

COUNCIL CHAMBER

Regular Meeting

March 10, 2020

The ninety-second meeting of the City Council of Charleston was held this date convening at 5:03 p.m. at City Hall.

A notice of this meeting and an agenda were mailed to the news media March 4, 2020 and appeared in The Post and Courier March 8, 2020 and are made available on the City's website.

PRESENT (13)

The Honorable John J. Tecklenburg, Mayor

Councilmember Delcioppo	District 1	Councilmember Waring	District 7
Councilmember Shealy	District 2	Councilmember Seekings	District 8
Councilmember Sakran	District 3	Councilmember Shahid	District 9
Councilmember Mitchell	District 4	Councilmember Griffin	District 10
Councilmember Brady	District 5	Councilmember Appel	District 11
Councilmember Gregorie	District 6	Councilmember Jackson	District 12

Mayor Tecklenburg called the meeting to order at 5:03 p.m.

The Clerk called the roll.

Mayor Tecklenburg said, if you would like to join us, Councilmember Gregorie will lead us in an invocation and Pledge of Allegiance.”

Councilmember Gregorie opened the meeting with an invocation.

Councilmember Gregorie then led City Council in the Pledge of Allegiance.

Mayor Tecklenburg said, “Thank you all very much. I think most of you know this, but just in case we were called to evacuate the building, these are the two exits from the main Council Chamber, and there is also a door off the room to my right. In that event, do not use the elevator, but please just use the stairways going downstairs and the one stairway going out front. Very unlikely, but I just want everyone to be aware of our exits. So, I did want to let Council know that somebody gave me a copy of the April edition of Southern Living Magazine in which Charleston is designated, for the fourth year in a row, as the best city in the South. I know we have almost become accustomed to accolades and maybe don't feel like we need them from a visitor's point of view anymore, but it comes at a good time when international travel is being suspended and reduced, and this magazine mostly is targeted towards people that live close enough to us that can drive here and wouldn't have to get on an airplane. But, what made me really note the article was that it was all about the Gullah Geechee culture and its influence on Charleston, Gullah

Geechee cuisine, it's about the coming of the International African American Museum, and many of our local restaurants are highlighted here including Martha Lou's Kitchen, Hannibal's, Charlie Browns Seafood, My Three Sons, and Bertha's. So, it is a new perspective that I think we can all enjoy and delight in, in a way, long deserved. I think it's a harbinger of things to come with the coming of the African American Museum and a real increase in awareness of our Gullah Geechee Culture. I thought that was noted, I will put it in the record.

So, the other thing I would like to announce, without objection from Council, when we get to the report on the Health and Wellness Advisory that Councilmember Shealy is going to give, that we also have an additional update on the COVID-19 Coronavirus and what all of the City Staff have been working on in that regard. So, I wouldn't say it's a change in the agenda because we did talk about it at length at the Health and Wellness Committee, but I just wanted to let you know I would like to add an update more generally on that topic.

Next, I would like to invite to join me Representatives of the American Red Cross. I see Louise Williams, their Regional Executive. Also with us is Ashley Henyan and Lou Hammond, as a board member. If you all could come up here with me, if you don't mind, and I will read a little proclamation and then ask Louise to say a few words."

-INSERT PROCLAMATION-

Mayor Tecklenburg recognized Louise Williams.

There was applause in the Chamber.

Louise Williams said, "We just want to thank the City of Charleston for the continued partnership. We are great partners, as the Mayor mentioned. We have gotten to know each other pretty well over the last five years of local disasters. Thank you for that. We have a new Executive Director, Ashley Henyan, for the Lowcountry Chapter of the American Red Cross. We couldn't do what we do without our volunteered leadership. Lou Hammond, our Board Director that is here with us today, is a good example of that. You talked about house fires. We respond to a house fire in South Carolina every four hours. That's at the request of the Fire Department to help people. So, right now if we can have a plea, we do have a plea to keep a safe supply of blood to our nation. So, if you are healthy, we ask that you go to RedCross.Org. We need you to give blood. If you're a blood sponsor, we need you to please have a blood drive for us. Thank you, Mayor."

There was applause in the Chamber.

Mayor Tecklenburg said, "Thanks for all you do. The City sponsors, I think, twice a year, our own blood drive. So, I hope that City Councilmembers are on that email list and will join us next call for a little bloodletting. I also wanted to mention that a couple of years ago, we have an annual payroll deduction from City employees who can donate. It used to be exclusively for the United Way, and nothing against them, they're great, but we added the Red Cross specifically to our designated employee donation from payroll. So, we participate with you all on that. That's just a show of our employee's thankfulness and support to you and acknowledging your support to us.

Next, we have one Public Hearing on the Agenda that's regarding building construction operations during stated hours. That's the noise ordinance regarding building construction. So, would anyone like to be heard on this matter? Please come forward, state your name and address,

and I ask you to keep your remarks to two minutes. Please come forward. Try to speak right in the microphone.”

1. Don Thompson appeared on behalf of the historic Ansonborough Neighborhood Association. As members overwhelmingly supported strict limitations on constructions noise, the proposed ordinance was generally consistent with the ordinance of other historic cities, with two important exceptions. He said concrete pouring should not have a blanket exemption. It would allow concrete to be poured in residential neighborhoods 24 hours a day, 7 days a week, 365 days a year. Secondly, unless a project had already been issued a building permit, the ordinance should be effective immediately. As drafted, the proposed ordinance would allow loud and continuous construction noise for 70 hours a week. If construction schedules had to be extended for projects that couldn't be completed within the 70 hour window, Charleston residents would gladly trade a hypothetical construction delay of a couple of days for peace and quiet year round. Construction noise was the quintessential livability issue, and he told Council he needed their help.

Mayor Tecklenburg said, “Thank you sir.”

2. Luke Daniels, 17 Harleston Place, said he concurred with everything Mr. Thompson said. The noise had been a major issue with himself and his neighbors. The Jasper project kept them up numerous hours many nights. He asked Council to please not allow cement pouring in the middle of the night and to not grandfather any company or project. He asked it to be stopped immediately and put livability back where it belonged, with the home owners. He thanked Council for their time.

Mayor Tecklenburg said, “Thank you sir.”

3. Anthony Bryant said he wasn't planning on coming back to Council, but he checked out the zoning changes in Charleston online. He said he lived in the Neck, which was redeveloping, and asked about people obtaining business licenses and who decided what were the best areas to have noise and not have noise. He said it seemed those who had the least amount of money and the least amount of power got all of the noise or the alcohol billboards. He was trying to figure out with spot zoning at MUSC in West Ashley where they are were going with this. Secondly, he wanted to know if the Attorney General gave his opinion all of the time on an issue, or if he requested an opinion. He said if the Attorney General was over the Planning Enabling Act for the whole state, sections in low to moderate income were going to have a lot of redevelopment. He thought they could pass the ordinance, but it could be challenged by somebody as being spotty.

Mayor Tecklenburg said, “Mr. Bryant, this ordinance applies City wide to every neighborhood. Yes, ma'am.”

4. Jackie Meanie, 34 Hazel Street, thanked Mayor Tecklenburg, Councilmember Waring, members of the Public Works Committee, City Council Members and City Staff for listening to their concerns and crafting a construction noise ordinance that improved the quality of life for all of Charleston. She said she was grateful for the many hours Council spent working on this, and there were two things she wished they would consider: to make it effective immediately and require a special permit for concrete

pouring outside of the hours. She urged Council to support the ordinance. She thanked Council again for all that they did.

Mayor Tecklenburg said, "Would anyone else like to be heard on this matter? See none, the matter comes to Council."

Councilmember Waring said, "I move for approval, Mr. Mayor."

Councilmember Shealy said, "Second."

Mayor Tecklenburg said, "A motion to approve and a second. Any discussion?"

Councilmember Waring said, "I think some explanation needs to be given, in particular to the concrete pours. Just by the climate that we work in, if you pour concrete in the day, it creates problems. Some of those pours have to start early, in particular larger projects. I hear you on not having it done, but the reality is we raise the cost of construction for everybody if, on occasion, we don't let, in July, August and sometimes in June, that happen. So, that was the reason for that provision being in there. Thank you."

Mayor Tecklenburg said, "I would note that we added the provision that even though concrete pouring could proceed, that some notification had to be given to the surrounding area when it was planned 48 hours in advance."

Mayor Tecklenburg recognized Councilmember Shahid.

Councilmember Shahid said, "Thank you, Mr. Mayor. This ordinance is the product of a lot of discussion, a lot of compromise, and a lot of give and take. There are some things in here that people like and some things people don't like. I think we are going to get this ordinance passed tonight, and if we have to tweak it some more, we have the opportunity to do that. I think this is the best we have for right now, and I hope we get it approved."

Mayor Tecklenburg said, "Alright, would anyone else like to be heard?"

Mayor Tecklenburg recognized Councilmember Seekings.

Councilmember Seekings said, "Just very briefly, Mr. Mayor and fellow Councilmembers. The envy of good is better. I don't think this is perfect, but it has been the product of hard work, and residents were grateful to come in and thank us, staff, Councilmember Waring. I want to thank them, and particularly my association, Historic Harleston Village and Ansonborough, for coming in and being a part of all of this. We will see how it all goes. We'll monitor it, and if there are some adjustments that need to be made, I would encourage a 'yes' vote tonight, and let's see how this all works going forward."

Mayor Tecklenburg said, "Absolutely."

Mayor Tecklenburg recognized Councilmember Griffin.

Councilmember Griffin said, "I have been a part of this thing for several months now, and it almost makes me sick to hear more construction, noise ordinance, because we have talked about this thing for far, far too long. I just want to caution us that, we all agree that our City is diverse. It's fast. We have different pockets of communities, and I would just caution us that we

don't spend as much time as we did on this on some of these other issues we have coming up. We have real issues that are keeping people out of their homes, and we need to get back to those things. I completely understand that there are some residents that are upset with some noise, but the vast majority of our residents are not complaining about this issue. I don't think that we should spend hours and hours and hours drafting an ordinance that's going to benefit just a few people where, if we would have allowed this thing to go through the way it was written before, it would have been a complete detriment to our community. We would have limited the number of people who can work on their homes privately. Luckily, we have all come to compromises, and we have a way to make that work now.

So, I am going to support this the way it is today, but I honestly think we should look back on this thing, nine months to a year, because we are going to be able to pinpoint two or three locations where this matters. We all know that there has been some complaints against the Jasper. It's one of the largest projects this city has ever seen, just like there were complaints against WestEdge. People support projects like that that are massive and others don't. So, we have to weigh the cost and the benefit. In terms of off the Peninsula, it's going crickets on this thing for people complaining, so I just want to make sure that we have our priorities in order. I appreciate that Councilmember Seekings has some different challenges in his district because it is very historic, but in the future, I still think we need to be looking holistically on how we are going to tackle these issues. Thank you."

Mayor Tecklenburg recognized Councilwoman Jackson.

Councilwoman Jackson said, "Thank you, Mr. Mayor. Thank you, Councilmember Griffin. In listening carefully to your words, I do think that in this case the hours spent were worth it. Your statement about, two or three sentences into what you just said, were, 'if we had passed the original one, we would have harmed a lot of people, we would have created unintended consequences'. I do know that citizens feel like we maybe potentially waste a lot of hours and use a lot of words and go back and fourth, dancing on the head of pins, but honestly, I don't get complaints. I have had two or three complaints about noise in my neighborhood, and frankly, it's roosters crowing. It's not jackhammers so much. We definitely have citizens that we're serving here broadly across our boroughs. My jurisdiction is becoming a very popular place to buy bigger, older lots and subdivide. We are going to have a lot of that in-fill activity that nobody is prepared to live next to in a construction phase. So, I do think that we spent our time wisely in making this as tight and as pertinent and as meaningful as we can. We do have the opportunity to review it and work with our livability and our police force to find out where we have complaints and where we do need to drill down to make it even better. Thank you very much."

Mayor Tecklenburg said, "Thank you. Would anyone else like to be heard?"

Mayor Tecklenburg recognized Councilmember Waring.

Councilmember Waring said, "We really need to give praises to our legal department because they really went back and forth on this one and each time, I am going to say, they did it with a smile."

Mayor Tecklenburg said, "Thank you, Stirling (Halversen)."

