



COLUMBIA CITY COUNCIL MEETING MINUTES TUESDAY, DECEMBER 15, 2020

The Columbia City Council conducted a virtual meeting on Tuesday, December 15, 2020 using video conferencing technology. The Honorable Mayor Stephen K. Benjamin called the meeting to order at 2:04 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.

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 adding the 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) - Absolute Total Care to Executive Session.

APPROVAL OF MINUTES

1. Council is asked to approve the November 10, 2020 and November 17, 2020 Council Meeting Minutes. - *Approved*

Upon a motion made by Mr. Rickenmann and seconded by Mr. Duvall, Council voted unanimously to approve the November 10, 2020 and November 17, 2020 Council Meeting Minutes.

CITY COUNCIL DISCUSSION / ACTION

Ms. Teresa Wilson, City Manager said the Forestry and Beautification Division has continued the strong tradition of celebrating Arbor Day on December 4, 2020. Normally, the division runs an Arbor Day program at a local elementary school. Instead, the division took to social media and created an Arbor Day video special. This year, we partnered with Columbia Green on planting a tree in honor of one of their past presidents. The division has continued to strive for excellence in managing our tree canopy by pruning nearly 950 trees, removing 370 diseased trees, and planting 500 new trees in the right-of-ways. The division will be applying for its 42nd year as a Tree City USA designee, which is the longest running streak in South Carolina.



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

Mayor Benjamin said I am thankful for the efforts we are seeing in both private and public philanthropic sectors with the vaccine. We have the opportunity before us to actually achieve true herd immunity if we can encourage our citizens to get immunized. I will be meeting with Dr. Bell, the state epidemiologist, who is chairing the vaccine taskforce. I will be asking if there is anything that we can do as local policy makers. We need to still encourage people to wear their masks and physically distance. It is wonderful to see an end in sight but it is going to take a collective responsibility to get there and to keep saving life's.

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

Mr. Harry Tinsley, Emergency Management Director reported that in the U.S., there are 16.5 million confirmed cases and over 300,000 confirmed deaths. In South Carolina, the total case count stands at 239,119. Yesterday, we had 2,303 new cases with a positivity rate of 19.9%. Unfortunately, there were four new confirmed deaths bringing the total confirmed deaths count to 4,402. In Richland County, the total case count stands at 21,178. Over the last 14-day reporting cycle, Richland County had 2,277 new cases. We are averaging 160 new cases per day. The zip codes with the highest case counts over the 14-day reporting period are 29203, 29209, 29210, 29223, and 29229. As of the December 9, 2020 report, 45 out of the 46 counties in the state have a high recent disease activity incident rate. Richland County has a positivity rate of 12.9%, which is slightly lower than the other counties based on population. The December 12, 2020 reporting sample shows the recovery rate estimated at 87.7%, down from the 91.3% from the last report. There were about 15,000 new cases statewide, averaging about 2,200 each day with a positivity rate of 14.9%. The bed utilization rate as of today is 77.7% and the ICU bed rate is 76%. Currently, there are 1,367 patients hospitalized with COVID-19: 331 are in ICU and 129 are on ventilators. DHEC reported yesterday that the Pfizer vaccine authorized first for emergency use is being processed and the first allocations of 43,000 doses are anticipated by tomorrow. They will be administered by a phased approach as recommended by the CDC. It will initially start with phase 1A, which consists of critical workers performing direct medical care.

Councilor Devine asked if the bed utilization rate of concern right now. With the level of distrust regarding the vaccine, how are we getting in communities of color to make sure everyone is getting the vaccine and that resources are being communicated?

Mr. Harry Tinsley, Emergency Management Director said as the bed utilization rate gets to 80%, there are discussions on staffing and making sure they have the capacity. The bed utilization rate also includes other surgeries and hospitalizations that were previously cancelled in the summer.



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Ms. Teresa Wilson, City Manager said the trigger will be the discontinuation of elective surgeries. This will give us an indication that we are reaching an issue with bed utilization.

