



COLUMBIA CITY COUNCIL MEETING MINUTES TUESDAY, JUNE 16, 2020

The Columbia City Council conducted a virtual meeting on Tuesday, June 16, 2020 using video conferencing technology. The Honorable Mayor Stephen K. Benjamin called the meeting to order at 2:16 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. M. Hammond, City Clerk. This meeting was advertised in accordance with the South Carolina Freedom of Information Act.

INVOCATION

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

ADOPTION OF THE AGENDA

Upon a motion made by Mr. Davis and seconded by Mr. Rickenmann, Council voted unanimously to adopt the agenda, as presented.

APPROVAL OF MINUTES

1. Council is asked to approve the April 2, 2020, April 7, 2020, and April 9, 2020 City Council Meeting Minutes.

Upon a motion made by Ms. Devine and seconded by Mr. Davis, Council voted unanimously to approve the April 2, 2020, April 7, 2020, and April 9, 2020 City Council Meeting Minutes.

CITY COUNCIL DISCUSSION / ACTION

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

Mayor Benjamin said we are in challenging territory as we deal with this national trauma. We need to remember we are still living through a pandemic. We have nearly 20,000 diagnosed cases according to DHEC. We had 2,400 cases in the last week alone. This has prompted a significant amount of discussion amongst our citizens surrounding the issue of wearing masks. We have come up with a draft ordinance that our legal staff has looked at. Municipalities and counties around the southeast have been looking for some way to significantly increase the use of masks and help decrease the spread of the virus. We will be discussing the draft document as a Council but we will not be acting on this today. We will try to have more clarity by the end of



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the meeting. Hopefully with community input we can understand where the public stands on the issue. The draft document will be available today on the City's website.

Councilor Duvall said this is proposed Ordinance 2020-059. It is composed of several ordinances that we looked at around the southeast. The ordinance includes where and who is required to wear a mask. The ordinance says you have to wear a mask if the person is older than 3 years old, in any building open to the public, waiting to enter any public building, interacting with other people in outdoor spaces, including but not limited to curbside pickup, delivery, and services calls, in any business activities in private spaces, utilizing public and private transportation, and in spaces where maintaining six feet distance is not possible. You don't have to wear a mask in personal vehicles, if alone in closed spaces, during outdoor activities provided the person can maintain six feet distance, when drinking or eating, and when the face covering aggravates a health condition. This is a way for City Council to reinforce the Governor's desire for people to start wearing masks.

Mayor Benjamin said we want the public to know that we are discussing the ordinance and that we need their critical feedback. I know there are strong opinions on the Council around individual responsibility and public health. We have to respect the diversity of opinions but we are dealing with a crisis and we have to act in earnest. If in fact we consider this ordinance, we will need to do a Special Called Meeting.

Ms. Teresa Wilson, City Manager said the website has the draft ordinance published. We will give further clarification on how the public can provide input and we will wait on direction on when to set the Special Called Meeting.

Mayor Benjamin said we have over 215 different businesses across the City that have signed up for the Resilient Columbia Pledge. That is indicative of the desire to step up and be good corporate citizens by monitoring the health of employees, cleaning high-touch areas frequently, encouraging the use of face coverings, promoting frequent hand washing, limiting the number of people both inside and outside of their buildings, and promoting social distancing. I am excited about the robust support we have seen from our businesses. I want to thank our outsider supporters from DHEC, Prisma Health, Lenard Larry McKelvey (known professionally as Charlemagne the God), and others on the work they have been doing together with what will be a significant testing site at the Benedict College football stadium this weekend on Friday and Saturday, we expect significant drive-through testing. We had good public support and private support from community leaders. I am excited about Resilient Columbia and the testing initiatives coming up. Let's protect ourselves and protect the people we love.



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Ms. Missy Gentry, Assistant Manager of Development said the Resilient Columbia event being hosted tomorrow is for businesses that have already taken the pledge. If you are a business that has taken the pledge you should have received an email invite to come to the parking lot between City Hall and the County Court House tomorrow between 9 a.m. to 12 p.m. We will have a packet of information, PPE supplies, and disinfectants to distribute. For the businesses who have not taken the pledge but intend to, we will schedule a follow-up event. We welcome the 215 businesses who signed the pledge to come to the event tomorrow.

Ms. Teresa Wilson, City Manager said Assistant City Manager Henry Simons will give a brief update on the parks facilities in relation to the COVID-19 data that we have seen over the last few weeks. We have stayed on course with the phases schedule. We do have some small changes in the hours of operation for some facilities.