There was laughter in the Chamber.

Mayor Tecklenburg said, "So, this vote will be for third reading and ratification, so will go into effect even though there's that time delay for new projects."

On a motion of Councilmember Waring, one (1) bill (Item E-1) received third reading. It passed third reading on motion by Councilmember Shealy, and the bill was immediately ratified as:

2020-31 AN ORDINANCE TO AMEND CHAPTER 21, ARTICLE II OF THE CODE OF THE CITY OF CHARLESTON BY ADDING A NEW SECTION 21-17 THAT PROHIBITS CERTAIN BUILDING CONSTRUCTION OPERATIONS DURING STATED HOURS. (AS AMENDED)

Mayor Tecklenburg said, "So, next is the approval of our city minutes from February 11th. Any corrections, additions, deletions?"

No one asked to speak.

On a motion of Councilmember Mitchell, seconded by Councilmember Shahid, City Council voted unanimously to approve the February 11th, 2020 City Council minutes.

Mayor Tecklenburg said, "Next is our Citizens Participation Period. We only have a few people signed up this evening, but I would ask you all to keep your remarks to two minutes as well. Madam Clerk, would you call the roll?"

The Clerk said, "Yes. We have Anthony Bryant, followed by Mohammad Idris, Mark Knapp and Luke Daniels."

1. Anthony G. Bryant said at the February 25th Council meeting, he received back from Scott Harris of the Supreme Court regarding his Complaint of the Department of Transportation, and in Charleston, and he had to respond back to it in protest against the City and others. He would be protesting a lot this year because that was what he did and as they exposed him, he would expose them. He gave the Mayor a letter he received on February 25, 2020. He submitted to the Supreme Court the two policies His generation was 1986 policy, 1994 policy, the Crime Bill which Biden supported. He told Council to pass that along to their Presidential Candidate. He said it was supposed to protect African Americans under the Enforcement Act, but they hadn't been protected since. He would be working on this and doing research at the public libraries and responding within 90 days. He told Council to make sure he got his quiet enjoyment because public safety was his concern. In Illinois, 300 people were wrongfully accused of a crime they didn't commit, as well as in Texas which was 600 people wrongfully accused in the Country. The majority of them were Black and poor, Hispanic, and White and poor.

Mayor Tecklenburg said, "Thank you, sir."

2. Mohammed Idris said, 'It was not the water, but the pollutant in the water in the City.' The water continued to beat Council until they did right by him and the rest of the good, poor people in the City, and it would be severe. The proof was it was not the water in the picture of George Washington. There were also ten letters in his name, and if they placed a number by each letter as it was numerically in the Alphabet, it would add up

to 130 and in 130, 13 jumped out at them. If they did the same with the word 'water', they would get 67, and if they added six and seven, they got 13, and there were 13 Councilmembers. 13 was the symbol of government, and water was the symbol for spiritual clean and righteous government. He said it was not in the water, but rather in the mindset of the administration that was causing the water problem of their wonderful City, and he was the one that could stop the flooding problem in the City immediately. If Council did not accept his solution, they would face disaster after disaster of devastating effect from the creator of the Heaven and Earth.

Mayor Tecklenburg said, "Thank you, sir."

3. Marc Knapp said he hadn't made this kind of statement in about 24 years being in Charleston. He said he had been completely disappointed in the new Councilmembers, as they were in their fifth meeting, and they were still asking for extra time to find out things. He said it would have helped if they had shown up before they got elected occasionally, but he wasn't happy as every time he turned around he heard they needed a delay and didn't know about something. He said they needed to do their job, and that was all he asked. With regards to Public Works, \$1.3 million of drainage projects and 39 percent went to one Council district, so he thought this was quid pro quo. He asked if somebody was getting paid off. What really concerned him was the fact that the rest of the money was only distributed to ten other districts. The district that really needed the money got none such as Shadowmoss, Village Green, and that entire area. He said that was all they had talked about was the flooding out in West Ashley, and they got no money. It sounded like there was a snake in the woodpile.

Mayor Tecklenburg said, "Thank you sir. Next up is a report from our Health and Wellness Advisory Committee. As I mentioned, as an adjunct to that, next we will call on Shannon Scaff, our Emergency Preparedness Director."

Mayor Tecklenburg recognized Councilmember Shealy.

Councilmember Shealy said, "Thank you, Mr. Mayor. So, the Health and Wellness Advisory Committee met last week, March 4th, and Dr. Katie Richardson, the Medical Director for South Carolina DHEC Lowcountry, who happens to be a member of our board, gave us a briefing and answered questions on the Coronavirus. As the Mayor said, Shannon Scaff will give us an update on that, beyond that, but we have also appointed a special subcommittee out of there, from our advisory team, to assist Mr. Scaff and to communicate with him and monitor community alerts. We will be continuing to keep updated on this health concern through Mr. Scaff and through that committee.

Some of the other actions this year, because we have met a few times since we have given a report, during our February meeting, Dr. Annie Andrews spoke to the committee on the Be Smart Gun Safe Campaign. She discussed the need for Public Education Campaigns and efforts to engage parents and children. When we say children, 0-17, and understanding the dangers and solutions of keeping guns out of the hands of children. She's encouraged taking every opportunity to reach out to all groups throughout the community and the neighborhoods and community faith base, schools, everywhere we can to share the message of not only talking about gun safety, but the responsibility in storing them properly away from children. Following our meeting, the City's Recreation Department reached out to Dr. Andrews, and the Charleston Police

Department has also made contact to work with school resource officers in our schools, as well as the school district will also be sharing resources.

We met with DHEC officials also to discuss vaping and the access to tobacco products among our youth and to look to ways that City ordinances might possibly assist in enforcement, as well as ways to advance education around tobacco products and vaping. During our January 8th meeting, the advisory committee learned about the concerns with 5G, and we followed up with support of resolutions that Council approved later in February. The committee is working on future spring stakeholder collaborative gatherings to present local data to tri-county health needs assessments as it relates to our zip codes, and I don't know if everyone has seen those zip code maps, but they're working on those zip code maps to show what life expectancy is broken down by specific areas, and it's very interesting to see those. We will be bringing in health policy experts from the CDC Florida and Spartanburg to assist with risk framing. We will use social context from folks in the room as we open up for discussion between experts and local City folks. So, if Mr. Scaff will come and give us an update."

Mayor Tecklenburg said, "Thank you, Councilmember Shealy."

Mayor Tecklenburg recognized Shannon Scaff.

Mr. Scaff said, "Good evening, Mr. Mayor, and members of Council. Thank you for the opportunity to present to you tonight an update. As of about 45 minutes ago, the latest numbers in South Carolina were now at nine cases. Two of those are positives, and seven are presumptive positive. Mayor Tecklenburg and City leaders remain in close communication with Federal, State, and regional officials, including representatives of US Customs and Border Protection, The Center for Disease Control, South Carolina Department of Health and Environmental Control, the United States Coast Guard, and The Medical University of South Carolina, on the situation related to the Coronavirus. The City's Emergency Management Team, along with area emergency managers, including MUSC, are meeting regularly to align efforts across all jurisdictions. Additionally, the City has established an area stakeholders committee of the Health and Wellness Committee, with representatives from the Medical University, public and private schools, and special events coordinators. At a press conference yesterday, Dr. Linda Bell stated epidemiologists for the State Public Health Agency, South Carolina DHEC, stated, 'There is no reason at this time to cancel any public events or take any special measures when there is no evidence of ongoing spread in a community.' However, the City continues to consult with DHEC and area medical leaders with regard to the continuation or cancellation of all public events. While the City has no legal authority over cruise ship landings or departures at the State Port Authority, Emergency Management has been in close contact with United States Coast Guard and US Customs and Border Patrol and has been assured that these agencies are monitoring cruise ship arrivals in the Port of Charleston and have the responsibility to take appropriate steps with regard to public safety. They received detail passenger and crew member information, including full travel histories prior to all ship arrivals in Charleston and are actively monitoring for potential Coronavirus exposures.

With regard to Citywide preparations, the City has focused its efforts externally and internally to ensure continuity of operations. The Charleston Police and Fire Department have created contingency plans to ensure public safety is maintained at all times, even if staffing levels are reduced significantly due to illness or quarantine. Health and safety information has been posted, and hand sanitizers are now available in all City buildings and workspaces, and a total of 900 bottles of hand sanitizers have been ordered for use in City vehicles and shared areas. Custodians have been instructed to disinfect shared common surfaces like doorknobs, counters, etcetera. Additional personal protective equipment and supplies have been ordered for first responders. Employee work related travel has been limited only to absolutely essential travel.

Sick employees, board members, and citizens are asked to remain at home and not attend public meetings to conduct City business. With regard to City protocols to ensure citizen services, the safety and health of employees and citizens are the first consideration in planning for continued operations. Essential operations are being identified that must be performed under all conditions by department. Examples of essential operations would include public safety, police, fire and emergency management, garbage and sanitation services, payroll, accounts payable, and networks operations. Essential personnel and tools and support needed to perform their duties are being identified. With respect to ongoing efforts, we will continue to review all City processes, policies, and procedures to reflect all current recommendations and best practices by our partners. We will provide reliable COVID-19 resources to citizens via the City's website, and City leaders will remain in close contact with Federal, State, local, and medical partners to plan and execute next steps as the situation continues to evolve. This Friday I will attend a meeting led by Department of Health and Environmental Control on creating a unified path with regard to precautions and a response to COVID-19 for individuals who are housing and secure. This meeting will provide a general update, precautionary strategies for staff and clients, and will serve as the beginnings of a conversation on the development of a localized response plan in the event of a client testing positive.

Finally, during the first half of today, I spent time with a few of our MUSC partners, a couple who are in attendance this afternoon, as they are working to mitigate the potential for Statewide impacts of COVID-19 by providing free screening via their telehealth network. Anyone who would like to consult with an MUSC doctor can do so at MUSC.care. If a patient is identified through a health care system, via virtual urgent care, as needing to be tested for COVID-19, they will be provided with a doctor's order and directed to the testing site at West Ashley Medical Plaza at the Citadel Mall location on Sam Rittenberg. This effort serves two purposes. The first is to maintain the integrity of the local healthcare infrastructure, which is to protect employees as well as visitors of the MUSC complex from any potential exposure to the COVID-19 virus. The second is to relieve some of the strain related to personal protective equipment supplies by alleviating the need to conduct a terminal clean following each patient encounter. Each encounter in a hospital environment requires extensive cleaning that leads to increased depletion of personal protective equipment supplies across the nation. People who have not received a doctor's order for testing will not be seen at this location. Testing is done at the location by appointment only. The testing location will be operational Monday thru Friday from 11:00 a.m. to 3:00 p.m. Each day an operating capacity will be scalable to meet testing needs as the situation evolves, and I'm told that, scalable, they can look at upwards to 60 to 70 a day if they needed to for testing. They're working with several local partners, first responders, and emergency managers to ensure safe and effective operations. EMS will be staged on site to respond if there are any medical issues for staff or patients. With that, I'm happy to take any questions."

Mayor Tecklenburg said, "Are there any questions for Mr. Scaff?"

Mayor Tecklenburg recognized Councilmember Waring.

Councilmember Waring said, "I want to thank Mr. Scaff for giving me a call today to give me a heads up on the services that are going to be rendered by MUSC over at the West Ashley Medical Plaza over there. As a matter of fact, information on this is beginning to be shared around the world. Some of the testing that is going to be done over there, as I understood, they were doing over in Korea. So, they felt one of those best practices would be applied here to ramp up free testing on a virtual scale. Thank you so much, and I appreciate you coming today to let everybody know how we are making that testing available, in particular, for free for all of those that are willing to come up and hopefully be tested."

Mr. Scaff said, "Yes sir. Thank you."

Mayor Tecklenburg said, "I want to shout out to Shannon and all of our emergency management staff, and I think that tells the seriousness of the City's efforts with regard to Coronavirus 19. We are treating this as serious as a hurricane or other potential emergency in our City. It happens to be a public health nature as opposed to a weather issue, but many of the same incident command and control procedures apply, and the networking of information between the City, the County, the State, and our partners, I think, has been remarkable. We are now on, literally, daily phone calls sharing information. A special thanks, as there are many partners, but DHEC is, of course, very important in this matter, but we have to shout out to the Medical University of South Carolina as you just did, really best practices. For them to set up immediately a telemedicine screening effort throughout our State is remarkable and now, to tell you the truth, when testing is, in some people's opinion, way behind where it ought to be, for them to initiate this drive up, real time testing to occur starting next Monday?"