Mayor Benjamin said I will be having more formal discussions around the role that we can play in modeling the importance of taking the vaccine. We want to make sure that the people who need the vaccine will get it first. We are seeing this acceleration of cases because we did not have leadership at the national level pushing for the right policy decisions, as well as at the state level. As a result, we have seen some of our expectations skewed rather significantly. We saw arguments made that this was no different than the seasonal flu, which last year killed 22,000 people but we are now at over 300,000 deaths in less than a year due to COVID-19. I would do what is asked as it relates to the vaccine. Hopefully, we will have a formal role at the request of the governor and the presidential administration in encouraging citizens to take the vaccine.

EMERGENCY ORDINANCE

3. Ordinance No.: 2020-109 An Emergency Ordinance Extending and Amending Certain Emergency Ordinances Related to COVID-19 - *Approved*

Ms. Teresa Wilson, City Manager said this ordinance will extend the suspension of normal operations and the masks wearing requirements through February 13, 2021.

Upon a motion made by Mr. Davis and seconded by Ms. Devine, Council voted unanimously to approve Ordinance No.: 2020-109 An Emergency Ordinance Extending and Amending Certain Emergency Ordinances Related to COVID-19.

CONSENT AGENDA ITEMS 4 THROUGH 14

Upon a single motion made by Mr. Davis and seconded by Mr. Duvall, Council voted unanimously to approve **Consent Agenda Items 4 through 14**.

4. Council is asked to approve a Professional Services Agreement to Advise, Amplify, and Advocate for Strengthening and Unifying the Arts and History Community, as requested by the Budget & Program Management Office. Award to One Columbia for Arts and History in the amount of \$52,353. The firm is located in Columbia, SC. - *Approved*

Funding Source: Accommodations Tax 5% (2035205-688200). The original budget amount is \$52,353.00.



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5. Council is asked to approve the purchase of a Backhoe Loader for the Water Distribution Division, as requested by Columbia Water. Award to Blanchard Machinery using the State Contract in the amount of \$132,950.00. The vendor is located in West Columbia, SC. - *Approved*

Funding Source: Utilities Water Distribution and Maintenance - Auto, Trucks, Heavy Equipment - Capital (5516203-658500). The original budget amount is \$135,000.00.

6. Council is asked to approve the purchase of a Street Sweeper for the Solid Waste Division, as requested by the Fleet Services Division. Award to Tymco, Inc. using the HGAC Cooperative Contract in the amount of \$309,386.00. The vendor is located in Waco, TX. - *Approved*

Funding Source: Solid Waste - Street Sweeping - Auto, Trucks, Heavy Equipment - Capital (5534408-658500). The original budget amount is \$350,000.00.

7. Council is asked to approve an SCDOT Memorandum of Agreement for Project WM4422/SS7460 - Phase 2; Carolina Crossroads City of Columbia Water Line Relocations due to construction improvements along a segment of I-20 between the Broad River and I-20/I-26 convergence, as requested by Columbia Water. SCDOT will bear all cost in the amount of \$6,675,325.00. - *Approved*

Funding Source: SCDOT will bear all costs related to the project. The original budget amount is \$6,675,325.00

8. Council is asked to approve a Pay Difference Reimbursement for Project WM458601; Operation of a Potable Water System at Cypress Glen Subdivision, as requested by Columbia Water. Award to Chapin Investment Group in the amount of \$76,599.00. The firm is located in Lexington, SC. - *Approved*

Funding Source: Water & Sewer Capital Projects (5529999-658650-WM458601). The original budget amount is \$76,599.00.

9. Council is asked to approve the purchase of Flygt Pumps and Parts, Repair Services, and Maintenance for the Wastewater Treatment Plant, as requested by Columbia Water. Award to Xylem Water Solutions USA Inc., as a Sole Source in the amount of \$107,371.01. This vendor is located in Charlotte, NC. - *Approved*

Funding Source: Utilities Metro Wastewater Plant - Maintenance and Service Contract (5516208-638200) \$7,862.40 and Utilities Metro Wastewater Plant - Equipment Repair/Service Supply (5516208-631800) \$99,508.61. The original budget amount is \$130,000.00.