Mr. Henry Simons, Assistant City Manager of Operations said we are approaching phase four which is inclusive of the opening of our recreational facilities, gyms, the Wellness Center, and the Clyburn Golf Center. There is a concern with the increased amount of confirmed cases in the last several days. We saw over 2,000 new cases over the weekend according to DHEC. Our goal is to monitor the data for the remainder of the week and proceed with caution. We are looking to stay the course with phase four with a modified schedule for some facilities to help mitigate the exposure for our staff and citizens. Phase four begins on Monday June 22nd. We will work with Public Relations to share the modified operating hours with the public. We are pleased to say phase one through three have worked very well thus far. We have received a lot of positive feedback.

Ms. Teresa Wilson, City Manager asked which facilities will be impacted by the modified hours.

Mr. Henry Simons, Assistant City Manager of Operations said our community centers will be open from Monday to Saturday from 10 a.m. to 6 p.m. The neighborhood parks will be open from Monday to Friday from 10 a.m. to 6 p.m. The Columbia Tennis Center will continue with the same hours from 8 a.m. to 9 p.m. The Clyburn Golf Center will remain with the same schedule of Monday to Saturday from 10 a.m. to 6 p.m. The Drew Wellness Center will be open from Monday to Saturday from 8 a.m. to 7 p.m. and Sunday from 2 p.m. to 6 p.m. Pools will remain closed until further notice.



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3. Reflections on 21st Century Policing - Mr. William H. “Skip” Holbrook, Chief of Police for the Columbia Police Department

Mr. William H. “Skip” Holbrook, Chief of Police for the Columbia Police Department said our mission is to provide professional and ethical service in protection of our citizens while preventing crime and reducing the fear of crime through problem solving partnerships. Professional and ethical policing is our standard in Columbia. More importantly than ever we need to show how we do things and how well we do them. In Columbia last year, we answered 178,000 service calls; made over 6,500 arrests; 83 people were injured by gun fire; and 25 people were fatally shot. We seized over 880 guns; had over 1,000 reported violent crimes including 913 burglaries; over 2,000 vehicle break-ins; and over 800 vehicles stolen. We encourage alternatives to law enforcement with what is legally considered low-level offenses or society’s ills like homelessness, opioid epidemic, mental illnesses, noise complaints, drunkenness, neighbor disputes, trash in yards, and public nuisance violations. Since Friday, we have responded to over 25 shootings, had over 100 rounds fired in the City, and seized seven guns. This is where we need to be focusing our attention. Our budget is composed of 80% for personnel and 20% for operations, which includes the delivery of community programs. Over \$8 million is spent on community policing efforts. The 21st Century Policing Task Force began in 2014 when President Obama issued an Executive Order to establish a task force to review and study policing. In May 2015, the task force submitted their final report to the President which contained 59 recommendations organized around six pillars: trust and legitimacy, policy and oversight, technology and social media, community policing and crime reduction, officer training and education, and officer wellness and safety. In 2017, we became nationally accredited. The reason was for better policy development, review, and oversight. We also have the body worn camera program, the Citizen Advisory Council, cameras that record audio and video interviews, and we participate in the public data initiative. We also provide our department policies online for public review. We continue to build trust by producing an annual report for the public. We publish all information in the annual report including our critical incidents and we issue news releases in a timely manner. We have a Chief’s table where we hear from our officers and the discipline review board. We offer a residency home loan program, yearly bonuses to encourage living in the City, and a take home vehicle for City residents. Zero tolerance occupational policing has proven to not be effective. We instead focus on deterrence and cease fire strategies. We offer assistance to individuals who we know are susceptible to reoffending or being victims of crimes. We recently purchased a firearm simulator to do shooting decision training and use of force training. We teach ethics training, mental illness recognition, and how to address folks with disabilities. We review all critical incidents with staff in a non-punitive way. Our Citizen Advisory Council has been instrumental in our discipline process, critical incident review, and policy review. We created a social media team who has redone our website to be more



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interactive and informative. Community policing cannot just be a program or tactic; it has to be the core principle that lies at the foundation of a police department. We have our Homeless Court which is award winning. We also have a PTI program that is widely used. We have public command staff meetings and weekly neighborhood meetings. Our cadet programs, summer internships, summer job programs, and ride alongs are all opportunities where we interact with our youth. Our memorandum of agreement with Richland One says law enforcement will not get involved in school disciplinary matters. We provide leadership training to all personnel. We have introduced the FBI Law Enforcement Executive Development Program to all of our supervisors. Our executive staff attends the FBI National Academy, Police Executive Research Forum, Senior Management for Police, Southern Police Institute Executive Leaders Program, and our women leaders have completed the International Chiefs Association Women's Leadership Institute. We have the One Mind Campaign which developed how we respond to crises. About 20% of our agency is certified in crisis intervention and 100% of our agency has gone through mental illness recognition and first aid training. We provide all of our officers with stop the bleed training, tourniquets, first-aid kits, and Narcan. As a result of our continuous policy review through CALEA, we stay progressive and always look for ways to achieve the highest industry standards. We are proposing to add new language to the Use of Force policy to include language that prohibits chokeholds, carotid artery holds, and a section that addresses precautions to preventing positional asphyxiation. We respect and recognize the value and sanctity of each human life and we emphasize the importance of treating all persons with dignity and respect. Officers will only use the minimum amount of force necessary to accomplish the lawful objective. The use of force carries a responsibility to render aid, the duty to intervene, and a full written report with documentation. Tasers may be used to restrain a violent individual when alternative restraint tactics are likely to fail or it is unsafe for officers to approach. Passive resistance encompasses the totality of the circumstances and could be illustrated as a low level noncompliance resistance and offers no physical or mechanical injury. We have included positional asphyxiation precautions in order to avoid officer's tactics that would impede a subject's ability to breathe. Officers should also make sure the individuals are positioned appropriately for transport. We have a culture of accountability, checks and balances, progressive policy, and the courage to reform to be what our citizens would expect of a 21st century professional police agency.