Mr. Scaff said, "It would be Thursday."

Mayor Tecklenburg said, "Starting this Thursday. I would say Charleston is way ahead of the curve. We are blessed that South Carolina has only had nine cases so far. As it turns out, seven of them are in Camden and only one in Charleston and one in Spartanburg. I think those are the numbers. It is a fluid event though. I mean, it's dynamic, it's changing, we are watching the numbers across the Country and World, the rate of increase. We will have to take into account and study this, keep an open mind, and be looking at the facts and figures every day and relying on our health and medical professionals to give us advice moving forward. So, in the meantime, my mantra has become to keep calm. This is what they did in Britain with the outset of World War II, keep calm, wash your hands, which leads to discussion about all of those other hygiene practices and carry on. So, we can't panic over this matter, but we can be prepared and take all reasonable steps with our partners and be thankful for them, but try to keep everything going as well as we can while we prepare for whatever may come. Thanks for the updates. Are there any further questions?"

Mayor Tecklenburg recognized Councilwoman Jackson.

Councilwoman Jackson said, "I just had a definition question. You said 'presumptive positive'. Can you tell us what that means?"

Mr. Scaff said, "Yes ma'am. I appreciate the question. So, as I understand it, presumptive is the test has made it up to DHCEC. They have reviewed it, but they're not the final authority. CDC is the finally authority. So, they will look at it, it will show presumptive positive to DHEC, they will send it off to CDC, and the CDC is the final say on the test."

Councilwoman Jackson said, "So, by the time someone would be in that condition they would be quarantined? They would be advised to quarantine?"

Mr. Scaff said, "Yes ma'am."

Councilwoman Jackson said, "Then, the other, I don't want to fear monger, but I do think that the people that I have heard from, the obvious wildcard is that we really can't control is the cruise industry, and the embark and disembark of passengers. I know you said the Coast Guard is closely monitoring who comes off the ship and takes all of their history, but do they also have medical personnel? Is it possible that they would catch somebody who might be presumptive or in a condition that they wouldn't know just based on where they have traveled?"

Mr. Scaff said, "Yes, if I can quote 42 CFR 71.2, 'The master of a ship destined for a US port shall immediately report any death or illness of passengers or crewmembers to the quarantine station at or nearest the port at which the ship will arrive.' Ninety-six hours, if I'm correct Mark, is when a ship is required by Federal law to report anything, a symptom that would be in line with a communicable disease. That would start a chain of communications between everybody from CDC to our local first responders and EMS with, of course, the Coast Guard and Customs and Border Protection leading the way on that."

Councilwoman Jackson said, "Okay. Thank you."

Mr. Scaff said, "Yes, ma'am."

Mayor Tecklenburg recognized Councilmember Shahid followed by Councilmember Griffin.

Councilmember Shahid said, "Mr. Mayor, I just wanted to thank Councilmember Shealy, your office, and our partners in putting together, I read the press release that was issued earlier today, and I think that what's important with all of this is this word called 'transparency'. The more information we have, the better off I think the community will be served. I know were doing that. and I just think continue the transparency that you were doing in so far as it's critical so we know what's going on and what's taking place. As Councilmember Jackson brought up, of course, the number one question is going to be cruise ships coming in town. So, as much information as we can share with our constituents I think is critically important as to ongoing developments, if any, that transpires. So, thank you all for what you have done, and let's keep the transparency up."

Mayor Tecklenburg recognized Councilmember Griffin

Councilmember Griffin said, "No, I'm good."

Mayor Tecklenburg said, "Alright. Is there anyone else?"

No one else asked to speak.

Mayor Tecklenburg said, "Terrific. Thank you for the report."

Mr. Scaff said, "Yes, sir."

Mayor Tecklenburg said, "Next, we have a couple of appointments up. One is a reappointment to the Planning Commission, Mr. Lesesne."

Councilmember Waring said, "I move for approval."

Councilmember Gregorie said, "I'll second."

Mayor Tecklenburg, "Okay. Is there any discussion?"

No one asked to speak.

On a motion of Councilmember Waring, seconded by Councilmember Gregorie, City Council voted unanimously to reappoint Harry Lesesne to the Planning Commission.

Mayor Tecklenburg said, "Next are reappointments and new appointments to the West Ashley Revitalization Commission."

Councilmember Shahid said, "Move for approval."

Councilwoman Jackson said, "I second."

Mayor Tecklenburg said, "Is there any discussion?"

Mayor Tecklenburg recognized Councilmember Shealy.

Councilmember Shealy said, "Thank you, Mr. Mayor. I'm very happy that our Councilmembers, Waring and Brady, are on here now. Thank you for stepping up and taking those. I think we have a good group for the West Ashley Revitalization Committee. I just want to mention one thing. Maybe, Councilmember Shahid and Mr. Mayor, we do have a representative from the St. Andrews PSD there. The St. Andrews Parks and Playgrounds operates a little differently than say the City Recreation Department does. So, I want to throw that out there for consideration that maybe we include the St. Andrews Parks and Playground in there, as well, because they don't really report up to the Public Service District. They have got their own Commission, and I'd just like to throw that out there for consideration."

Councilmember Shahid said, "We have been in contact with them and coordinated with them and, you are right. They are a separate entity, and so, we have been in communication with them, and we will continue to do that."

Councilmember Shealy said, "Alright."

Mayor Tecklenburg said, "Is there any further discussion?"

Mayor Tecklenburg recognized Councilmember Griffin.

Councilmember Griffin said, "Yes, I'm interested, what exactly is on the horizon for the West Ashley Revitalization Commission? Because I know we approved Plan West Ashley well over a year ago, and then there were some good public meetings directly after, but it seems like it has gone kind of quiet lately."

Councilmember Shahid said, "I can assure you that we're anything but quiet. We have been very busy. We've moved our meetings to meet every other month, and tomorrow at 5:30 p.m. we will have our March meeting. So, our new appointees, I hope they will all be able to attend, and you will get a review of the past year, what we have accomplished, and it is quite a list. We will share that with all Committee members as to what we have done, in particular, what has transpired over at the Medical University at Citadel Mall and the plans moving forward with the Sumar site at the old Piggly Wiggly site. So, those are just the highlights, but there are others items we have been addressing, as well."

Mayor Tecklenburg recognized Councilmember Griffin.

Councilmember Griffin said, "Yes, particularly that Sumar site, because unbelievably here we are in another year, and three million dollars we spent on literally nothing so far. So, I remember a couple of months ago we talked about potentially having a public service building there and having a municipal building, but then those designs kind of went away, and I haven't heard anything else from that in several months now. I mean, how are we going to afford it anyway? I think that at some point we've got to unbury that thing and bring it to the Committee and eventually to Council, and make some decisions about what we should do with that site because right now it's one of the biggest eyesores in this whole City."

Councilmember Shahid said, "Well, I disagree with you about it being an eyesore, Councilmember Griffin, but we have done a process in making sure that the community was engaged into what they wanted out there with a very large series of community meetings with the folks in West Ashley. We had two of those as a matter of fact, I think. We have bid out the design, we're working on the person who was the successful bidder on that, and we're moving forward with bringing that, so hopefully we will have something more concrete in the immediate future, but we have not been sitting back on that. That's been pressing forward very hard."

Mayor Tecklenburg said, "I would report that Council did approve an RFP request for qualifications, maybe it was, towards the end of last year, and we only had one response from Landmark Development Company. We have met with their representatives, and now they are drilling down on a proposal that we would bring back to Council, but we are working with them to bring you back something, and it includes those same things you mentioned including the civic building, and just kind of I guess behind the scenes a little bit, I have been keeping my ear out for potential tenants that could help share that building with us, so all of the expense wouldn't be on us. The thought, I think, it was promoted by Council here that a goodly portion of the property would actually perhaps return to the private sector and be developed so it would get back on the tax rolls and add to our TIF District, but we are exploring possibilities to share that civic building with us for civic uses, and a couple of them, I think, could be pretty exciting. So, we are working on the effort, I must say, and I did want to point out, and there may be others here of the new members, but I wanted to shout out and introduce Mary Peters if you don't know her. Mary, if you would stand and be recognized. She is one of our new Commission members that we'll vote on, and she had a successful business, West Ashley Care for Life, right there on Wappoo Road for many years employing many people in West Ashley, so I appreciate your willingness to serve."

Mayor Tecklenburg recognized Councilmember Griffin.

Councilmember Griffin said, "So, that RFQ that we've pushed through, I remember. I think it was October or November of last year. If we are still looking at pushing a large part of this back to the private sector, aren't we going to screw up that RFQ if they are designing something for us? Whereas, if we're talking about putting it back in the private sector, shouldn't that private sector component be a part of the dialogue of how this building is made and that sort of thing? I'm a little confused. If we aren't really sure what we're doing yet, and we've glued a bunch of designs together, and then we want to put it back in the private sector, aren't we pigeonholing ourselves from who might want that building? Because if we're looking at selling off a large part of it, it doesn't make sense to me that we do all of the design work for a building for us. That scares me a little bit."

Mayor Tecklenburg said, "Well, last fall we brought the design ideas that we had that guided the RFP. So, the thought is that the developer would partner with us and complete the vision for what the public process and the City processes had generated so far. So, we're looking to the private sector to help us get a project done at the end of the day."

Mayor Tecklenburg recognized Councilmember Waring.

Councilmember Waring said, "Thank you, Mr. Mayor. Actually, coming on this, I think there are some exciting opportunities here. One of the things we can crystalize is revenue that the West Ashley Revitalization Commission, at this point, that we have not done, I hope we will do that going forward. In doing that particularly, let's call it a PUD for that site, the City can guide, hopefully, what type of private sector uses and public sector uses, and hopefully, coalesce around that site. So, I think, and there are some things floating around right now that we can't speak hard to right now, but there are some exciting opportunities that can create some synergies in that

location. So, I'm looking forward to going on to it because right now the Chairman over there is broke."

There was laughter in the Chamber.

Councilmember Waring continued, "I'm convinced he's not going to be broke if Karl and myself and Ms. Peters can join in with the team that's already there. We can make some good things happen. I will be abstaining from this, so I don't think it's right to vote on my own appointment."

Mayor Tecklenburg said, "Thank you. Is there any further discussion on the Commission membership?"

No one else asked to speak.

On a motion of Councilmember Shahid, seconded by Councilwoman Jackson, City Council voted unanimously to approve the reappointments of Justin Ferira and Charlie Smith and the new appointments of Ashley Jackrell, Mary Peters, Kenneth Mordalda, Reverend Demett Jenkins, Councilmember Karl Brady, and Councilmember Keith Waring to the West Ashley Revitalization Commission.

Councilmembers Waring and Brady abstained from voting and completed Conflict of Interest Forms which are on file in the Office of the Clerk of Council.

Mayor Tecklenburg said, "Next, we have a brief update from Jacob Lindsey on our Comprehensive Plan efforts, Jacob."

Jacob Lindsey said, "Thank you, Mr. Mayor and members of Council. This is just a very brief introduction to the Comprehensive Plan. Over the course of the next year, we will be creating a new Comprehensive Plan, and I say 'we' because I mean everyone in this room, everyone who is a stakeholder in the community, and all of the residents of this City together will be working on this. To just give you a very brief introduction and run through a few slides about the basics of the Comprehensive Plan, first of all this is required, of course, by State law. Every ten years the City has to create a new one. Every five years we have to update it, we are in one of those years, and we are required to bring forward a new plan. By State law, the role of the Planning Commission is to develop this plan, and it is the reason that the Planning Commission exists among many other things, but at the core, our department and the Commission are bound up in the comprehensive planning process so our cities have a guiding vision. Your role ultimately is to adopt this plan and all of its details. You are the decision makers in the adoption of this plan, but there is more to it than that. That's what the State statutes say, but we're going to ask you to come along with every step of this process depending on how much you want to and are able to. We will make sure that you are involved in every single event, every single meeting, and every single key decision which you will see in our schedule as we go forward.