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10. Council is asked to approve Contract Amendment #4 for Project SS7467; Evaluation of North Columbia Pump Station Upgrades, as requested by Columbia Water. Award to Brown and Caldwell in the amount of \$381,800.00. This firm is located in Columbia, SC. - *Approved*

Funding Source: Water and Sewer Capital Projects/Capital Project Costs (5529999-SS746701-658650). The original budget amount was \$189,900.00. The budget amount for this amendment is \$381,800.00. The total revised budget amount is \$587,700.00.

This is a Clean Water 2020 Program Project and a Mentor Protégé Program Project. Brown and Caldwell is the mentor and will provide overall project management, providing preliminary design, final design, bidding services and construction observation services at 65.18% (\$383,047.00) of the revised total contract amount. 4D Engineering, a Minority Business Enterprise (W) of Lexington, SC, is the protégé and will provide assistance with preliminary and final design of civil/site, electrical upgrades, and assist with construction observation visits at 24.26% (\$142,598.00) of the revised total contract amount.

The following subcontractors will provide additional services:

Chao and Associates, a Minority Business Enterprise of Columbia, SC, will provide structural assessment and design services at 10.13% (\$59,555.00) of the revised total contract amount.

Howard Engineering, a Minority Business Enterprise (W) of Marietta, SC, will provide electrical assessment services at 0.43% (\$2,500.00) of the revised total contract amount.

11. Council is asked to approve a Contract for Project WM4503; New 2"/4" Water Main Upgrades Harbison Subdivision (Forest Edge Road), as requested by Columbia Water. Award to LG Utility Contractors, Inc., a Minority Business Enterprise (W), in an amount not to exceed \$254,076.00, which includes contingency. The contractor is located in Lugoff, SC. - *Approved*

Funding Source: Water and Sewer Capital Projects (5529999-WM450301-658650). The original budget amount is \$387,234.00.

This is both a Local Business Enterprise (LBE) and a Mentor Protégé Program (MPP) Protégé Only project. LG Utility Contractors, Inc. is the protégé and will provide water line installation services at 72.61% (\$153,730.00) of the total contract amount.

The following supplier will be providing the following materials/supplies:

Fortiline of Lexington, SC will provide materials at 27.39% (\$58,000.00) of the total contract amount.



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12. Council is asked to approve Change Order #2 for Project WM3906; Construction along Sylvan Drive and Satchel Ford Road, as requested by Columbia Water. Award to Stutts and Williams in the amount of \$175,316.00. The contractor is located in Columbia, SC. - *Approved*

Funding Source: Water & Sewer Capital Projects/Capital Project Cost (5529999-WM3906-658650). The original budget amount for this contract was \$1,613,055.57. The original budget amount for this change order is \$175,316.00. The total revised budget amount is \$1,788,371.57.

This is a Mentor Protégé Program Project. Stutts and Williams, LLC, is the mentor and will provide water line installation services at 81.25% (\$1,453,101.75) of the revised total contract amount. Hammerhead Utilities, LLC, is the protégé and will assist with the restoration of roadway and asphalt replacement services at 18.75% (\$335,270.00) of the revised total contract amount.

13. Council is asked to approve Contract Amendment #2 for Project SD8450; Stormwater Bond Program Management Services, as requested by Columbia Water. Award to Woolpert, Incorporated in the amount of \$1,500,000.00. The firm is located in Columbia, SC. - *Approved*

Funding Source: Stormwater Improvement Capital Project Control/Capital Project Costs (5549999-SD845001-658650). The original budget amount was \$4,015,115.00. The budget amount for this amendment is \$1,500,000.00. The total revised budget amount is \$5,515,115.00.

The Columbia Disadvantaged Business Enterprise (CDBE) project goal of 20% was exceeded at 33% of the original contract amount of \$4,015,115.00. With the approval of this contract amendment, the CDBE percentage is 26.57% of the revised contract amount of \$5,515,115.00.