Councilor Devine recalled when Chief Kelly and other officers participated in taking a group of students to see the *Hate You Give*. They had great conversation with the kids about the role of law enforcement and building trust with the youth. Last year, they did a similar event. We sometimes don't remember some of the things they do to build that trust on an ongoing basis. They are not just participating in these conversations now but they continue to look for opportunities to have meaningful dialogues with our citizens and our youth on these hard topics.



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Councilor Rickenmann said we appreciate the mentality to always be better and we support you tremendously. Your actions have been for the best interest of the City and citizens. We hear discussion around hard topics but the City has always been progressive in the role of law enforcement. We hear folks demanding to defund the police but that is not what this community is about.

Councilor McDowell said hard issues can very well be heart issues. I want to thank the Chief and all the members of CPD for their due diligence in making things happen in our City. There are some who may disagree with that but judicially we are responsible for maintaining the heart of the City. I know we live in difficult times; these are difficult situations. When we take our City at heart, I think we are moving in the right direction. Please give our officers our thankfulness for their due-diligence.

Councilor Davis said you can go to any community meeting in this capital city and law enforcement partners are there. There is interaction that people don't have the opportunity to see. Exchanging information, dealing with complaints, and receiving feedback. The presentation is very proactive and covers a lot of things that we are doing. I have watched officers as they engage in neighborhoods and with the general public.

Mayor Benjamin said I think the public needs to know all the things CPD has been doing for the past several years. I very much enjoyed working hand-in-hand with the Obama Administration on the 21st century policing initiative. At the last meeting we had at the White House, President Obama addressed 300 Mayors. There were only three agencies in the country that he mentioned as being leaders in this initiative and we were one of those three. We are living in a historical time and our goal is to figure out how we can turn the pain into progress. We recognize the fact that even in the simple changes in our laws and policies that we pass, they won't change the world. We can't just focus on the laws that we are changing. Whether it's addressing policing in America or police violence, we have to work to destroy the systems of racism in our country and our culture. We can't take our eyes off the issue of how to reform the system of justice. Listening and having people tell their stories right now is important. We are links in a long chain fighting against racism, sexism, anti-Semitism, homophobia, and xenophobia. We are constant architects of building a more perfect union. If we can't turn this issue into a real meaningful and edifying moment that will make this community better, then I believe we will have missed the opportunity of a lifetime. I thank you Chief for your leadership and the command staff for the great work. We don't expect police officers to be perfect. With the unique responsibilities they hold, we do expect our officers to be held to the highest of standards and held beyond reproach. We also believe that accountability has to be at the core to ensure we keep the public trust. At the same time, we can't expect officers to be blue robots. They are also affected and suffer the same



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demands of life as we do. We need to step up as a community and make those investments as a City.

RESOLUTION

4. Resolution No.: R-2020-068 Adopting City of Columbia Use of Force Policy –
Approved

Upon a motion made by Ms. Devine and seconded by Mr. Davis, Council voted unanimously to approve Resolution No.: R-2020-068 Adopting City of Columbia Use of Force Policy.

