COLUMBIA CITY COUNCIL MEETING MINUTES
TUESDAY, NOVEMBER 6, 2018

The Columbia City Council met on Tuesday, November 6, 2018 at City Hall, 1737 Main Street, Columbia, South Carolina 29201. The Honorable Mayor Stephen K. Benjamin called the meeting to order at 5:08 p.m. and the following members of City Council were present: The Honorable Sam Davis, The Honorable Tameika Isaac Devine, The Honorable Moe Baddourah, The Honorable Howard E. Duvall, Jr., The Honorable Edward H. McDowell, Jr., and The Honorable Daniel J. Rickenmann. Also present were Ms. Teresa Wilson, City Manager and Ms. Erika D. Moore, City Clerk. This meeting was advertised in accordance with the South Carolina Freedom of Information Act.

EXECUTIVE SESSION - 5:00 P.M.

Upon a motion made by Mr. Duvall and seconded by Mr. Baddourah, Council voted unanimously to enter into Executive Session at 5:08 p.m. for the discussion of **Items 1** through **3** as amended to add the discussion of a Billboard Lease Agreement to Item 2.

1. Receipt of legal advice relating to a pending, threatened or potential claim – S.C. Code §30-4-70(a)
   - *Tameka Price v. City of Columbia*
   - *Len D. Roberson v. City of Columbia*
   - *Michael Edmonds v. City of Columbia*
   - *James Morris v. City of Columbia*
   - *Lower Richland Sewer*

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

3. Receipt of legal advice related to matters covered by attorney-client privilege pursuant to §30-4-70(a)(2)
   - *Hospitality Tax*
   - *Notice of Funds Availability*

COLUMBIA CITY COUNCIL MEETING MINUTES
TUESDAY, NOVEMBER 6, 2018

COUNCIL MEETING - 6:00 P.M.

The Columbia City Council met for a Work Session on Tuesday, November 6, 2018 at City Hall, 1737 Main Street, Columbia, South Carolina 29201. The Honorable Mayor Stephen K. Benjamin called the meeting to order at 6:12 p.m. and the following members of City Council were present: The Honorable Sam Davis, The Honorable Howard E. Duvall, Jr., The Honorable Edward H. McDowell, Jr., and The Honorable Daniel J. Rickenmann. The Honorable Tameika Isaac Devine and The Honorable Moe Baddourah were absent. Also present were Ms. Teresa Wilson, City Manager and Ms. Erika D. Moore, City Clerk. This meeting was advertised in accordance with the South Carolina Freedom of Information Act.

PLEDGE OF ALLEGIANCE

INVOCATION

ADOPTION OF THE AGENDA

PUBLIC INPUT RELATED TO AGENDA ITEMS

APPROVAL OF MINUTES

4. Council is asked to approve the October 2, 2018 City Council Meeting Minutes. - *Approved*

Upon a motion made by Mr. McDowell and seconded by Mr. Rickenmann, Council voted unanimously to approve the October 2, 2018 City Council Meeting Minutes.

Councilor Duvall welcomed Councilman Moe Baddourah back from his suspension. It is great to have you back.

Councilor Baddourah thanked everyone for their support, thoughts, and prayers during this tough time. I am looking forward to doing the job that I was elected to do.

CONSENT AGENDA ITEMS 5 THROUGH 24

Upon a single motion made by Mr. Baddourah and seconded by Mr. Duvall, Council voted unanimously to approve the **Consent Agenda Items 5** through **24**.

5. City Council is asked to approve the Purchase of Rifle Rated Shields with View Ports and Lights, as requested by the Police Department. Award to Design Lab Inc. in the amount of $50,583.10. This vendor is located in Greenville, SC. *Funding Source: Police Administrative Services - Machinery & Equipment 1012402-658300. The original budgeted amount is $87,013.44. - Approved*

6. Council is asked to approve a Professional Services Agreement for the Ceasefire Columbia Research Project, as requested by the Police Department. Award to the University of South Carolina in the amount of $60,000.00. *Funding Source: 2659999-9910000016-636600 United States Department of Justice (DOJ), Bureau of Justice Assistance (BJA) Grant. The original budgeted amount is $60,000.00. - Approved*