Woolpert, Incorporated will provide Capital Improvement Project, asset management program, and program management services at 71.97% (\$3,969,317.15) of the revised total contract amount.

The following subcontractors provide additional services:

Chao & Associates, a Minority Business Enterprise of Columbia, SC will provide engineering, inventory, mapping, easement/right of way, and construction management services at 12.62% (\$696,299.41) of the revised total contract amount.

PJ Noble & Associates, a Minority Business Enterprise of Columbia, SC will provide public meetings and outreach services at 2.64% (\$145,519.35) of the revised total contract amount.

4D Engineering, a Minority Business Enterprise (W) of Lexington, SC will provide site design and construction management services at 11.31% (\$623,592.24) of the revised total contract amount.

HDR, Incorporated of Columbia, SC will provide easement/right of way, low impact development/green stormwater infrastructure, design and evaluation, public/private partnerships, and public outreach services at 1.19% (\$65,386.85) of the revised total contract amount.



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WE3 Consultants, LLC of Saluda, SC will provide public/private partnership, public meetings, and outreach services at 0.27% (\$15,000.00) of the revised total contract amount.

14. Council is asked to approve a contract for Hyatt Park Improvements - Phase I, as requested by the Parks and Recreation Department. Award to AOS Specialty Contractors, Inc., a Minority Business Enterprise (W) in an amount not to exceed \$1,573,482.33, which includes contingency. The firm is located in Lexington, SC. - *Approved*

Funding Source: Professional Services/ Capital Project (4039999-PK006802-658650). The original budget amount is \$1,690,000.00.

AOS Specialty Contractors, Inc. is the prime contractor and will be performing park improvement services at 63.55% (\$952,294.60) of the total contract amount.

The following subcontractors will be providing the following services:

Coogler Construction, Inc. of Irmo, SC will be performing grading, stream daylighting, restoration, and clearing services at 26.95% (\$403,915.00) of the total contract amount.

Henry Chason Landscaping, LLC of Blythewood, SC will be performing landscaping, seeding, sodding, and riparian plantings services at 9.50% (\$142,345.00) of the total contract amount.

ZONING/PLANNING MATTERS - SECOND READING

15. ZONING TEXT AMENDMENT to Amend §17-253 - -DD (design/development)/City Center Design/Development Guidelines to delete Section 3.5.4 (Site Plan Review). *The public hearing was held on November 17, 2020 and first reading approval was given on December 1, 2020. – Approved on second reading.*

Ordinance No: 2020-100 Amending Chapter 17, Planning, Land Development and Zoning of the 1998 Code of Ordinances of the City of Columbia, South Carolina, Sec. 17-253 -- DD design/development area – Approved on second reading.

Proposal: Amend Sec. 17-253 of the Columbia Code of Ordinances (-DD design/development) to amend the City Center Design/Development Guidelines to delete Section 3.5.4 (Site Plan Review).

Applicant: Councilman Daniel Rickenmann, Columbia City Council

Staff Recommendation: Approval

PC Recommendation: 11/02/2020; Approved (8-0)



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Upon a motion made by Mr. Rickenmann and seconded by Mr. Davis, Council voted unanimously to give second reading approval to Ordinance No: 2020-100 Amending Chapter 17, Planning, Land Development and Zoning of the 1998 Code of Ordinances of the City of Columbia, South Carolina, Sec. 17-253 -- DD design/development area.

ORDINANCES - SECOND READING

16. Ordinance No.: 2020-107 Consenting to the Inclusion of Property in a Multi-County Industrial/Business Park (Gable Oaks Affordable Housing, 5530 Randall Avenue and 901 Colleton Street, Richland County TMS #11705-03-01 and 11706-11-03) – *First reading approval was given on December 1, 2020. - Approved on second reading. The City's consent is subject to third reading approval by Richland County Council.*

Upon a motion made by Mr. Davis and seconded by Mr. Rickenmann, Council voted unanimously to give second reading approval to Ordinance No.: 2020-107 Consenting to the Inclusion of Property in a Multi-County Industrial/Business Park (Gable Oaks Affordable Housing, 5530 Randall Avenue and 901 Colleton Street, Richland County TMS #11705-03-01 and 11706-11-03).