Now, the plan has nine elements mandated by State law, and we're going to add the tenth, which is resilience. This has been talked about being adopted at the State level. We're just going to do that because that's what we do. So, there will be ten components: population, economic development, natural resources, cultural resources, community facilities, housing, land use, transportation, priority investment, and resilience. That's why it's called a Comprehensive Plan because you really look at all of the elements of our City as we move forward over the next ten years. Finally, just as an orientation of the State law, those ten elements and what it says

under each one of those elements constitute the Planning Commission's recommendation to you. Their job is to look at these issues, and they recommend to you the best practices.

Now, basics right some basics in terms of what the plan does and doesn't do, first of all, it makes recommendations about the future. We all know that, and it uses objective information and analysis. This is where we're doing things a little bit differently from how we have in the past. We're going to incorporate input from everyone, not just the people who are always at the microphone, but from the working Mom who never gets to the microphone. We're going to make sure that we use techniques to listen to all of the members of the community. Another thing that it does is that it informs daily decisions. As you know, when Christopher gives recommendations from the Planning Commission, he says, 'the Comprehensive Plan says this', 'Planning Commission voted this', 'staff says this'. Every time we make a decision about zoning, we look at this plan, and it is our daily operating environment.

What the plan doesn't do is it doesn't change zoning, very important, it only makes recommendations. Changes in zoning can only be made by you, and that's a separate process. The plan itself does not change base zoning, it just recommends. It doesn't change Stormwater regulations, I'm sure much to Mr. Fountain's delight. It doesn't change any of those things because he has just been through the entire process of studying along with everyone else. It doesn't change anything about taxation. It doesn't interact with TIFs, it doesn't change anything about taxes or tax rates, and it doesn't make detailed policy recommendations that are already covered in other plans. We have plans for many, many other things from transportation to capital investments. It doesn't change any of those things. This is really focused on the long-range vision of growth for our City.

Now, just a few more slides. You all, I'm sure, are familiar with the old Century V Plan. It's been named that since well 20 years before, and I could never figure out what the Century V was for because we're celebrating our 350th, so we're changing that. The name goes away first of all, and there are four things that really differentiate this. First of all, is that sea level rise and climate change are the first priority. Our world has changed, and this plan will reflect that. The second thing is that affordability and diversity are prioritized. We recognize the housing crisis that we are in as Ms. Natasha Hicks said in her wonderful report, and this Master Plan will be a part of that solution. The third thing is that it is going to be databased using the best objective analysis. Our job and the job of the consultants as we'll talk about is to provide you all with objective information so you can make great informed decisions, and that's what this plan will do. The fourth thing is that it is going to be collaborative. It will be a plan for and by the stakeholders. Now, who are those folks, who are the stakeholders, and then what is this collaboration? We have some consultants coming that are going to help us. This is not going to be led by a single consultant. This will not be the Andres Duany Plan or the Victor Dover Plan. It certainly won't be the Jacob Lindsey Plan. It is going to be all of us, and the consultants will help us do four key things.

The first is to integrate the Dutch Dialogues recommendations so that this plan follows the ground work that was laid by the Dutch Dialogues. The second thing is to help us analyze the impacts of sea level rise and climate change to a level that we can then put into the plan and make operational. We have great information so far, but our request to these consultants is give us the data that we can make into real land use recommendations. The third thing is to analyze housing affordability and housing supply again at a level that we have not yet done to provide us with real concrete information. The fourth is to assist with meeting logistics and community engagement. The role of the staff is to facilitate the process. That's what we're going to be doing, and then the role of the community is to assist us with identifying the needs and the goals. We're

going to ask the community to become our partners to identify what goals we should be setting in this plan and, most importantly, to give input online and then public meetings at every step of the way. Who are those partners? Obviously, residents, property owners, and neighborhood organizations, institutions and employers, the many community organizations that exist in the non-profit sector, non-city governments, the DOT, the County, the COG, all of our partners of governments, and a collaboration that's already started among City departments themselves. What we have done so far is lay the ground work for this which has included best practice research, logistics, and outreach preparation. We've been meeting every other week. We have a great data team, a partnership between our IT Department, GIS, and the Planning Department compiling all of that existing data and collaborating across departments including with Stormwater, with Mark in Resilience, Keith in Traffic and Transportation, really working to make sure that we've got all of the City departments working together and onboard, not stepping on toes or duplicating efforts.

The last thing, the timeline in brief, we are in the kick-off period right now entering into quarter two moving through all of the way to approval and quarter four, and I know it says 2021 there. As Christopher said earlier, if you want to give the Planning Department a Christmas present, you could give an adopted Comprehensive Plan by the end of the year. Technically, our drop dead date is actually February of 2021, but we would love to be able to wrap this up this year of course, and we certainly think that we're going to be able to do that. Now, the very last thing, and these are some detailed timelines for all of you if you want to ask questions about these, then I will start. As these are coming around, this is a spreadsheet. You don't have to look at this if you don't like spreadsheets. If you like spreadsheets, you can look at it in detail. A few things that I want to highlight on, and then I'll end, April, May, and June are going to be very busy for us in the community engagement phase, and one of the things that we're going to be doing is what we're calling a Learning Tour. That means both for us, for staff, to learn as well as for residents to learn how the City has changed and how it will change. The fourth bullet under the Learning Tour public meetings, and Councilmembers this is very important, that I would like to bring to your attention. We're going to be reaching out to you all this week about scheduling a meeting. We will offer you a public meeting. These will be large public meetings in your district if you want one. If you would like to double up with someone near you, my staff would be happy to combine them. I also should not fail to mention that Mr. Kronsberg is engaged in a Parks Master Plan this year, and we will be combining those meetings for efficiency to get the whole community out and make sure that everyone can give us input as we go through this process. So, we're going to reach out to you all to schedule those public meetings in your districts as we go. The last thing that I'll mention, a really great event that we have planned that we're calling the Civic Labs. We would love to have millions of dollars to this Comprehensive Plan to hire all of the best people in the world, but we don't. So, what we would like to do is bring a number of subject matter experts in flooding, climate change, sea level rise, and housing affordability to Charleston for a few days of concentrated activity to hear from them and to give key stakeholders and yourselves the ability to interact with these folks who are doing some of the best work around the country. We can't afford to bring them here all year, but maybe we can afford them for a few days in a concentrated burst of activity where we can all learn together about what we should be doing to make our City as good as it can possibly be. So, the Civic Labs are going to be the really great event as a part of this. So, with all of that said, I believe that's my last slide. I know that's a lot of information to download very quickly. You will all be involved in this. This is going to be a really wonderful process as we go forward and unlike any one that we have ever had before. So, with that, I'll turn it over back to Mr. Mayor."

Mayor Tecklenburg recognized Councilmember Griffin, followed by Councilmember Appel.

Councilmember Griffin said, “Mr. Lindsey, you mentioned incorporating the Dutch Dialogues into this Comprehensive Plan. Are we going to be reaching out to the Dutch? Are we going to incorporate them that way, or are we just going to be taking the document and making sure that it feeds in, or how are we going to do that?”

Mr. Lindsey said, “Great question. So, first of all, we have the Dutch Dialogues, and we do have a great relationship with all of the folks who worked on it. I think that we now certainly Mark I know feels that we can pick up the phone and call those folks anytime to get their input. A key part of this, though, is that we are going to bring on a number of consultants, and one of those consultant groups we are going to ask them to help us both analyze water and integrate that information. So, we’re going to be asking professionals to look at it independently and help us to integrate it in.”

Mayor Tecklenburg recognized Councilmember Appel.

Councilmember Appel said, “Thank you, Mr. Mayor. I appreciate that. Jacob, first off, thanks for all of your hard work and leadership on this issue. We’ve got a lot of exciting things going on in the City right now, and I can only speak for myself, but this is number one on my list. This is a once every ten-year opportunity for us to set the policy and the vision for the City moving forward. We have a lot of techniques and mechanisms that we have in place to address things like affordable housing, flooding, and things of that nature, but this is really where the rubber meets the road. This is the foundation that we’ve set for what I hope to be, and I hope I speak for others on Council some really modern and exciting new zoning techniques that we can really employ to get to the heart of affordability, to get to the heart of where we should and should not be developing, where we want to incentivize development, where we want to significantly restrict development, and let’s call it for what it is. That’s where we’re potentially going on some of these issues, so I’m very excited about it. I can’t wait to engage in this process and want to thank everybody for their efforts so far. Thank you.”

Mayor Tecklenburg said, “Great.”

Mayor Tecklenburg recognized Councilmember Shahid.

Councilmember Shahid said, “Thank you, Mr. Mayor, and I want to echo the comments already made about the work that you all have done on this so far, and I’m very pleased that we’ve got housing affordability on the top items up there. I think it’s critical as to how we’re going to address and make sure we can lasso that. Finally, on a comment you made about the citizen participation in our districts, I would just offer to my colleagues in West Ashley that when we did the Plan West Ashley, we divided West Ashley into two sections. I think the Upper West Ashley which is on one side of I-526 and the Lower section. So, to my colleagues on Council, I would invite that maybe those of us whose districts are below I-526 would be like a dividing line for us to work together and have our meetings to save some leg time for members of the Planning Department.”

Mayor Tecklenburg recognized Councilwoman Jackson.

Councilwoman Jackson said, “Thank you, Mr. Mayor. Thank you, Mr. Lindsey. You know I’ve been coveting these details for a long time to the extent of biting ears often as I can, and I agree with Councilmember Appel. I think this is our moment to really help our citizens live to the reality that they’ve been championing to us over the variety of topics that are obviously hard to ignore at this point and time that we have a new day of planning and responsibility to take. So,

I'm very excited to get going, and I just want to be on record that I really appreciate that we're taking the bottom up approach as opposed to the top down. I feel that we do have an amazing growing cadre of involved citizens who have earned my respect and the opportunity to really inform us as to what is important for their future. I ran for office because of my unborn grandson, and now he's two, and I want him to have a Charleston that we could be proud of for all his adult life. So, I feel like this feels really good, and anything that we can do to help you keep to the deadlines, be responsive, please rat on us if we don't return your phone calls and make the plans that you need for us to do because I do feel like we will take it seriously, but we're also hard to reach sometimes, so be persistent. Thank you."

Mayor Tecklenburg recognized Councilmember Gregorie.

Councilmember Gregorie said, "I'm also excited. This will be my second one. I have a couple of questions. One, I'd like to get a sense of our level of accomplishments with respect to the existing ten-year plan. We had goals etcetera, etcetera, some of which, sure, may not be applicable at this point. The other thing is it's very, very important for me, and the Mayor, I think, knows what I'm going to say, that the Community Planning and Development Standing Committee play an essential role in the development of this plan because if you go to the record, if you go to the ordinance, they're supposed to. The next thing is we have a lot of plans. We have a Consolidated Plan which is our plan for housing and community development which has a lot of data that I think will probably, at some point, feed into this plan. It covers affordability, it covers diversity, it covers affirmatively furthering fair housing, and I can go on and on and on. I'm proud of our City in terms of what we have accomplished thus far. Of course, it's not perfect, but I think that what we've done with regard to implementing our Comprehensive Plan has been pretty consistent across the board, some of which people are alarmed at because they did not participate in the plan. So, when we see massive developments in certain areas of our City, apartments in certain areas of our City, a lot of people don't realize that when we approved the last plan, most if not all of it, was a part of the plan that this Council approved. So, to me, it's very, very important, especially for the Councilmembers who have not participated in such an exercise, to really dig in because this plan will affect your district for years to come. Folks didn't understand what was going on in James Island and its urbanization, but it was a part of the plan approved by this body. So, for me, I'm excited, but please make sure that Community Planning and Development Standing Committee plays a crucial role in this development. Thank you."

Mayor Tecklenburg said, "Are there any other comments?"

No one else asked to speak.