7. Council is asked to approve the Renewal of Mobile Area Routing and Vehicle Location Information System Software Support, as requested by the Police Department. Award to Bradshaw Consulting Services, Inc. in the amount of $70,674.78. This firm is located in Aiken, SC. *Funding Source: Police Administrative Services- Maintenance and Service Contract, 1012402-638200. The original budgeted amount is $70,674.78. - Approved*

8. Council is asked to approve the Purchase of five (5) Compact Hybrid Vehicles for Columbia Water (Customer Care), as requested by the Fleet Services Division. Award to US Fleet Source using the SC State Contract in an amount not to exceed $121,860.00. This firm is located in Covina, California. *Funding Source: Customer Service - Auto, Trucks, Hvy Equipment-Capital; 5511407-658500. The original budgeted amount is $121,860.00. - Approved*

9. Council is asked to approve the Purchase of Goodyear tires and tubes for passenger vehicles, as requested by the Fleet Services Division. Award to Frasier Tire Service in the amount not to exceed $200,000.00, using the SC State Contract #4400014577. This firm is located in Columbia SC. *Funding Source: Equip Svcs Fuel Prts & Repair - Tires & Tubes; 6308970-672500. The original budgeted amount $200,000.00. - Approved*

10. Council is asked to approve an Agreement for Project SS7462; Providing technical consulting support for investigation of the Crockett Road, Atlas Road, and Versch Lock Lift Stations, as requested by Columbia Water. Award to Constantine Engineering, Inc., in the amount of $62,500.00. This firm is located in Columbia, SC. *Funding Source: 5529999-SS7462-658650. The original budgeted amount is $150,000.00. - Approved*

This is a Mentor Protégé Program Project. Constantine Engineering, Inc. of Columbia, SC is the Mentor and will review all available data, including all equipment and components, operating conditions, aesthetics, existing capacity and potential future capacity needs based on the sewer area that can be served by the lift station at 74.70% ($46,700) of the contract value. Rohadfox Construction Control Services, a Minority Business Enterprise of Columbia, SC is the Protégé and will assist with the preparation of the preliminary engineering report at 20% ($12,500.00) of the contract value.

Sub-consultant Steadman & Associates of Columbia, SC will provide surveying crew services at 5% ($3,300) of the contract value.

11. Council is asked to approve a Contract for Project WM4466; Asphalt Repair at Banbury Road, as requested by Columbia Water. Award to AOS Specialty Contractors, Inc., in an amount not to exceed $74,131.00. This firm is a certified Disadvantaged Business Enterprise(W) and is located in Lexington, SC. *Funding Source: 5511706-WM4466-638500. The original budgeted amount is $74,131.00. - Approved*

12. Council is asked to approve an Agreement for Project SD8432; Windsor Hill Flood Study, as requested by Columbia Water. Award to Thomas & Hutton in the amount of $119,660.00. This firm is located in Columbia, SC. *Funding Source: 5549999-SD843201-658650. The original budgeted amount is $120,000.00. - Approved*

    This is a Stormwater Improvement Project and a Mentor Protégé Project. Thomas & Hutton of Columbia, SC is the Mentor and will provide management, engineering design, permitting, bidding, and construction administration services at 87.4% ($104,660) of the contract value. Highfill Infrastructure Engineering of Columbia, SC is the Protégé and will provide utility coordination, bid documentation, and civil design at 10% ($12,000.00) of the contract value.

    Sub-consultant Biohabitats, Inc. of Baltimore, MD will provide stream restoration, conceptualization and design services at 2.5% ($3,000) of the contract value.

13. Council is asked to approve an Agreement for Project SD8013; Eightmile Branch Evaluation and Flood Study, as requested by Columbia Water. Award to Thomas & Hutton in the amount of $119,660.00. This firm is located in Columbia, SC. *Funding Source: 5549999-SD801301-658650 Strm Wtr Imp Cap Proj Control - 8- Mile Branch - Capital Project Costs. The original budgeted amount is $130,000.00. - Approved*

    This is a Stormwater Improvement Project and a Mentor Protégé Program Project. Thomas & Hutton is the Mentor and will provide general project administration and project management, field work, data collection, hydrologic and hydraulic modeling, stormwater cost estimating, design criteria, coordination meetings, and report writing services at 87.4% ($104,660) of the contract value. Highfill Infrastructure Engineering, P.C., of Columbia, SC is the Protégé and will provide utility engineering services at 10% ($12,000) of the contract value.