ORDINANCES - FIRST READING

17. Ordinance No.: 2020-108 Consenting to the Inclusion of Property in a Multi-County Industrial/Business Park (Project Cross, Richland County TMS # 25600-04-17 and 25600-04-19) – *Approved on first reading.*

Upon a motion made by Mr. Duvall and seconded by Mayor Benjamin, Council voted unanimously to give first reading approval to Ordinance No.: 2020-108 Consenting to the Inclusion of Property in a Multi-County Industrial/Business Park (Project Cross, Richland County TMS # 25600-04-17 and 25600-04-19).

RESOLUTIONS

18. Resolution No.: R-2020-078 Authorizing the City Manager to execute an Amended and Reinstated Agreement Concerning Electrical Service Rights between Fairfield Electric Cooperative, Tri-County Electric Co-operative and Mid-Carolina Electric Cooperative, Inc. and Dominion Energy South Carolina, Inc. - *Approved*



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Upon a motion made by Mr. McDowell and seconded by Mr. Duvall, Council voted unanimously to approve Resolution No.: R-2020-078 Authorizing the City Manager to execute an Amended and Reinstated Agreement Concerning Electrical Service Rights between Fairfield Electric Cooperative, Tri-County Electric Co-operative and Mid-Carolina Electric Cooperative, Inc. and Dominion Energy South Carolina, Inc.

19. Resolution No.: R-2020-105 Authorizing the City Manager to execute a Management Services Agreement between the City of Columbia and Executive Management and Leasing, Inc. for the property located at 1401 Main Street - *Approved*

Upon a motion made by Mr. Duvall and seconded by Mr. McDowell, Council voted unanimously to approve Resolution No.: R-2020-105 Authorizing the City Manager to execute a Management Services Agreement between the City of Columbia and Executive Management and Leasing, Inc. for the property located at 1401 Main Street.

PUBLIC HEARING

20. Council is asked to hold a Public Hearing for the Consolidated Annual Performance and Evaluation Report (July 1, 2019 ending June 30, 2020) and to approve submission of the CAPER Report along with all citizens' comments received during the 10-day comment period, to the U.S. Department of Housing & Urban Development Department (HUD) prior to December 29, 2020, as requested by the Community Development Department. – *Approved*

Ms. Gloria Saeed, Community Development Director said the City is preparing the Consolidated Annual Performance and Evaluation Report (CAPER) for the period of July 1, 2019 to June 30, 2020. Citizens had the opportunity to comment on the performance of three entitlement programs: Community Development Block Grant (CDBG), HOME Investment Partnership, and Housing Opportunities for Persons with AIDS (HOPWA). The citizen participation process required a comment period which began on November 4, 2020 and concluded on December 15, 2020. Our community development 2019 accomplishments include: assisted nine neighborhoods in making direct improvements through the Action Grant; served 106 City water and sewer customers in financial need through the DCCA program; helped 17 participants complete the IDA program with \$75,000 awarded in grant matching funds; served 65 participants through the Bank On/Fresh Start program; enrolled five new students in the Columbia Kids Save for a total of 19 students enrolled; and closed 18 homeownership loans. We also provided four home buyer seminars, one promotional event, and five financial literacy series. CDBG public service activities that were funded include: MIRCI, Fast Forward, Homeless No More, and the United Way's Adult Dental and Eye Clinic. The City of Columbia was awarded \$476,063 for upgrades



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at Fairworld Park, Lorick Park, and E.B. Sessions Park. The HOPWA accomplishments include: short term rent, mortgage, and utility assistance to 149 households; 850 people served through supportive services; and provided 58 rental subsidies. The report is posted on the City of Columbia Community Development website for the public to continue to review and provide comments. We need authorization from Council to submit the report to HUD by the deadline.

Council opened the public hearing at 2:56 p.m.