Ms. Teresa Wilson, City Manager said I did receive the I Can't Breathe South Carolina document. I feel it is incumbent upon me to give some clarifying language regarding how the budget process works. These advocates and influencers have been very thoughtful in their approach of looking at our budget and have made some recommendations and suggestions. Unfortunately, time is not on our side. Cities in South Carolina are required to adopt a balanced budget by the end of their fiscal year, which is June 30th for the City of Columbia. That is the reason our budget is on the agenda today for a second reading. It is my fiduciary responsibility to provide a balanced budget in a timely manner and get it passed according to state law. While I would recommend you proceed with the budget as proposed for this upcoming fiscal year, I do want to acknowledge that we did receive the suggestions from the I Can't Breathe South Carolina group. With time there are suggestions we can continue to dialogue and work together on. Our budget for this year is already significantly different from past years. The COVID-19 pandemic has placed a tremendous impact on the development of the budget. There is uncertainty in our revenue projections. We have tried to arrive at a budget that still maintains our service delivery for the citizens of Columbia. There have been discussions around police defunding or reallocating, but the City has always put emphasis on public safety and many of our citizens argue for more police officers and not less. We need to make sure we are not reacting to one specific group or need. City Council directs a lot of time and expertise to work on critical issues like the Food Policy Committee and the Affordable Housing Task Force. City Council stands in the gap with funding every year for various groups in the community. There is no room for adjustments that I can currently recommend for this budget. The recommendations made are right in line with what this Council believes in and is already doing. We did elevate the community policing investments in the CPD budget, which is already 20.5% of the police general fund budget. There is over \$11 million worth of community policing investments being made in the City. That is inclusive of anything from graffiti removal and abatement, block watch programs, coffee with a cop, front porch roll calls, our wonderful ice cream truck, proactive enforcement through neighborhood improvement sweeps, and others. A lot of these efforts that



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police are expending time on could be better served by other social groups or agencies, but until we know those things can happen there is still the need for them to serve those roles. We are not saying we are perfect but by following the data and the dollars, it can be seen that we are making valiant efforts.

CONSENT AGENDA ITEMS 5 THROUGH 10

Upon a single motion made by Mr. Duvall and seconded by Mr. Rickenmann, Council voted unanimously to approve **Consent Agenda Items 5 through 10.**

5. Council is asked to approve an Agreement between the City of Columbia and the River Alliance for the Three Rivers Greenway Project Development, in an amount not to exceed \$55,000.00 for Fiscal Year 2019/2020. This firm is located in Columbia, SC. – *Approved*

Funding Source: Administration - City Manager- Special Contracts; 1011111-638300; Hospitality-Special Contracts; Special Contracts: 2124313-638300. The original budgeted amount was \$55,000.00.

6. Council is asked to approve reimbursement for the installation of a 24" storm drain from 701 Whaley Street to Pacific Park, as requested by Columbia Water. Award to Red Curb Investments, LLC in the amount of \$98,709.00. The vendor is located in Columbia, SC. – *Approved*

Funding Source: Stormwater Special Contracts (5534202-638305)

7. Council is asked to approve the purchase of Twelve (12) Astro Radios, as requested by the Fire Department. Award to Motorola Solutions, using the SC State Contract in the amount of \$97,633.38. The vendor is located in Sumter, SC. – *Approved*

Funding Source: Fire Suppression-Radio Equipment - \$91,000.00 (1012303-627800) and Fire Administration-Radio Equipment - \$6,633.38 (1012301-627800). The original budget amount is \$91,000.00.

8. Council is asked to approve the purchase of Parts and Services for the Reconditioning and Restoration of Sharples DS706 Rotating Assembly and Gearbox (Centrifuge) for the Wastewater Treatment Plant, as requested by Columbia Water. Award to Alfa Laval, as a Sole Source in the amount of \$128,994.78. This vendor is located in Chesapeake, VA. – *Approved*



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Funding Source: Utilities Metro Wastewater Plant (516208-658300). The original budget amount is \$128,994.78.

9. Council is asked to approve an agreement for Project SD8433; Millwood Detention, as requested by Columbia Water. Award to Black & Veatch Corporation in the amount of \$164,200.00. The firm is located in Columbia, SC. – *Approved*

Funding Source: (5549999-SD843301-658650). The original budget amount is \$164,200.00.

This is a Mentor Protégé Program Project. Black & Veatch Corporation of Columbia, SC is the Mentor and will provide technical consulting and construction observation services at 70% (\$114,698) of the contract value. Civil Engineering Consulting, a Disadvantaged Business Enterprise of Columbia, SC, is the Protégé and will provide consulting services at 20% (\$32,802) of the contract value.

The following subconsultants will provide additional services:

Bunnell Lammons Engineering of Greenville, SC will provide geotechnical services at 6% (\$10,000) of the contract value.

Summit Engineering of Columbia, SC will provide surveying services at 4% (\$6,700) of the contract value.

10. Council is asked to approve the purchase of Replacement Parts for the Wastewater Treatment Plant, as requested by Columbia Water. Award to Evoqua Technologies, LLC as a Sole Source in the amount of \$175,273.20. This vendor is located in Waukesha, WI. – *Approved*

Funding Source: Utilities Metro Wastewater Plant-Small Hand Tools & Other Equipment (5516208-623100); Utilities Metro Wastewater Plant-Machinery & Equipment-Capital (5516208-658300); and Utilities Metro Wastewater Plant-Machinery & Equipment-Capital (5516208-658300). The original budget amount is \$175,273.20.