Sub-consultant Biohabitats, Inc. of Baltimore, MD will provide stream restoration services at 2.5% ($3,000) of the contract value.

14. Council is asked to approve an Agreement for Project SS7433; Sewer Relocations at 1878 Cunningham Road, 1336 Johnson Avenue, and 1037 Cramer Drive, as requested by Columbia Water. Award to Chao and Associates, a Minority Business Enterprise in the amount of $119,775.00. This firm is located in Columbia, SC. *Funding Source: SS728801 – Unforeseen & Miscellaneous Sewer Projects. The original budgeted amount is $119,775.00. - Approved*

    This is a Clean Water 2020 Program Project and a Protégé Only Project.

15. Council is asked to approve an Agreement for Project SD8434; Stream Restoration along Rocky Branch, as requested by Columbia Water. Award to Wood Environment & Infrastructure Solutions, Inc. in the amount of $242,613.00. This firm is located in Columbia, SC. *Funding Source: 549999-SD843401-658650 Strm Wtr Imp Cap Proj Control - Rocky Branch Stream Restoration - Capital Project Costs. The original budgeted amount is $250,000.00. - Approved*

    This is a Stormwater Improvement Project, a Clean Water 2020 Program Project, and a Mentor Protégé Program Project. Wood Environmental & Infrastructure Solutions, Inc. of Columbia, SC is the Mentor and will provide project management at 63.47% ($153,988.00) of the contract value. PACE Engineering Consultants, Inc. of Columbia, SC is the Protégé and will provide stormwater infrastructure, stormwater quality and floodplain assistance, and modeling services at 20% ($48,625.00) of the contract value.

    Sub-consultant Glenn Associates Surveying, Inc. of Jenkinsville, SC will provide surveying at 16.5% ($40,000) of the contract value.

16. Council is asked to approve Instrumentation and System Maintenance Services, as requested by Columbia Water. Award to CITI, LLC in an amount not to exceed $312,725.00. This firm is located in Charlotte, NC. *Funding Source: Utilities Metro Wastewater Plant - Maintenance & Service Contract: 5516208-638200. The original budgeted amount is $312,725.00. - Approved*

    This is year two (2) of the initial 5-year contract period. The term for year 2 is July 1, 2018 - June 30, 2019.

17. Council is asked to approve a Contract for Project SD838801; Public Works Storm Drain Improvements (Truck Wash), as requested by Columbia Water. Award to Hammer Construction, LLC in an amount not to exceed $579,425.00. This firm is located in Columbia, SC. *Funding Source: 5549999-656850-SD838801. The original budgeted amount is $579,425.00. - Approved*

    The following sub-consultants will provide additional services:

    Hammerhead Utilities will provide site-work and concrete at 31% ($165,000) of the contract value.

    Nucor Building Systems will provide metal building supplies at 10% ($55,200) of the contract value.

    Electrical Services Inc. will provide electrical services at 6.64% ($35,000) of the contract value.

    Overhead Door of Columbia, SC will provide an overhead door at 3.87% ($20,400) of the contract value.

18. Council is asked to approve a Contract for the Public Works Street Repaving Project, as requested by the Public Works Department. Award to C. R. Jackson, Inc. in an amount not to exceed $930,760.88. This firm is located in Columbia, SC. *Funding Source: CDBG/HUD funded project; 4079999-911607-658650. The original budgeted amount is $940,000.00. - Approved*

19. Council is asked to approve a Contract for Project WM3923; Water System Improvements in the Earlewood Area, as requested by Columbia Water. Award to LAD Construction, LLC, a Disadvantaged Business Enterprise (Woman) in an amount not to exceed $6,062,787.50. This firm is located in Swansea, SC. *Funding Source: 5529999-WM392301-658650. The original budget amount was $6,000,000 and additional funds were transferred from funding source WM300118 – Water Quality Projects and WM432318 – Unforeseen & Miscellaneous Water Projects. - Approved*

    This a Mentor Protégé Program Project. LAD Construction, LLC, the Mentor, will provide demolition, waterline work, flowable fill and service connections at 33.92% ($1,932,972) of the total contract value. J.A. Mabus of Leesville, SC is the Protégé and will provide waterline work, services and installation at 20% ($1,139,393) of the contract value.