No comments were received at this time.

Council closed the public hearing at 2:56 p.m.

Upon a motion made by Mr. Rickenmann and seconded by Mr. Duvall, Council voted unanimously to approve submission of the Consolidated Annual Performance and Evaluation Report along with all citizens' comments received during the comment period to the U.S. Department of Housing & Urban Development Department prior to December 29, 2020.

APPOINTMENTS

21. Food Policy Committee - *Approved*

Upon a motion made by Mr. Duvall and seconded by Mr. McDowell, Council voted unanimously to appoint John Loveday, Billy Quinlan, Don Polite, Rowan Goodrich, Kimberly Humphrey, Shana Hill Catoe, and Heather Bauer to the Food Policy Committee, subject to review of the committee's bylaws.

22. Riverbanks Park Commission - *Approved*

Upon a motion made by Mayor Benjamin and seconded by Mr. Duvall, Council voted unanimously to reappoint Alana Williams to the Riverbanks Park Commission.

OTHER MATTERS

23. Council is asked to approve the Proposed Meeting Schedule for Year 2021. - *Approved*

Upon a motion made by Mr. McDowell and seconded by Mr. Duvall, Council voted unanimously to approve the Meeting Schedule for Year 2021.



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CITY COUNCIL COMMITTEE REPORTS/REFERRALS

Councilor Duvall said I received a report from the Human Rights Commission on the City of Columbia's municipal equality index score card. It is a two-page report that has different areas scored based on equality. I spoke with friends in the LGBT community and we agree we did not get credit for several of the accomplishments the City achieved. I would like to form an ad-hoc committee on equality to review the report and see if we can meet those standards and also get credit for what we have accomplished.

Mayor Benjamin said we don't get credit for the things we have done. I agree, our score do not reflect the richness of this community. I agree with forming an ad-hoc committee to address the municipal equality index and to find ways in which we can perform better and promote the strength and vitality of the City.

Upon a motion made by Mayor Benjamin and seconded by Mr. Davis, Council voted unanimously to create an ad-hoc committee to address the City of Columbia Municipal Equality Index Scorecard. – *Approved*

PUBLIC INPUT

Ms. Eleanor Davis, City of Columbia Animal Shelter volunteer said for the last nine months I have volunteered for the shelter as a foster parent; sheltering and nursing sick kittens back to health and celebrating their eventual adoptions. This Foster program has saved thousands of lives since its inception and along with the trap-neuter-return program we are moving towards the 2013 goal of becoming a no-kill shelter. This progress will not continue without the hiring of two crucial positions: a full-time veterinarian and a second foster coordinator. In 2013, Mayor Benjamin expressed his strong support for becoming a no-kill community. We need your prompt action to convene relevant stakeholders and to find a solution to fund and hire a full-time veterinarian and second foster coordinator. I know it has been a hard year and the hardships will likely continue, but I ask you to listen to the 800-plus supporters of this petition. It is time to take action, work together, and save lives.

EXECUTIVE SESSION

Upon a motion made by Mr. Duvall and seconded by Mr. Davis, Council voted unanimously to enter into Executive Session at 3:21 p.m. for the discussion of **Items 24 through 27** as amended to add the 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) - Absolute Total Care.



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

COVID-19
AMI Water Meter Installation
25. Receipt of legal advice relating to a pending, threatened or potential claim pursuant to S.C. Code §30-4-70(a)

Michael Hughes as Personal Representative of the Estate of Michael Stalnaker v. City of Columbia et al., 2017-CP-40-4924
26. Discussion of negotiations incident to proposed contractual arrangements pursuant to § 30-4-70(a)(2)

BrightUp
Saluda River Greenway
Federal Funding
27. Discussion of the employment of an employee pursuant to S.C. Code §30-4-70(a)(1)
Hospitality

Councilor McDowell left the meeting at 4:48 p.m.

ADJOURNMENT

Council adjourned the meeting at 5:40 p.m.

Respectfully submitted by:

Erika D. Moore Hammond, CMC
City Clerk