Mayor Tecklenburg said, "So, I'll just add this thought that just occurred to me. You know, when you take a budget and review it, and you kind of having everything justify itself from scratch, you call it zero based budgeting, right? So, a view of this is an opportunity to call it 'zero based zoning' or 'zero based master planning,' that we're adding these new components that we didn't really consider before like the sea level rise and the climate change, so that's uncharted territory, but there is nothing wrong with us starting from scratch literally. If our citizens don't want to see whatever on a certain part of the City, this will be our chance to incorporate that into our long range plan and set the future tone for our City, and I like the fact that we're calling it the 'Charleston City Plan.' I agree we just had our 350th Birthday, or we are having it this year, so I'm not sure where the Century V Plan came from unless they were looking for it 150 years, 170 years ago or whatever, but anyway, we'll get that straight. So, thank you very much, and we look forward to working with you."

Mayor Tecklenburg said, "So, next is Council Communications. We have suggestion and discussion regarding handheld cellphones from Councilmember Griffin."

Councilmember Griffin said, "I don't want to take up too much of your time tonight because the next meeting would probably be more of where we would go through this. I'd like to send this to the Public Safety Committee for the next agenda. Honestly, Beaufort has already made a resolution to ban handheld devices while driving. They've gone hands-free. They've sent a resolution to Columbia to do that. Sixteen states are already hands-free, including Georgia. I do a lot of business in Georgia, so I've seen first-hand the officers. They will pull you. I didn't get pulled, but my friend did. They issued warnings, especially for travelers, but signs are posted everywhere all over the state, 'do not hold your phone while you drive.' There are so many alternatives these days. Most cars are equipped with Bluetooth technology where you don't have to play on your phone while driving anyway. But, if you don't have that, they have all kinds of gadgets. You can click your phone into a little holder that goes into your air conditioner. There are all kinds of different things you can do. Some people have a headpiece or things like that. I prefer not to do that either because I think you're distracted if you've got something in your ear distracting you. But, distracted driving is the number one cause for traffic related incidents.

Right now, our ordinance mirrors our State law which is very, very weak. Our State law is restricted to only texting and, to be honest, our law enforcement officers can't enforce that. You would literally have to pull somebody over if you saw them playing on their phone. They could be talking on it on speaker phone, or doing something else. So, you'd literally have to subpoena their phone records to see if they were texting while that stop occurred, and that's just too difficult. We are preempted by State law. We can't really do anything at this point which stinks. I was hoping we could have some more restrictive ways, but State law prohibits that. Right now, in our State, a bus driver could talk on the phone, hold the phone in their hand, talk on speaker phone, and drive our kids around. That, to me, is very, very scary. We've got to change that. I think that if we sent a resolution up to Columbia, it's already gone through our Legislature a few times. It hasn't passed. It hasn't made it all the way through, but it has been on the floor a few times. It's been discussed these last couple of sessions, and if some of our bigger municipalities run the stake up behind it, it could pass. I don't think our local legislators really know where we stand right now because we're just kind of going with the status quo. So, I would love to see our Legal Department draft a resolution that we could vote on through Public Safety and bring to Council and say that we support going completely hands-free in our City, and giving our officers an opportunity to enforce the law. If it just stops one less traffic death, then that's all that matters to me. So many accidents have happened because people are distracted. Our phone, unfortunately, has become our biggest distraction, and really, in terms of everything. Just look, socially, at how less conversations we have with people face to face. People would rather do it over a text message or a phone and, unfortunately, there's no reason why you should be distracted by your phone while you're driving. Thank you."

Mayor Tecklenburg recognized Councilmember Shahid.

Councilmember Shahid said, "I welcome the invitation, Councilmember Griffin, to bring it up in front of Public Safety and with the caveat that maybe we can review our current ordinance on texting and see what we need to do to beef that up, as well. So, we'll bring that up at our next Public Safety meeting."

Mayor Tecklenburg said, "I concur. It's an excellent idea. I'm afraid of the preemption that the State legislature has on us, but I certainly support any effort that we can do to toughen it up."

Councilmember Griffin said, "I failed to mention that too, Mr. Mayor that I looked at our ordinance which mirrors our State law. The fine is \$100. That's very, very low, and it has no effect on your driving record, currently. That, to me, is really, really weak legislation. I don't know if we can do anything to tighten our laws locally, maybe increase the fine, but hopefully you all can have that discussion with Legal staff and your committee and bring that to Council. Thank you."

Mayor Tecklenburg recognized Councilmember Waring.

Councilmember Waring said, "As far as what can we do, listen, I commend Councilman Griffin. He's probably saving me from myself. I'm guilty of that. I don't text, but I do talk. So, can we pass something like this Counsel?"

Ms. Herdina said, "Steve, I don't know if you want to come up and speak to Council about this? Steve and Mallory have both looked at this issue, and I think, unfortunately, we are totally preempted at this point."

Councilmember Waring said, "Well, let me ask one other question before you respond, Steve. So, we can vote to prohibit plastic bags when the State doesn't have that in place, but we can't vote to stop talking on the phone?"

Mr. Ruemelin said, "Yes, we actually had our ordinance in place before the State ordinance passed. When the State ordinance passed, they expressly preempted us from regulating texting and driving. So, it basically made our ordinance obsolete. I will say that there is a hands-free act. It's Senate Bill 723. That's currently pending. It would basically say you cannot have a device in your hand any time you're operating a motor vehicle, with the exception of if you're stopped, parked, or making an emergency phone call. But, I think if we want to go with something like that, we have to the State level, and not here on the local level."

Councilmember Griffin said, "Which is why I asked for a resolution."

Mayor Tecklenburg said, "Right. We could certainly support that bill. Alright. So, any other discussion? If not, we will send forward with recommendations and research to the Public Safety Committee. So, next we're ready for our regular Committee reports. First up is Committee on Public Works, Councilmember Waring."

Councilmember Waring said, "Thank you, Mr. Mayor. Councilman Griffin was a very able colleague sitting in for me until I could arrive. He did a good job. The acceptance and dedications of right of ways one, two, and three, passed unanimously, and I move that we adopt those."

On a motion of Councilmember Waring, seconded by Councilmember Mitchell, City Council voted unanimously to adopt items a (i), a (ii), and a (iii) of the Public Works and Utilities report as presented:

a. Acceptance and Dedication of Rights-of-Way and Easements:

- (i) Request authorization for the Mayor to accept a temporary right-of-entry and construction easement from the Housing Authority of the City of Charleston to facilitate drainage and maintenance improvements within the new easement areas acquired along the subdivision lines between Ardmore, Sherwood Forest, and the Housing Authority's property known as Juniper

Arms Apartments. Upon approval, the Mayor would be authorized to execute the attached easement agreement on behalf of the City of Charleston without further action by City Council.

- (ii) Acceptance and Dedication of a portion of Oak Bluff Avenue (30' R/W), a portion of Tangles Trail (30' R/W), and associated drainage easements, all as shown on Plat Q at Page 94h, recorded on January 11, 2018, in the ROD Office for Berkeley County, South Carolina.
 - Title of Real Estate with Affidavit for taxable or Exempt Transfers
 - Exclusive Stormwater Drainage Easement Agreement (with plat attached as Exhibit A).

- (iii) Acceptance and Dedication of a portion of Henry Tecklenburg Drive, as shown on Plat L19 at Page 0470, recorded on November 4, 2019, in the ROD Office for Charleston County, South Carolina.
 - Title of Real Estate with Affidavit for taxable or Exempt Transfers
 - Plat

Councilmember Waring said, "Under Stormwater Management update, under b(i), Cooper/Jackson drainage evaluation project, a contract of \$432,136 with AECOM, passed unanimously, and I move for that. Let me include b(i) and b(ii) at least."

Councilmember Mitchell said, "Second."

Mayor Tecklenburg said, "Alright, any discussion on those?"

Mayor Tecklenburg recognized Councilmember Mitchell.

Councilmember Mitchell said, "One question, on number b(i), Cooper/Jackson Street, what area would that take on Jackson Street. We're taking Jackson and Aiken, that area around there?"

Mr. Fountain said, "So, those are the names of the basin that were used in the 1984 study for clarity. It basically extends approximately from Reid Street on the south up to about Hwy 17 on the north and then from East Bay and Morrison on the east to just past King Street on the west. So, it's not exactly a square, but it's that general shape. It's about 200 acres that are all contained within that study area."

Councilmember Waring said, "Thank you, Mr. Mayor. Number three, discussion of small budget allocation, I'd like to bring some clarification to that. During Citizen's Participation, there was a comment about being skewed to districts, one or another. That was provided as information only. All Councilmembers are going to have input on the small projects that will come forward. So, that was not a defining list, and the process works. As soon as Councilman Griffin thought, 'wait a minute, District 10 isn't being properly represented,' he spoke up, and that's part of the process. So, sometimes we are privileged serving on the Public Works Committee, but all thirteen of us, including the Mayor, have access to the same information. Mr. Fountain will be getting in contact with you, sharing that list, and asking for small projects in all 12 districts. Somehow, we are going to find a way to prioritize that. I thought that needed to be clarified because sometimes we have to take shots. We asked for this, so we have to listen, give the public the chance to speak, but then we get the chance to right the record. That's what I'm trying to do here. If that information has not gone out to you all, it will be, asking you all for small drainage projects in your

area. Unless there's any questions on that, I'd like to turn over to Mr. Fountain for the Stormwater Project updates and listen out for projects in your districts."

Mayor Tecklenburg recognized Councilwoman Jackson.

Councilwoman Jackson said, "Thank you, Mr. Mayor. Thank you, Councilmember Waring. I had the privilege of sitting in and listening to your discussion, and I talked to Mr. Fountain afterwards. I really think that the list that he had passed out to you was meant to be more of a sample of projects that had been put into his department over the last year or two as things that are in scope, starting out, to be small anyway. But, I think it's more important for us, as a body, to help the Stormwater Department figure out how to prioritize, first of all, how to define small projects that could lead to big projects and then, secondly, how to prioritize. So, I'm very encouraged to know that the department is close, within the next several months, of having a more objective prioritization way of looking at our needs, because we're never going to have enough money to spend on things that we know, in good conscience, is required of us to do the best we can with our drainage systems. I really appreciated having the conversation, but I do think it sort of got off base in terms of this was the list that was going forward to us for any sort of approval. So, I look forward to the prioritization."

Councilmember Waring said, "That's a good point that you raised, Councilmember Griffin."

Councilmember Griffin said, "I don't think that my frustrations were that I thought this was going to be the list because, let's be honest, I'm not going to stand for it. I think I can get seven votes that stand with me that they wouldn't allow us to pass a list where eleven out of the twelve districts have a project, and one has zero. All I'm trying to figure out is, why was there an omission there? I mean, to say, 'well, this was just an idea of what we could have gone with', if we're going to put the Council districts listed on there that, 'hey, this project's in this district. This project's in that.' I mean, did someone think I wasn't going to figure it out, that my district was the only one that was missing? I would like an explanation on that. Was it that the list was put together at the last second and we just kind of rushed to get some projects out there? To say that, 'Hey, these are the projects that people have been fighting for, for a while,' trust me, there's plenty of projects that I've been fighting for since I got on Council. I'm just very, very frustrated by this process. Had I not spoken up, and for some reason we had said, 'You know what, let's move forward with this,' I would have looked like somebody who didn't care about my district, because every single other district is able to take a project back to their people and say, 'you know what, we've got this project coming this fiscal year,' except for mine."

Councilmember Waring said, "Mr. Mayor, if you would allow, I really do think, let's remember there were some projects that I would have liked to have been on there, too. Now, I really want to take the high road on this because for Council to get to a point of prioritizing many projects in all the districts, believe me, it's going to take some give and take. As I said, any omission, thank God you weren't muffled. You weren't muffled in the Committee, and you're not muffled today. So, you're standing up for your district, and I applaud you for that, just as any one of us would do. That was just a really simple error."

Mayor Tecklenburg said, "Well, let's proceed, Mr. Fountain, with your remarks on the project updates."

The Clerk said, "Well, Mayor, can we do something first? I think Councilmember Mitchell wanted to ask a question. So, we really need to finish the vote on one and two."

Councilmember Waring said, "Oh, I'm sorry. I thought we already voted on one and two."