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

    Ferguson Waterworks of Elgin, SC will provide waterline materials at 21.69% ($1,235,950) of the contract value.

    Knight's Redi-Mix of Summerville, SC will provide flowable fill at 19.72% ($1,123,650) of the contract value.

Palmetto Site Prep, LLC of Orangeburg, SC will provide asphalt at 4.65% ($265,000) of the contract value.

20. Ordinance No.: 2018-056 - Rescinding Motion to Maintain Defined Dollar Benefit (DDB) for Health Coverage and 80/20 Cost Share - *First reading approval was given on October 16, 2018. – Approved on second reading.*

21. Ordinance No.: 2018-061 - Adopting the Commercial Revolving Loan Fund ("CRLF") Code revised September 26, 2018 - *First reading approval was given on October 16, 2018. – Approved on second reading.*

22. Ordinance No.: 2018-062 - Authorizing the City Manager to execute a Deed and any other documents necessary to consummate the transfer of an unopened portion of Steadham Avenue a/k/a Brook Avenue containing approximately 0.13 acres adjacent to Richland County TMS #09207-06-05, 09207-06-06, 09207-06-18 and 09207-06-19 to Ella Louise Leagones as Personal Representative of the Estate of Nancy J. Oree - *First reading approval was given on October 16, 2018. – Approved on second reading.*

23. Resolution No.: R-2018-101 - Authorizing consumption of beer and wine only at the Five Points Fountain for A Starry Night on Friday, December 7, 2018 - *Approved*

24. Resolution No.: R-2018-102 - Authorizing consumption of beer and wine only at the Devine Night Out on Thursday, November 8, 2018 - *Approved*

PRESENTATIONS

25. City LIGHTs Employee Recognition - Ms. Teresa Wilson, City Manager

Ms. Teresa Wilson, City Manager said we are recognizing eleven members of our Columbia Fire Department for their heroic actions taken to save the life of Josh Boyd on October 10, 2018. Josh is a standout athlete at Northeast High School. The WLTX 19 news broadcast of the full story was presented. City Manager Wilson continued to say that while this incident was very scary, it proved two things: our firefighters are well trained and they are never off duty. She presented Fire Captain Kareem Spain, Engineer Arthur Mitchell, Senior Firefighter Jonathan Dukes, Senior Firefighter Stephan Sims-King, Firefighter Kiah Thomas, Firefighter Kiante Curenton, Firefighter Caleb McLaughlin, Firefighter Marcus Pee, Firefighter Andrew McClaine, III, Firefighter Sadarius Thomas, and Firefighter Len K. Stokes Jr. with tokens of appreciation and recognized them all as City LIGHTs.

Mrs. Joyce Boyd thanked God for the firefighters who saved her son's life. On behalf of the Boyd Family, she presented a special token of appreciation to Captain Spain and Firefighter Thomas.

26. Recognition of Police Chief William "Skip" Holbrook as the 2018 Strom Thurmond Award for Excellence in Law Enforcement Recipient - Ms. Teresa Wilson, City Manager

Ms. Teresa Wilson, City Manager said in partnership with the United States Attorney's Office for the District of South Carolina Law Enforcement Coordinating Committee, the South Carolina Law Enforcement Officers Association and the Strom Thurmond Foundation, the Columbia Police Department announced that Chief Skip Holbrook is the humble recipient of the 2018 Strom Thurmond Award for Excellence in Law Enforcement. We know him as a police chief who is truly about educating his officers and working closely with this community and the City. This is well deserved.

Mayor Benjamin said this is the top law enforcement award given to a public safety officer in this state. We have the very best police chief in this country.

Police Chief William "Skip" Holbrook, Columbia Police Department commended the Fire Department. I was surprised, extremely proud, and privileged to be recognized. I wouldn't be here today if it wasn't for Ms. Wilson's confidence and courage to select me during a tumultuous time. I thank the Mayor and City Council members for the support they given me and for the autonomy to do my job. I have the distinct honor of leading incredibly brave and courageous men and women.