ORDINANCES - SECOND READING

Ms. Rye Martinez, Empower SC Co-Founder said the 2020-2021 police budget is currently being considered at 32.5% of Columbia's total budget. That is \$41.8 million being spent on protecting and serving. Is that really helping to protect our less fortunate from having to sleep in an alley? Is that really serving our senior citizens whose retirement ran out a long time ago? I don't think so. We don't need ice cream trucks and coffee from the police, we need change. If we could reduce that 32.5% to 30%, we can take \$3.16 million and use those funds to make real change in our community.



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Ms. Jazmyne McCrae, Empower SC Co-Founder said Empower SC is proposing the refunding of the senior resources emergency nutrition program to \$250,000 from a budget of \$0; the Economic Stabilization Fund to \$500,000 from a budget of \$0; increasing the homeless service budget by \$500,000; and increasing the Public Defender's Office budget by \$78,000. It is time to hear the calls for equity and justice and we hope you will answer.

Ms. Demetris Hill, Empower SC Co-Founder said Councilwoman Devine, as a champion for food security and a leader in critical social infrastructures you know how feeding a community both in body and in spirit can uplift our people. Councilman Davis, as a board member of Big Brothers Big Sisters you have a unique understating of the challenges that marginalized children face. Councilman McDowell, as a reverend and pastor in our local churches you know that our first calling is to feed the hungry and clothe the poor. Councilman Rickenmann and Councilman Brennan, as successful business men with entrepreneurial spirits you know firsthand how the opportunity to build a business can create generational wealth for our children and prosperity in our communities. Councilman Duvall, as a veteran you understand the unique challenges that our brave servicemen and women face. Mayor Benjamin, as a leader for police accountability and community growth you understand that justice for all does not start with words but with actions. Your voices, your votes, and your actions can change the lives of so many. We have done the work to show you a path forward.

Mayor Benjamin said I appreciate all the work that has been done with the budget. As we walk through the budget process and what is required from us by law, there is a process where we hold a public hearing for the budget. We have had the public hearing and the first reading of the budget. The opportunity to amend that budget is something we can consider as we move forward. I will make sure that your voices are heard. I understand it is important to catch the urgency of the moment but there is a process we have to go through to make these things happen. Most of the ideas proposed by Empower SC are things that we have already done. The Community Development budget is actually much larger than \$377,000; a significant amount of money is appropriated. In regards to refunding the senior resources nutrition program, we funded \$250,000 in good faith and appropriated from surplus to fund that program in March. That was the seed money that lead to over 345,000 seniors being feed all across the region. The Economic Stabilization Fund was also crafted by staff at the request of Council and has put \$1.4 million into the hands of hundreds of small businesses over the last couple of months. We are the only City in the entire state and one of the few in the country that has done this. The Public Defender's budget has doubled per Ms. Devine's recommendations and advocacy over the last years. We continue to seek equity, not just with the solicitor's budget. We still have statutory and legal obligations that we will continue to meet. As it relates to homeless services, I encourage you to look at our programs like Housing First, our investments in youth housing, our



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partnership with MIRCI, and our annual investment in the inclement weather shelter. As we talk about affordable and healthy foods, we were the very first City in the state to establish a Food Policy Committee. From grant programs to nonprofits, we have appointed \$500,000 and added \$250,000 to Senior Resources. The recommendations in the documents are building upon things we have already done. Remain encouraged, stay involved, and play a leading role in those changes.

11. Ordinance No.: 2020-046 Amending the 1998 Code of Ordinances of the City of Columbia, South Carolina, Chapter 23, Utilities and Engineering, Article VII, Stormwater Management, Sec. 23-205 Stormwater service charge rates (b) - *First reading approval was given on June 2, 2020 - Approved of second reading.*

Upon a motion made by Mr. Duvall and seconded by Mr. McDowell, Council voted unanimously to give second reading approval to Ordinance No.: 2020-046 Amending the 1998 Code of Ordinances of the City of Columbia, South Carolina, Chapter 23, Utilities and Engineering, Article VII, Stormwater Management, Sec. 23-205 Stormwater service charge rates (b).

12. Ordinance No.: 2020-050 To Raise Revenue and Adopt the Budget for the City of Columbia, South Carolina, for the Fiscal Year ending June 30, 2021 - *First reading approval was given on June 2, 2020 - Approved of second reading.*

Upon a motion made by Mr. Duvall and seconded by Mr. Davis, Council voted unanimously to give second reading approval to Ordinance No.: 2020-050 To Raise Revenue and Adopt the Budget for the City of Columbia, South Carolina, for the Fiscal Year ending June 30, 2021.