On a motion of Councilmember Waring, seconded by Councilmember Mitchell, City Council voted unanimously to adopt items b(i) and b(ii) of the Public Works and Utilities report as presented:

- (i) Cooper/Jackson Drainage Evaluation Project – Professional Services Work Authorization #6 on the Stormwater Program Management Contract with AECOM for \$432,136.00 for survey, modeling, evaluation, and public engagement for potential drainage improvement options in the Cooper and Jackson Drainage Basins on the Eastside of the Peninsula. These funds are available in the Cooper River Bridge TIF.
- (ii) Approval of Change Order #1 on the Lord Calvert Drainage Improvement Project with Gulf Stream Construction for \$35,013.36 for additional catch basins due to utility conflicts. Approval of this change order approves a budget amendment increasing funding for the Project from \$217,508.46 to \$237,430.30 with the addition of \$19,921.84 from the Stormwater Operations Account Small Project Budget.

Mr. Fountain said, "So, just briefly to walk through the updates on the projects from this month. Spring/Fishburne Phase IV, the concrete lining pours are completed at this point, so there's no more concrete pouring on the project. There is still grouting work and some repair work in the actual deep tunnel. They'll be able to come out of the tunnel on surface work for Phase III, and that will be the end of major sub-surface work in that section. That's still on track for completion this summer for all portions of Phase III. Phase IV, we're at the point where we've installed just under half of the pipe piles for the wetwell, which is basically the foundation support. Then, we'll begin excavation and begin to build that wetwell in. The coffer dam is also continuing installation. That's what you normally see as you drive by that project site. You see the big sheet piles sitting down into the project site, those are the coffer dams being installed. That's proceeding well, as well.

For Lake Dotterer, we do have our draft report from Weston & Sampson on that. We do show improvements to both Church Creek and Lake Dotterer water levels from installing additional pipes under Glenn McConnell. We've coordinated with the County on that. They've asked us to produce the engineering plans and apply for the necessary DOT permits for incorporating that into their widening project. We'll have an amendment coming to Council for that activity, to be able to actually go forward with actual construction plans for installing those pipes under Glenn McConnell. The Church Creek storage project evaluations, those show varying benefit depending on the exact size and location. We're finalizing reports on those, but we do see some significant benefit in what we call kind of the mid-basin storage project, which is where we take the canal running from Bees Ferry Road to the CSX Railroad and look for additional storage options. It's kind of at the bottom of the basin where the water naturally occurs. It looks like there are varying opportunities to see some real improvements across the basin from stormwater in that location. The traffic circle, West Ashley Circle, is the other location we've looked at storage. That has a lower kind of cost-benefit ratio. There's not quite as much benefit to the overall basin from that location because it's sort of shifted over to the side of the basin. There is some benefit in the modeling to neighborhoods kind of in the vicinity of that circle. So, that's one we're still looking at as another project, as well. We did also evaluate what we normally call the Whitfield Canal, which is sort of the canal that runs behind the Walmart down through the Whitfield property, parallel to the CSX Railroad across Glenn McConnell, and then into the canal. We've been

coordinating with CWS on acquiring a shared easement through that area. The CWS is basically using it to install a major new water line. We would be using it to be able to maintain the drainage system that's back there. That's actually moving forward pretty well. We've had some good coordination with CWS on that. It's a good opportunity for us to leverage two projects that we're doing together. We did show in the modeling though that one of the options we had looked at was doing significant improvements to conveyance in that canal. At that point, we can't recommend that approach because it actually brings the water too quickly to the railroad track where there is an impoundment, and it actually worsens flooding out of that portion of the basin. So, we'll have to look at doing some kind of linear storage facility, if we want to keep going with that approach in the project. But, I think there still are some options because there's a significant amount of space there.

Low Battery Project is continuing. Piles should be complete this month, and those are all drilled piles. At that point, we'll be able to go into basic back-fill void spacing with polyurethane injection grout, reconstruct the deck and be able to move up. If you go there now, you can actually see we're starting to cut some of the old concrete vertical wall sections out to start that next stage of the project. That one's continuing very well. We've talked about it before that we do have the change order coming for that project. That change order has been finalized at a staff level. We'll have that coming to Council, I believe, at the next Council meeting. It's kind of, again, the pile design for the project was a major unknown for the entire project between the void spacing and the pile design. It's just over \$300,000. We expect to be able to have a little bit of savings on the void spacing, so we're still well within our budget contingency and shouldn't have a delay of more than a couple of weeks on the project. Again, moving forward well, at this point. That should take us through most of the potential unknowns on reconstructing 120 year old wall through the City.

Lord Calvert, we approved that change order this evening. That should be completed this month. That's the roadside drainage improvement on Lord Calvert. Rivers Point Row project, that was completed at a recent Council meeting. That was kind of a separated section of pipes on Rivers Point Row. That project has been completed. We're now just reviewing pipe video to close out that project work. King/Huger, the street level improvements, the design is 95% complete and it's in review by DOT for encroachment permits at this point. We do have a conceptual improvement plan at about 30% for the next stages which are then improving the outfalls and looking at pumping options. So, that's moving forward, as well. The Central Park drainage evaluation, we're continuing to go through our improvement options in the model. That should be ready, still on track for early this spring and then, we'll be able to develop projects moving out of that. The Eastside, which we're now trying to turn the Cooper/Jackson evaluation to try to clarify which section we're talking about, obviously we approved that this evening. So, we'll be able to move into survey work on that project. We're also coordinating with CWS on that project, as well, as they've done quite a bit of recent work in the area. They're giving us some of their survey work and information work to help us keep our costs down on that, and keeping a good relationship there. Barberrry Woods, the RFQ is currently in the public realm for response for professional firms. We had a pre-application conference. We had about eighteen people come to the conference. There's a lot of interest in that project. That should close this month, and we'll be going to an evaluation process to make a recommendation for a firm to award that work to.

Windermere drainage improvement, that RFQ preparation is complete. We should be advertising it this month as that Barberrry RFQ starts to wind down. The Ehrhardt tunnel extension design is continuing on that project. The Forest Acres project, we are still waiting for the utilities to finalize their plans, so we can finalize our construction drawings and permits. But, we are at a point where we're just about done with all the design and permitting work. We just need to get that utility relocation finalized. Dunoon Drive, that bid closed. We do have an apparent low bidder,

and that's coming to Council next meeting for awarding of that construction contract. Then, if I can just roll into the floodplain management updates. The HMGP buyout should be coming to Council next session for the most recent of those buyout grants. Then, we also just received notice that we're approved for the most recent FMA grant that we've applied for buyouts, as well. That was a lot. Any questions?"

Mayor Tecklenburg recognized Councilmember Shealy.

Councilmember Shealy said, "Thank you, Mr. Mayor. On Lake Dotterer, everything's done. Long Branch is okay, where it drains into Long Branch, everything's okay there, and now everything should be coming to Council? Is that what I heard?"

Mr. Fountain said, "So, for Lake Dotterer, the models show improvement in Church Creek and Lake Dotterer both with very minor impacts to Long Branch. As we move south, we will have to make some minor improvements to reduce those impacts to Long Branch. That will be part of that via the tasks coming, the original work authorization for Weston & Sampson is to do the modeling and figure out if it works. So, at this point, we said it does work, and we can actually go in and do the construction design. The County's asked us to do that and incorporate it into their design, rather than them doing it. I think they think that's a cleaner approach, which is fine with us. We'll be bringing back to Council the amendment for the professional services to do the actual construction design so DOT can permit that improvement and we can then, we'll have two tasks likely. The second task will be the improvements to Long Branch moving downstream."

Councilmember Shealy said, "Okay, great. Do you think that can be brought at the next Council meeting?"

Mr. Fountain said, "That one will be two Council meetings, I believe, for that one. It typically has to go through a process first and then come to Council."

Councilmember Shealy said, "Okay, thank you."

Councilmember Waring said, "Mr. Mayor, I do have a question of Mr. Fountain. Going back to the Forest Acres Drainage project, I think it was in 2014 that myself, Mayor Riley, met with the powers that be with AT&T about moving that utility line. The better part of six years later, they had two choices, put it deeper, or again, put a bigger box over it. As I understand it, they're still debating on which one they want to do."

Mr. Fountain said, "They are. The discussions on the project at staff level started January 2013. It may have been there were follow up meetings in 2014, but they are still looking at what option to move forward with."

Councilmember Waring said, "I think what we ought to do, if there's a way for us to tabulate what has been our cost increase while they've delayed their decision, we need to know that because of what that's going to do. If they continue to delay, it's going to raise the cost of that project which is going to take monies that can go to other projects. Why? Because AT&T has chosen to hold onto their money for the better part of six years as opposed to making a capital expense. We have to have coordination between utilities. We can't allow them to do that for six years. Now, I think the phase one was supposed to cost around \$8 million or so. I think it ended up costing about \$11 million. All of that was not AT&T's fault, some of it was. So, to allow that to happen for the second phase, we just have to bring more attention to that, bring them in the room, put a spotlight on them because in everybody's district, in particular older districts, you're going

to run into the need to coordinate with other utilities. This is the first time that I've seen where coordination with a utility moving some of their product, if you will, out of the way has taken the better part of six years. So, that has to have an inflationary cost to us, and for them to not have that passed onto them because they delayed in making their decision, we just can't allow that to happen. So, stay tuned. We're going to have to wrap this one up. I know you're on that page, Mr. Mayor. So, I thought that needed to be put on the record. So, when we revisit it again, they've been placed on notice. Thank you."

Mayor Tecklenburg said, "Thank you. So, that wraps up his report. You also had an executive session and another discussion that we're going to take up later in this meeting. Do you want to make any report on the executive session?"

Councilmember Waring said, "The executive session, we just got advice from Legal staff, but no action was taken. It was for information only. Thank you, Mr. Mayor."

Mayor Tecklenburg said, "Great. Thank you. So, next we will have our report from Councilmember Shealy. Committee on Special Facilities."

Councilmember Shealy said, "Thank you, Mr. Mayor."

Councilmember Waring said, "Mayor, I made an error. I have to go back. Excuse me, Councilman. We did vote on two evaluation projects that were on that list. It was the Dowden area drainage evaluation and the Wespanee evaluation drainage project. Not to do the project, but just to do a study to see what the fixes may be. Those are projects that were being placed in front of us going back, probably, five years, Councilmember Shahid? So, I think that was the third time back in front of us. So, the Committee voted to go ahead and spend the money so those evaluations could be completed."

Mayor Tecklenburg said, "So, staff will move forward, but I'm sure those matters will come back to Ways and Means."

Councilmember Waring said, "But, I think we would need a motion on that. It's about \$125,000."

Mayor Tecklenburg said, "That's the estimate."

The Clerk said, "Okay, what item?"

Mayor Tecklenburg said, "This would really be number three, little roman numeral three. It was two of the items that were on the small project budget allocation."

Councilmember Waring said, "Correct. I apologize for my omission on that."

On a motion of Councilwoman Jackson, seconded by Councilmember Shahid, City Council voted to approve the Dowden and Wespanee drainage evaluation projects.

The vote was not unanimous. Councilmember Griffin voted nay.

Mayor Tecklenburg said, "So, next we will have our Committee on Special Facilities. Councilmember Shealy."

Councilmember Shealy said, "Thank you, Mayor Tecklenburg. The South Carolina Aquarium came and gave us a report on what they're doing with the Maritime Center or what their plans are. Ms. Lewandowski came to us and, first of all, just said they've got these structure school programs right now. They're serving about 7,000 students. With what they want to do, they should be able to double the number of kids they have in this. They've got some teen programs they're wanting to do. They're going to have teen science café, teen conservation group, and they're going to be hosting summer programs, some STEM education programs, natural science. They're going to have this outdoor classroom that opens up onto the waterfront there, and they'll have DNR and NOAA and some other field projects that will be right there on the waterfront. So, it was some interesting things they had going on. They're also training teachers now and they feel like, with this new facility, they'll be able to train even more teachers. They're bringing in these kids from all over the State of South Carolina, as far as Greenville, bringing them in. But, they're also broadcasting, or they will be broadcasting classes, as well, so that people who can't make it down here will be able to see. Some of you may know that NASA will be using the building that's just a little bit north of the aquarium. They're going to be working together with NASA on some resiliency, sea level rise things. They're also looking at putting a café on that property, as well. They're going to have a kitchen for catering on there, and they're going to put an addition on the south side of that Maritime Center. It will be about 3,000 square feet, and it will have restrooms there. They'll be ADA compliant. Our transit boaters that are parked there will also be able to use those. They'll have showers there, as well. Of course, the second floor, we'll still have City offices there, and the International African American Museum will also be able to use that second floor. With their timeline, they're hoping to open May 2022, so right along the same time as the International African American Museum. That's my report."