27. Recognition of Mr. Demetrius Rumph as a 2018 Safety Professional of the Year Award Recipient - Ms. Pamela Benjamin, CPM Chief of Staff / Human Resources Director

Ms. Pamela Benjamin, CPM Chief of Staff / Human Resources Director recognized Demetrius Rumph, Director of Risk and Safety as the 2018 Safety Professional of the Year Award recipient. The award was given by J. J. Keller and Associates, one of the top names in safety and regulatory compliance. This is the 16th annual award that recognizes unique and effective safety programs throughout the country. Demetrius received the third place award, but he is certainly first place here at the City of Columbia. He's been with the City for nearly two years and he has been instrumental in changing the organizational culture.

Mr. H. Demetrius Rumph, Director of Risk and Safety thanked everyone, especially Pam Benjamin for giving him the opportunity to bring his talent, skillset, and knowledge to the City of Columbia. I am honored to accept this award. This is about the 2,400 City employees who provide a public service to the citizens of Columbia. I wouldn't share if I didn't care. I care about employees returning home to their families unscathed. My career is paved, but my calling is made. I became a safety professional in 1998 and it's about impacting people's lives.

Ms. Teresa Wilson, City Manager recognized Melissa Gentry, Assistant City Manager for Development for twenty-five years of service. She started on September 27,1993 and we wanted to thank her as she moves the needle forth every day for development and growth.

Ms. Melissa Gentry, P.E., Assistant City Manager for Development said it has been an awesome career thus far.

28. Epilepsy Awareness Month Proclamation - The Honorable Mayor Stephen K. Benjamin

Mayor Benjamin and the members of City Council proclaimed November 2018 as Epilepsy Awareness Month in the City of Columbia.

Councilor Davis said the recognition of citizens with special needs stands above the rest. My son has epilepsy. We know what the challenges are. People with epilepsy are talented and they do have skills. It's always important to share with them and allow them to be themselves. There is a silent group of people who provide services and they deserve recognition.

29. MyColumbiaSC App Launch - Mr. Clint Shealy, Assistant City Manager for Columbia Water

Mr. Clint Shealy, Assistant City Manager for Columbia Water said we are excited to unveil the MyColumbiaSC Application. It is the next step in us becoming a Smart City and improving our customer service. The development of this application dovetails nicely with our Envision Columbia focus areas for empowering our residents and leading the way in innovation and high quality municipal services. It is a way for customers to communicate with us 24/7 and 365 days. It supplements our manned call center. They can report concerns, submit and track service requests, pay bills, search for city jobs, call the Customer Care center, access frequently asked questions, and interface with our GIS system and elected officials.

ORDINANCES - FIRST READING

30. Ordinance No.: 2018-063 - Authorizing the City Manager to execute a Sign Location Lease between the City of Columbia and The Lamar Companies for lease of 207 Gervais Street at Canal Street, Richland County TMS #07314-02-05 – *Approved on first reading.*

Councilor Duvall suggested the following three amendments to the lease: remove the last sentence from item 6; remove the assignment language from item 7; and strike all of item 8, except for the last sentence.

Upon a motion made by Mr. Duvall and seconded by Mr. Baddourah, Council voted unanimously to give first reading approval to Ordinance No.: 2018-063 - Authorizing the City Manager to execute a Sign Location Lease between the City of Columbia and The Lamar Companies for lease of 207 Gervais Street at Canal Street, Richland County TMS #07314-02-05, subject to amending paragraphs 6, 7, and 8 in the Sign Location Lease.

31. Ordinance No.: 2018-065 - Authorizing the City of Columbia, South Carolina to execute and deliver an Equipment Lease Purchase Agreement in the amount of not exceeding $8,000,000 between the City and the Lessor thereof to defray the cost of acquiring certain equipment; and other matters relating thereto – *Approved on first reading.*

Upon a motion made by Mr. Baddourah and seconded by Mr. Duvall, Council voted unanimously to give first reading approval to Ordinance No.: 2018-065 - Authorizing the City of Columbia, South Carolina to execute and deliver an Equipment Lease Purchase Agreement in the amount of not exceeding $8,000,000 between the City and the Lessor thereof to defray the cost of acquiring certain equipment; and other matters relating thereto.