ORDINANCES - FIRST READING

13. Ordinance No.: 2020-056 An Ordinance to Authorize the Renewal and Extension of the Letter of Credit Securing the \$81,860,000 Original Principal Amount of City of Columbia, South Carolina, Waterworks and Sewer System Revenue Bonds, Series 2009, and to Approve the Form and Terms of, and Authorize the Execution of, a First Amendment to Letter of Credit and Reimbursement Agreement and other Agreements as Necessary or Desirable; and Other Matters Related Thereto – *Approved on first reading.*



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Upon a motion made by Ms. Devine and seconded by Mr. Duvall, Council voted unanimously to give first reading approval to Ordinance No.: 2020-056 An Ordinance to Authorize the Renewal and Extension of the Letter of Credit Securing the \$81,860,000 Original Principal Amount of City of Columbia, South Carolina, Waterworks and Sewer System Revenue Bonds, Series 2009, and to Approve the Form and Terms of, and Authorize the Execution of, a First Amendment to Letter of Credit and Reimbursement Agreement and other Agreements as Necessary or Desirable; and Other Matters Related Thereto.

14. Ordinance No.: 2020-057 Authorizing the City Manager to execute an Agreement Regarding the Use of the Segra Park Capital Fund between the City of Columbia and Hardball Capital, LLC for the planned multi-use entertainment facility in the Bull Street Development – *Approved on first reading.*

Councilor Rickenmann said the capital fund was set to replace the needs of the future and eliminate the tax payers' liability. We are basically going to allow them to drain this fund. There is \$969,000 in that account. They want up to \$50,000 a month for up to two years. That is a total of \$600,000 leaving roughly \$365,000. That fund is not supposed to get below \$400,000. We are responsible for everything in that stadium. It concerns me that we are using this money to fund operations. This amount is a massive bailout for the baseball team. My understanding is that they are going to pay us back but I haven't seen a document that secures that. We have a lot of businesses in our community that are suffering and don't have access to this capital. We need a deeper dive before we approve this.

Ms. Missy Gentry, Assistant City Manager of Development said the Ordinance estimates between \$40,000 and \$50,000 per month. It is likely to lend itself more towards \$40,000. The funding that will come in to the naming rights will happen in March each year and the City's portion of that funding will come back into the account. It has been established that the fund cannot drop below \$400,000 as a result of this agreement. We can certainly provide clarity between first and second reading. The City would not be required to pay for any maintenance in the future. We can add some clarifying language on how the repayment will be made.

Councilor Rickenmann said we have not seen what \$50,000 a month is going to cover and how that relates to the document. I do think there is liability and we ought to have more information before we commit to that.



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Mayor Benjamin said we have done a lot of things through funds because we are dealing with an economic disruption. The Fireflies are in a unique situation not being able to host games and live events. There is no liability for the City or maintenance. The Fireflies have been great partners. These are difficult times and I don't mind standing in the gap with them.

Upon a motion made by Mr. Duvall and seconded by Mayor Benjamin, Council voted [6 to 1] to give first reading approval to Ordinance No.: 2020-057 Authorizing the City Manager to execute an Agreement Regarding the Use of the Segra Park Capital Fund between the City of Columbia and Hardball Capital, LLC for the planned multi-use entertainment facility in the Bull Street Development. Mr. Brennan, Mr. Duvall, Mr. McDowell, Ms. Devine, Mr. Davis, and Mayor Benjamin voted aye. Mr. Rickenmann voted nay.

15. Ordinance No.: 2020-058 Authorizing the City Manager to execute Amendment No. 6 to Amended and Restated Agreement of Sale and Purchase between the City of Columbia and Baker and Baker Real Estate Developers, LLC for the sale of Parcel "A" containing approximately 27,664 square feet (0.64 acre) and Parcel "B" containing approximately 25,444 (0.58 acre) square feet located on the eastern side of Gist Street between Laurel Street and Blanding Street and known as Richland County TMS No.: 09005-02-44 and 09005-02-23 – *Approved on first reading.*

Upon a motion made by Ms. Devine and seconded by Mr. McDowell, Council voted unanimously to give first reading approval to Ordinance No.: 2020-058 Authorizing the City Manager to execute Amendment No. 6 to Amended and Restated Agreement of Sale and Purchase between the City of Columbia and Baker and Baker Real Estate Developers, LLC for the sale of Parcel "A" containing approximately 27,664 square feet (0.64 acre) and Parcel "B" containing approximately 25,444 (0.58 acre) square feet located on the eastern side of Gist Street between Laurel Street and Blanding Street and known as Richland County TMS No.: 09005-02-44 and 09005-02-23.