Mayor Tecklenburg recognized Councilmember Shahid.

Councilmember Shahid said, "I just want to thank Councilmember Shealy for running that meeting this afternoon. One of the real important parts that came out of all that, we want to exclude the public access to that property for other events that could be taking place. I think that's really important, and it's going to be a multi-use facility, and I think finally we'll be getting our bang out of that buck for that property. So, I'm glad we're on that track. Thank you."

Mayor Tecklenburg recognized Councilmember Appel.

Councilmember Appel said, "Thank you, Mr. Mayor. I just have a quick question about this aquarium matter and the Maritime Center. We got a wonderful tour of the aquarium, gosh, probably a month ago now. It goes without saying how fantastic of a facility and asset that is to our community. They indicated that there had been a lease, or an MOU, that they had provided the City awhile back. Is there any update or status on where that stands, in terms of what we're working on?"

Mayor Tecklenburg said, "It was on the timeline of where we go from here. They made the presentation, and maybe Stirling is going to step forward and give us an update on the lease itself."

Ms. Halversen said, "I'm not sure I have an update on the lease. We did sign an MOU between the Aquarium and the IAAM and the City. That was a while back. But, the lease is under review currently, so I know we have a couple of departments working on that."

Mayor Tecklenburg said, "So, probably in a month, or six weeks, or couple of months, we'll bring a definitive lease proposal back. It will probably go, maybe to Special Facilities, but it will

have to go to Real Estate Committee, as well, and come back to us. I think the MOU anticipated, maybe, a three way lease. That got a little complicated, so we've kind of gone back and are going to bring forward one lease for the aquarium and another lease for a different part of the property with the IAAM."

Mayor Tecklenburg recognized Councilmember Sakran.

Councilmember Sakran said, "I think that answered my question."

Mayor Tecklenburg said, "Alright. Next, we'll move on to Committee on Traffic and Transportation. Councilmember Seekings."

Councilmember Seekings said, "Thank you, Mr. Mayor. The Traffic and Transportation Committee met this afternoon at about 3:45 p.m. We had an exciting day. We began with, what I describe as, a quasi-judicial proceeding. It was an appeal of a denial of a parking decal in Councilmember Mitchell's district. The appellant was given five minutes to present her case. Ms. Borden presented the case for the City. I would note that this was an appeal of a denial of permits inside a parking district. The question was, 'would we go from two to four?' Both sides presented their case. The jury, aka the Committee, deliberated for the requisite amount of time, and the verdict of the jury/committee was five to zero to deny the permit. It was not a heartless act. The request really would have set a precedent where we would have doubled the number of parking decals on the Peninsula of Charleston in our A-I parking districts, which is nine parking districts, without adding a single parking space. It was just an impossible situation. I do applaud the appellant for coming and pleading their case but, I do believe, that the verdict was appropriate. This does not, by the way, require approval of Council. The Traffic and Transportation Committee is the final say on that. But, I wanted to let you know, we have not had one of these in a while, so quasi-judicial proceeding completed successfully, and I do not believe the appellant left dissatisfied. They got their moment in court and I think understood the decision we made, because we did explain it. We did then have two requests for traffic calming speed humps in the Eastside neighborhood on Aiken Street and North Central neighborhood on Magnolia Avenue. Mr. Somerville presented and said that each one of those met all of the pre-requisites under our ordinance. So, I would move that those be approved by this Council."

Councilwoman Jackson said, "I'll second."

On a motion of Councilmember Seekings, seconded by Councilwoman Jackson, City Council voted unanimously to approve Item b of the Committee on Traffic and Transportation report as presented:

- Traffic Calming Speed Humps for Approval:
- Eastside Neighborhood – Aiken Street
 - North Central Neighborhood – Magnolia Avenue

Councilmember Seekings said, "And finally, Mr. Benjamin, as always gave us his excellent update from his seat. There are a number of things going on in his department, not the least of which is staffing, which was approved from last year's budget. I believe we've actually advertised for the Multi-Modal position, and we will be adding a member of the Traffic and Transportation team soon, which will be looking at multi-modalism, among other things. Lots happening in the world of Traffic and Transportation. I invite anyone from this Council to come and visit us at Traffic and Transportation, which a number of Councilmembers did today, and who knows what's going to happen next? With that, that is my report. Thank you very much, Mr. Mayor."

Mayor Tecklenburg said, "Okay, next will be our Committee on Ways and Means."

The Assistant Clerk said, "That was just for information only."

Councilmember Seekings said, "Oh, I keep forgetting those don't require approval. Thank you very much. I'll remember that after 11 years on that Committee, and in year 12. It's never going to happen."

Mayor Tecklenburg said, "We'll approve them anyway. We like traffic calming measures. Alright, so next, Committee on Ways and Means."

Mayor Tecklenburg recognized Councilmember Mitchell.

Councilmember Mitchell said, "Second."

Mayor Tecklenburg said, "Was there a motion?"

Councilmember Gregorie said, "There was a motion to approve. I would just like to amend it that we approve it consistent with the changes and recommendations that were approved in the Committee meeting."

Mayor Tecklenburg said, "Alright, any discussion?"

Mayor Tecklenburg recognized Councilmember Waring.

Councilmember Waring said, "Mr. Mayor, I do. I may be out of order on this, but on the \$220 million for the CPW, I started to bring this up in our Public Works Committee meeting, I really believe we need to look at the debt structure for the City of Charleston, given the gravity of what's happening in the stock market and, in particular, the bond market. Interest rates came down the lowest they've been since the Federal Government has been issuing Treasury bills. When I came in here today, the ten-year Treasury bill was at 0.78%. This week, it actually got down below 0.40%. The 30-year government bond, when I came in this room, closed today at 1.121%. So, the opportunity that we have a chance to refinance some of our debt at a lower rate would create additional cash flow, potentially, where we can go out and issue more bonds to do some of these drainage projects that, right now, we don't have the money for. Now, as I understand it, the City does not have a financial advisor. Our bond attorney cannot be the financial advisor. It would be a conflict of interest. So, maybe at the next Council meeting we can have that on the agenda or have some discussions in the interim between that time, and look at our bonds, when they come up for maturity, and hopefully, begin to develop a strategy if these rates were to stay down. I don't see interest rates going up drastically over the next couple of years as some of our bonds roll towards maturity. So, if we can do that, I think we can begin to do some of the same financial strategies that CPW is doing."

Mayor Tecklenburg said, "So, thank you for bringing that up. Our minds are thinking alike here. When he announced, and he told me before the meeting, that they were saving nearly \$20 million on this refinance, that thought certainly occurred to me. We have, over the last four years, refinanced a few older bond issuances and saved in a similar fashion. We have the ability in house, I know Matt's listening over here, to look at what we have outstanding and just knowing the numbers, being able to recommend to our Bond Counsel items we might look to refinance and save some money."

Councilmember Waring said, "We just need to make a move in that area while these rates are low."

Mayor Tecklenburg said, "Absolutely, makes all the sense in the world. Thank you. Alright, so did we end up with a motion on the floor for Ways and Means approval?"

Councilmember Mitchell said, "We haven't voted."

The Clerk said, "No."

Mayor Tecklenburg recognized Councilmember Sakran.

Councilmember Sakran said, "Thank you, Mayor. Councilmember Waring has said many things over the past two months that I agree with. This is the one that I agree with the most."

There was laughter in the Chamber.

Councilmember Sakran said, "I'm not sure if my district has an inordinate amount of economists, but I've received three emails in the past two weeks specifically addressing what Mr. Waring said. If we can do it, let's get it done."

Mayor Tecklenburg said, "Absolutely. We'll look at that. We've got a motion on the floor, save the one item that's held out for the Executive Session."

On a motion of Councilmember Gregorie, seconded by Councilmember Mitchell, City Council voted unanimously to adopt the Committee on Ways and Means Report as presented:

(Bids and Purchases

(Budget Finance and Revenue Collections: Approval of the 2020 Master Lease Purchase Financing Agreement in the amount of \$9,523,702 with TD Equipment Finance, 40 Calhoun St., Charleston, SC; Solicitation # 20-B001C. 2020 Lease Purchase funds will be used. (Ordinance)

(Budget Finance and Revenue Collections: Approval of renewal of Workers Compensation Excess Insurance with Safety National in the amount of \$417,015. The 2020 policy renewal rate is flat but the premium is increasing due to the increased payroll (over 2 years). This policy runs April 1, 2020 to April 1, 2022. Safety National is offering a two year rate lock. Total cost for 2 years is \$834,030.

(Mayor's Office for Children Youth and Families: Approval to accept the AmeriCorps VISTA Grant Award of 27 AmeriCorps VISTA members to be allocated to City Projects and to non-profits and organizations in the community. There is no fiscal impact for the City. Per the Memorandum of Agreement with Corporation for National and Community Service, the City will provide \$61,555 in Cost Share Payments that will be covered by site payments received from organizations receiving VISTA placements.

(Mayor's Office for Children Youth and Families: Approval to submit a grant request to the Walmart Foundation for \$2,500 to fund a series of workshops aimed at informing seniors and their families on issues and topics affecting seniors-including avoiding frauds and scams, brain health, and general health and wellness. There is no fiscal impact to the City. This is an after-the-fact request.

- (Police Department: Approval to submit the 2020 SCDPS JAG Application to fund the acquisition of one handheld analyzer for narcotic and pharmaceutical drug identification. The application for this grant is due 03/13/2020. This application requests \$29,500 and requires a 10% cash match.
- (Police Department: Approval of a Fourth Amendment in the amount of \$20,000 renewing the Agreement between Charleston Dorchester Mental Health Center (“CDMHC”) and Charleston Police Department (“CPD”) wherein CDMHC provides CPD with a full time mental health professional who provides services to children and families in domestic violence cases.
- (Parks-Capital Projects: Approval of CFD Savannah Highway Fire Station #11 Change Order #13 with NBM Construction Company, Inc. in the amount of \$0.00 which modifies the contract by: adding 5 weather days for a new substantial completion date of 12/26/2019, if NBM achieves substantial completion by June 5, 2020, all liquidated damages are waived, however, if this date is not achieved the City is entitled to recover all liquidated damages, the City reserves the right to issue joint checks to contractor and subs/vendors/supplies or design professionals. Approval of Change Order #13 will increase the Construction Contract by \$0.00. The funding sources for this project are the Installment Purchase Revenue Bond (\$7,989,524), Proceeds from Sale of Real Estate (\$1,135,607.64), Surplus Sales (\$1,130.02), and Hospitality Funds (\$380,000).
(Deferred for Executive Session)
- (Stormwater Management: Approval of Cooper River Bridge Drainage Basin Study Work Authorization #6 with AECOM in the amount of \$432,136 for the Cooper Street/Jackson Street Watershed hydrologic and hydraulic model development and system improvement analysis. Approval of Work Authorization #6 will obligate \$432,136 of the \$750,000 set aside in the Cooper River Bridge TIF for Cooper River Drainage Basin Study.
- (Stormwater Management: Approval of Lord Calvert Drive Drainage Improvements Change Order #1 with Gulf Stream Construction for \$35,013.36 for additional catch basins due to unanticipated sewer service conflicts. Approval of this Change Order will also approve a project budget amendment increasing funding for the project from \$217,508.46 to \$237,430.30 with the additional \$19,921.84 coming from the Stormwater Fund. This change order will increase the substantial completion date by 120 days. Approval of Change Order #1 will increase the Construction Contract by \$35,013.36 (from \$197,734.96 to \$232,748.32). Approval of the amended project budget will also approve a budget transfer of \$19,921.84 from Small Project line-item (193010-52240) in the Stormwater Fund. Funding sources for this project are: Drainage Fund (\$217,508.46) and the Stormwater Fund (\$19,921.84).
- (Budget Finance and Revenue Collections: An ordinance providing for the issuance and sale of waterworks and sewer system refunding and capital improvement revenue bonds of the City of Charleston in one or more series in the aggregate principal amount of not exceeding \$220,000,000 and other matters relating thereto.
- (Request authorization for the Mayor to execute an easement agreement, together with the appropriate easement drawing, under which the City will grant an easement for the installation of a pad-mounted transformer to Dominion Energy South Carolina, Inc. related to the construction of the Charleston Police Department forensics building. (TMS: 356-00-00-034; Bees Ferry Road and Foxhall Road) The property owner is the City of Charleston.
- (Request authorization for the Mayor to execute an easement agreement, together with the appropriate easement drawing, under which the City will grant an

easement to Dominion Energy South Carolina, Inc. to facilitate utility plans relating to 999 Morrison Drive. (TMS: 461-13-01-057; 999 Morrison Drive) The property owner is the City of Charleston.