RESOLUTIONS

32. Resolution No.: R-2018-090 - Adopting a Policy and Criteria to Consider the Inclusion of Real Property in a Multi-County Industrial Park to Apply Richland County's Special Source Revenue Credit incentive to Real Property within the Corporate Limits of the City of Columbia developed for Rental Mixed-Income Housing Projects - *Approved*

Upon a motion made by Mrs. Devine and seconded by Mr. Rickenmann, Council voted six (6) to one (1) to approve Resolution No.: R-2018-090 - Adopting a Policy and Criteria to Consider the Inclusion of Real Property in a Multi-County Industrial Park to Apply Richland County's Special Source Revenue Credit incentive to Real Property within the Corporate Limits of the City of Columbia developed for Rental Mixed-Income Housing Projects. Voting aye were Mr. Rickenmann, Mr. McDowell, Mr. Duvall, Ms. Devine, Mr. Davis, and Mayor Benjamin. Mr. Baddourah voted nay.

33. Resolution No.: R-2018-104 - Authorizing the City Manager to execute a Memorandum of Understanding Between the City of Columbia and The NCRC Housing Rehab Fund, LLC - *Approved*

Upon a motion made by Mr. McDowell and seconded by Mayor Benjamin, Council voted unanimously to approve Resolution No.: R-2018-104 - Authorizing the City Manager to execute a Memorandum of Understanding Between the City of Columbia and The NCRC Housing Rehab Fund, LLC.

OTHER MATTERS

34. Council is asked to approve the 2018 Edward Byrne Memorial Justice Assistance Grant (JAG) Application for drug analysis laboratory improvements at the Columbia Police Department in the amount of $83,475.00. - *Approved*

Upon a motion made by Mr. Duvall and seconded by Mr. Davis, Council voted unanimously to approve the 2018 Edward Byrne Memorial Justice Assistance Grant (JAG) Application for drug analysis laboratory improvements at the Columbia Police Department in the amount of $83,475.00.

35. Council is asked to approve the 2019 City Council Meeting Schedule. – *Consideration of this item was deferred.*

CONSIDERATION OF MATTERS DISCUSSED DURING THE WORK SESSION

No matters were discussed at this time.

CITY COUNCIL COMMITTEE REPORTS / REFERRALS

Upon a motion made by Mr. Baddourah and seconded by Ms. Devine, Council voted unanimously to refer the development of an application to notify citizens of the time that trains will be crossing certain streets to the Environment and Infrastructure Committee.

Mayor Benjamin recognized the University of South Carolina School of Journalism and Mass Communication students who were in attendance. He thanked them for being here and encouraged them to remain engaged with City government.

APPEARANCE OF THE PUBLIC

Mr. Regi Solis, Director of Needful Things said I am here to see if we can come up with solutions to the way Columbia's homeless community is treated. December 21st is celebrated as National Homeless Persons Awareness Memorial Day. I ask that we proclaim this day in Columbia. Last time I was here, I asked about the Inclement Weather Center. I also provided copies of articles for you. I hope you found a way to deal with these issues. There is no place to go. Personal possessions are to be considered unsupervised, not abandoned and should not be disposed of.

Mr. Allen Browning, Minister at Living Water International Church said my wife and I started a charity, Hearts for the Homeless several months ago. We fund it out of our pockets. I went from being homeless eight years ago to becoming a minister and a business owner. I haven't received a return call from your liaison. I have ideas to remedy the problems in the park. I am asking for a meeting with the Mayor and for funding for my ideas.

Mayor Benjamin said we spend millions of dollars a year working with United Way, Transitions, and funding the Inclement Weather Center. Every single day we are interfacing through several organizations that we work with on meeting the needs of the homeless. Every life has value, whether you are sheltered or unsheltered. We work to do things that are constitutional, right, and just. We live in a world where unaccompanied packages cause a public safety concern. We will meet when this meeting is over.

Upon a motion made by Mr. Davis and seconded by Mr. McDowell, Council voted unanimously to adjourn the meeting at 7:08 p.m.

Respectfully submitted by:

Erika D. Moore, CMC
City Clerk