RESOLUTIONS

16. Resolution No.: R-2020-063 Release and Abandonment of a 20 SF (0.49' TO 0.51') Portion of the City's Existing 15' Water Line Easement along a portion of Richland County TMS#11301-20-17; 12 Cottonplace Lane; Lot 13, Cottonplace (formerly, Whaley Row Townhouses Phase 2); CF#291-21a – *Approved*



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Upon a motion made by Mr. Duvall and seconded by Mr. Rickenmann, Council voted unanimously to approve Resolution No.: R-2020-063 Release and Abandonment of a 20 SF (0.49' TO 0.51') Portion of the City's Existing 15' Water Line Easement along a portion of Richland County TMS#11301-20-17; 12 Cottonplace Lane; Lot 13, Cottonplace (formerly, Whaley Row Townhouses Phase 2); CF#291-21a.

17. Resolution No.: R-2020-064 Amending Resolution No.: R-2018-107 Authorizing the operation of Soda City Market by expanding the market footprint to meet social distancing and safety protocols – *Approved*

Upon a motion made by Mr. McDowell and seconded by Mr. Duvall, Council voted unanimously to approve Resolution No.: R-2020-064 Amending Resolution No.: R-2018-107 Authorizing the operation of Soda City Market by expanding the market footprint to meet social distancing and safety protocols.

18. Resolution No.: R-2020-066 Authorizing the City Manager to execute a Facility Encroachment Agreement between the City of Columbia and CSX Transportation, Inc. – *Approved*

Councilor McDowell asked about the location of the encroachment.

Mr. Clint Shealy, Assistant City Manager of Columbia Water said this is for the East Rocky Branch Phase C project in the downtown area. This is down from the Olympia quarry for a pipe going down there.

Upon a motion made by Mr. McDowell and seconded by Mr. Duvall, Council voted unanimously to approve Resolution No.: R-2020-066 Authorizing the City Manager to execute a Facility Encroachment Agreement between the City of Columbia and CSX Transportation, Inc.

APPOINTMENTS

19. Richland- Lexington Airport Commission – *Approved*

Upon a motion made by Mr. Duvall and seconded by Mr. McDowell, Council voted [6 to 1] to approve the reappoint of Ms. Carol Fowler to the Richland- Lexington Airport Commission. Mr. Brennan, Mr. Duvall, Mr. McDowell, Ms. Devine, Mr. Davis, and Mayor Benjamin voted aye. Mr. Rickenmann voted nay.



COLUMBIA CITY COUNCIL MEETING MINUTES TUESDAY, JUNE 16, 2020

CITY COUNCIL COMMITTEE REPORTS / REFERRALS

Councilor Devine said the Affordable Housing Task Force had their first meeting last week. The meeting went very well. I inadvertently left two members off when we were appointing the members, Ivory Matthews from the Columbia housing Authority and Tonya Isaac who is a citizen from North Point Estates. We set up committees to include public education to make sure people understand what affordable and workforce housing is and the numbers. We talked about a sub-committee for legal matters and a sub-committee on creative financing. If you have somebody that you feel will add value to the committee, please let me know because the committee is very eager to get started.

PUBLIC INPUT

Ms. Elaine Cooper, City of Columbia resident said I am speaking on behalf of defunding the police. I was shocked to see teenagers being tear gassed and rubber bullets being used on nonviolent protesters. Last time I saw this violence was in Chicago. I insist that once police officers are hired that they live within the City limits and the communities they serve. There is continual racial profiling in Columbia and this is the Columbia that needs to change. I would like to see a timeline to address these issues immediately instead of just saying thank you to the public comments. I see incredible police violence and we need to listen to Empower SC. I went door to door in 29203, there is third world poverty that exists in that location which is not far from the State House.

Ms. Kim Baker, City of Columbia resident said we are still waiting on full transparency and accountability from CPD regarding the unjustified fatal shooting of 17 year-old Joshua Ruffin. That is unacceptable from the City government and Police Chief who constantly claims to have a progressive world class police force that values the lives of citizens. Over the last few weeks I have seen videos, photographs, and written accounts of numerous instances of excessive force and police brutality in Columbia that are still being inadequately addressed by the Chief and City Government. After reading through the Use of Force policy, I still see huge inadequacies in addressing the numerous request that you have received from the citizens. This policy is more of the same reform language that we have seen for decades. I am one of many who has recently contacted City Council members with four simple request: drop all charges against peaceful protesters arrested in the last three weeks and refund their bail or reinvest in community building; immediately move to fire all officers found to engage in illegal chokeholds, pointing weapons at civilians, unnecessary arresting civilians, or otherwise threatening peaceful protesters; ban the use of tear gas and other weapons of war on civilian population; and



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apologize to the people of Columbia and the Midlands for the ill-advised curfew and pledge to make amends by considering carefully the demands of the movements.

