue to send those questions to us and we will make sure they are addressed.



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Councilor Brennan said Ms. Wilson, I would ask that we please share this presentation so we can continue to engage our constituents. I have found this is a topic that a lot of people are very interested in and I think Joey does a wonderful job presenting it in a very easy to understand way. Share it via city media outlets but also with us so we can get into the neighborhood association email chains and really push engagement and education on this.

Mr. Richard Durlach, Laurel Street resident said I own and manage the Big Apple, which is a historic landmark. We have an interest not only as people who live here but as people that do business here. We often say to our friends that in Columbia we don't do things the way they do in a lot of other places and we are grateful for the way we do things in Columbia. As we know, district one and district two are the most diverse districts. Based on projects under construction and currently permitted, affordable housing will be exceeded by upscale housing in district two by 1,200 units just based on things currently permitted. These are matters that need to be taken into consideration for Columbia to be known as a place where we do things differently.

Ms. Wanda Breedlove via Public Input said asked how the public can access the NAACP maps so that we have a chance to review and study those. Secondly, am I correct that the current polarization study was done on September 29th data. Was that based on the election of the school board or the general election?

Mr. Joseph Opperman, Esq. Redistricting Counsel said once the analysis is done, it will look at the most relevant elections over a period of time, according to the standard industry practice for bivariate regression analysis. The reason variant regression analysis is used is because it is the more robust of the two racial polarization analytical methods that have been specifically approved by the Supreme Court. The analysis will be robust and it will cover a number of relevant elections.

Council closed the public hearing at 6:46 p.m.

Upon a motion made by Mayor Benjamin and seconded by Mr. Davis, Council voted unanimously to give first reading approval to Ordinance No.: 2021-098 Amending the 1998 Code of Ordinances of the City of Columbia, South Carolina, Chapter 6, Elections, Sec. 6-2, Method of election; election districts, (b).



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ADJOURNMENT

The meeting was adjourned at 6:47 p.m.

Respectfully submitted:

Erika D. Moore Hammond, CMC
City Clerk