Mr. Tyler Johnson, City of Columbia resident said I sent you all an email last week regarding what happened in Columbia during the protests. I would like to repeat my requests: apologize for the ill-advised curfew and the ensuing abuses perpetrated by law enforcement; commit to holding all officers accountable who engaged in illegal chokeholds, pointing weapons at civilians, pulling tear gas and chemical agents, or otherwise threatening peaceful protesters; please ensure all charges against protesters are dropped and that their bails are refunded; and please unambiguously and unconditionally ban the use of tear gas and other weapons of war against civilians going forward. Earlier in the meeting, Chief Holbrook celebrated Columbia's professional and ethical services to the community. What is ethical about firing tear gas at protesters in the middle of a pandemic; about the photo we all saw in *The State* showing an officer here in Columbia kneeling on a man's neck; about how law enforcement has dragged its feet in the Joshua Ruffin case; and the fact that Columbia's Police Department continues to increase each year while our schools and social services go under. You are all totally out of touch with the needs and desires of the people of Columbia.

Mr. Andrew Hudson, City of Columbia resident said I am one of the folks who sent over 350 letters to the City Council, the Chief, and Sheriff Lott with the four demands previously expressed. You are hearing us but you are not listening to us. With the implementation of the curfew you have helped to create a bigger crisis with policing in Columbia. You need to make amends by dropping the charges on the protestors. Please read the emails and click on the links provided for more information.

Mayor Benjamin said we can have different views on the curfew but I can assure you law enforcement is not looking for anyone who violated curfew. They are looking for crimes committed during the imposition of the curfew. The efforts we have done in the last years have significantly increased the amount of funding to public schools. It is going to take mutual responsibility to understand the budget and the processes that fund the institutions that make our system of government work. I can respect the difference in opinions but we need to have mutual responsibility in understanding the specific policy issues.

Ms. Pamela Daily, City of Columbia resident said I want to reiterate the same demands previously stated. There has to be accountability for the lethal force that has been used against protesters. There has been a lot of excuses created as justifications to permit violence on protesters. I would like to demand that there be a plan set forth to address anti-black racism within the police department and the City in general. There is a lot of discussion on reforming a



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system that was built on racism. People are being evicted during a pandemic because they can't afford their rent. Those issues didn't just come about; those are issues that need to be fixed internally.

Mr. Ben Kessler, City of Columbia resident said we understand COVID-19 has caused a decrease in revenues. You all said a lot of people do not want to defund the police but that is wrong. We are speaking because we do want to defund and fund social programs. Someone said the general fund is not representative of the full cost of the police department. The Office of Business Opportunities gets 1% of the budget. Community Developments gets only 0.02% of the budget. I stand with everyone demanding those four points. The use of force discussed does not include criminal penalties attached to violating the policies. Qualified immunity should be gone. We need accountability from police departments. We are supposed to be the capital city, let's lead by example.

Ms. Lisa Lacaster, Salley, SC resident said please arrest any protesters who are not peaceful. We also do not need a mandatory face mask. COVID-19 has been blown way out of proportion. Please do not defund the police department, we need them. Thank you for keeping us all safe.

Mr. Hayden Blakeney, City of Columbia resident said I don't understand why the footage of the Joshua Ruffin case has not come out yet. It is disturbing to see that the Columbia Police Department is holding that information. If according to the narrative that Columbia Police were completely justified in their shooting, then there should be no issue in releasing the footage. We should be able to hear the testimony of the officers involved. Most importantly, I would like to know what this new Resolution will do to radically change the state of policing in the City.

Mayor Benjamin said in the scenario where a life is lost as an officer is doing their job, those cases are not investigated by the agency involved. In this community, our State Law Enforcement Division investigates those cases with the Solicitors Office. The facts will be open to the people at the appropriate time once the investigation has concluded.

Ms. Jane Edwards, City of Columbia resident said I am a professor of Epidemiology at the University of South Carolina. I endorse and fully support the idea of wearing masks in the City of Columbia. It has been endorsed by scientific literature and studies say that if up to 80% of the public wore masks, the second wave of COVID-19 can be halted. Unfortunately, mask wearing has become a political ideology but we need to be thinking about the health of people with chronic conditions.



We Are Columbia

**COLUMBIA CITY COUNCIL MEETING MINUTES
TUESDAY, JUNE 16, 2020**

EXECUTIVE SESSION

Upon a motion made by Mr. Duvall and seconded by Mr. Davis, Council voted unanimously to enter into Executive Session at 5:24 p.m. for the discussion of **Items 20** through **22** and to add Naming a Public Facility to Item 20.

20. Receipt of legal advice related to matters covered by attorney-client privilege pursuant to S.C. Code §30-4-70(a)(2)
COVID-19

Naming a Public Facility

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

Lake Katherine Sediment

22. Discussion of matters relating to proposed location or expansion of services to encourage location or expansion of industries or other businesses pursuant to S.C. Code §30-4-70(a)(2)

Mr. Seafood

ADJOURNMENT

Council adjourned the meeting at 7:04 p.m.

Respectfully submitted by:

Erika D. M. Hammond, CMC
City Clerk