(Authorize the Mayor to execute the Agreement of Purchase and Sale between the City of Charleston and Carol Jeane Lotz conveying the property located at 4 Grants Court for the purchase price of \$222,642. This property is being sold subject to the City of Charleston Single Family Affordable Restrictive Covenants with an affordability period of 90 years. (TMS: 460-07-02-222) (Ordinance)

(Consider the following annexations:

- Properties on Maybank Highway (TMS# 313-00-00-034; 313-00-00-035) 3.5 acres, Johns Island (District 5). The property is owned by William Stephen Harris.
- Property on Maybank Highway (TMS #313-00-00-306) 2.05 acres, Johns Island (District 5). The property is owned by LMC, LLC.

First reading was given to the following bills:

An ordinance to authorize the execution and delivery of Lease/Purchase and Security Agreements with TD Equipment Finance, Inc. in order to provide for the acquisition of various vehicles, information technology and other equipment and accessories; to provide the terms and conditions of such Lease/Purchase and Security Agreements; to provide for the granting of a security interest to secure all obligations of lessee under the lease/purchase and security agreements; to authorize the execution and delivery of all documents necessary or appropriate to the consummation of such Lease/Purchase and Security Agreements; and to provide for other matters related thereto.

An ordinance providing for the issuance and sale of Waterworks and Sewer System Refunding and Capital Improvement Revenue Bonds of the City of Charleston in one or more series in the aggregate principal amount of not exceeding \$220,000,000 and other matters relating thereto.

An ordinance authorizing the Mayor to execute on behalf of the City of Charleston ("City") an Agreement of Purchase and Sale, in which the City agrees to sell to Carol Jeane Lotz the property located at 4 Grants Court (Charleston County TMS No. 460-07-02-222) (Peninsula) (District 3) (the "Property") for \$222,642.00, subject to the City of Charleston Single-Family Affordable Housing Restrictive Covenants, with an affordability period of ninety (90) years, together with a General Utility Easement for the benefit of the property, said General Utility Easement encumbering the City's adjacent property located at 4 Nunan Street (Charleston County TMS No. 460-07-02-221) (Peninsula) (District 3).

An ordinance to provide for the annexation of properties on Maybank Highway (3.5 acres) (TMS# 313-00-00-034; 313-00-00-035), Johns Island, Charleston County, to the City of Charleston, shown within the area annexed upon a map attached hereto and make it part of District 5. The properties are owned by William Stephen Harris.

An ordinance to provide for the annexation of property on Maybank Highway (2.05 acre) (TMS# 313-00-00-306), Johns Island, Charleston County, to the City of Charleston, shown within the area annexed upon a map attached hereto and make it part of District 5. The property is owned by LMC, LLC.

Mayor Tecklenburg said, "Now we have our one bill up for third reading with a motion to renew requested by Councilmember Sakran who was on the prevailing side. So, we will entertain

this motion to renew, not voting on the issue itself, but just enabling Council to then take up the matter of basically a revote on this bill for third reading.”

Councilwoman Jackson said, “I’ll move for approval.”

Councilmember Sakran said, “Second.”

Mayor Tecklenburg said, “So, we have the motion to renew and a second. Any discussion on the motion to renew?”

No one asked to speak.

On the motion of Councilwoman Jackson, seconded by Councilmember Sakran, City Council voted to renew Item L-1 on the agenda for third reading and ratification.

The vote was not unanimous. Councilmember Seekings voted nay.

Mayor Tecklenburg said, “With one nay. So, now we can entertain a motion for third reading and ratification to increase the freeboard to two feet for new residential and non-residential construction.”

Councilwoman Jackson said, “I move for approval.”

Councilmember Waring said, “Second.”

Mayor Tecklenburg said, “We have a motion to approve and a second. Any discussion?”

Councilmember Waring said, “Wait a minute, we’re on item L?”

Mayor Tecklenburg said, “We’re on L-1. Now, basically put the item on the agenda. This is for new residential and non-residential construction to increase the freeboard to two feet. Any discussion?”

Mayor Tecklenburg recognized Councilmember Shealy.

Councilmember Shealy said, “I know this was brought up last time. I just want to clarify, if I could get Mr. Julka, I just want to make sure, passing this could possibly, it is possible we could get that CRS rating by passing this version right here? I think you said that last meeting, but I just want to confirm.”

Mr. Julka said, “Sure. It is possible. No guarantees. Again, the way the CRS points are allocated for this particular element are that there are a number of points assigned to each additional foot of freeboard that a community has on their books. So, we have an opportunity to make our case to the CRS reviewer for partial points that kind of fall in between the number of points for one foot and the number of points for two feet, but no guarantees that they’ll agree with the case that we make. That being said, the freeboard is one piece of our overall effort to improve our rating. So, I certainly think that it is possible to do a lot of work, city-wide, in other areas in order to improve our rating. This is just one of the larger point items. So, getting points from the freeboard ordinance would make it a lot easier to get to that next level. But, there are certainly a lot of other things that we are working on to help improve our rating.”

Councilmember Shealy said, "Okay, thank you."

Mayor Tecklenburg recognized Councilwoman Jackson.

Councilwoman Jackson said, "Thank you, Mr. Mayor. Thank you, Mr. Julka and Councilmember Shealy. I think the word 'possible', there's a lot of unknown in that word, so I really don't think we should vote on this comforting ourselves that, if we pass this, we have an excellent chance on adding those points to our rating score because it's not done. We would be doing something that is out of the normal, and I'm not very confident that an agency like FEMA is going to bend over backwards to do something as creative and innovative of setting a precedent that they can shave points when they make it clear that, if we had the freeboard for all purposes, new and rehab construction, we would be eligible for the points without question. So, that's the basis of my vote for this, and then, when we get to the next question."

Mayor Tecklenburg said, "Right. Any further discussion?"

Mayor Tecklenburg recognized Councilmember Seekings.

Councilmember Seekings said, "Thank you, Mayor Tecklenburg. I just want to very briefly explain my vote which is going to be 'no' on this, and I'm going to tell you why. It has nothing to do with the hard work that Mr. Julka's done, which Mr. Fountain is doing. One of the things not taken into consideration with this is you can reach freeboard plus two on new construction by any means possible. You can do it any way you want. To me, what's missing through this process, through this ordinance, and through the things we're doing, and I think is somewhat inconsistent with some of the policy we've made in the City by adopting the Dutch Dialogues, is you can go to freeboard plus two by using fill. So, you've got one, two, it's still fill under new construction, if it's slab on grade it, again, creates an inconsistency. I believe that we and our new stormwater regulations, and Mr. Fountain was kind enough to call me about this last week, we don't have a ban on that. We don't have a ban on fill and build. It's not in there, a ban. So, I think we need to think about this. Again, I really do applaud Mr. Julka. He has worked really hard on this, and I don't want my 'no' vote to make him think he hasn't done his job. I just think, collectively, that we need to look at this as a matter of policy going forward. If we're going to demand and command that you meet these standards of freeboard plus two, I think we also need to look at the other policies in the City and make sure that we don't meet it in a way that's inconsistent with the recommendations that, among others, the Dutch have given us which is regarding fill and build. So, with that said, we still have a lot of work to do. This is one small piece of a bigger puzzle. Thank you."

Mayor Tecklenburg said, "Before I come back to you, anybody else?"

Councilmember Waring said, "I just have a question for Councilmember Seekings, because that's the kind of the question that Councilmember Griffin came up with a couple weeks ago. Would you recommend pulling fill and build out, and let's look at that separately?"

Councilmember Seekings said, "Well, I'm not quite sure what you're asking me, but I do think that we need to start looking at that, especially if we pass this. I sense this is going to pass which is not going to ruin my night with a 'no' vote. But, I just want to make sure, I do think we need to talk about it. I think we need to get on that quickly before we get too far ahead of ourselves. So, I think I wanted to explain my vote, and I'm just explaining it without any hard feelings."

Mayor Tecklenburg said, "I respect that. I would point out that the new stormwater manual requirements that we just recently passed do apply, and even though they don't ban the use of fill, it does control what kind of fill can be used and the permeability there. You still have to meet all the requirements for your site. So, there are some occasions, be it building a foundation or road, where some fill is needed reasonably, just in the construction. If all the stormwater requirements are met, it's just not an unreasonable thing to have some element of fill where that situation occurs. That's my perspective."

Councilmember Seekings said, "I get it, and I understand."

Mayor Tecklenburg said, "I would, respectfully, say that we get the freeboard done. If we need to go back and revisit the stormwater manual again, I'm fine with that."

Mayor Tecklenburg recognized Councilwoman Jackson.

Councilwoman Jackson said, "Well, that would be my vote. Mr. Mayor, I appreciate Councilmember Seeking's motivation for voting 'no' on this, but I feel like it would be sort of cutting off our noses to spite our face if, in the interim of not coming back with a more holistic, preventing fill for the freeboard requirements, or however we're going to be adjusting it in good conscience to continue to protect the City and make our development as protective as possible. But, what if in the interim we get our audit and then we have nothing on the books? So, I feel like this is at least half a loaf, especially as we go onto the first reading, and then we do, in good conscience, understand the ramifications that we're doing here, that won't be met as thoroughly as the stormwater manual is prepared to do, and we still have the incentive to prevent fill when houses are built under the freeboard regulations. I think that's our next step as a conscientious Council."

Mayor Tecklenburg said, "Any further comments?"

No one else asked to speak.

On a motion of Councilwoman Jackson, one (1) bill (Item L-1) received third reading. It passed third reading on motion by Councilmember Waring, and the bill was immediately ratified as:

2020-032 AN ORDINANCE AMENDING CHAPTER 27 OF THE CODE OF THE CITY OF CHARLESTON, BY AMENDING FLOOD HAZARD PREVENTION AND CONTROL REQUIREMENTS IN SECTION 27-117 TO INCREASE THE FREEBOARD REQUIREMENT FROM ONE FOOT TO TWO FEET FOR ALL NEW RESIDENTIAL AND NON-RESIDENTIAL CONSTRUCTION AND FROM ONE FOOT TO TWO FEET FOR SUBSTANTIAL IMPROVEMENT OF ALL COMMERCIAL, INDUSTRIAL OR OTHER NON-RESIDENTIAL STRUCTURES, EFFECTIVE JULY 1, 2020 (AS AMENDED).

The vote was not unanimous. Councilmembers Brady, Seekings, and Griffin voted nay.

Councilmember Griffin said, "I can't remember, but is Councilmember Gregorie allowed to vote on this? Councilmember Gregorie wasn't here."

Mayor Tecklenburg said, "He was absent at the last meeting."

The Clerk said, "But, he can vote."

Mayor Tecklenburg said, "He is allowed to vote. Can I, again, ask for show of hands on the 'nays' just for the record?"

The Clerk said, "Okay, these are the nays. Okay, we have three."

Councilmember Griffin said, "Can we please get an explanation on that?"

Mayor Tecklenburg said, "Sure. Susan, would you like--?"

Ms. Herdina said, "The motion to renew brings up the matter again, so anybody who is here can vote on that matter."

Councilmember Griffin said, "What was the other motion?"

Ms. Herdina said, "To reconsider, which would have had to have been done at the previous meeting of Council. A motion to renew is done at the subsequent meeting."

Councilmember Waring said, "I just want to thank staff and certainly, the hardy debate we had, I know Councilwoman Jackson and I have a respectful difference on this, and we definitely debated this one. But, our Legal staff did a wonderful job on this. You did a good job on this and I just wanted to thank you. It wasn't easy. We've been discussing this one probably for the better part of a year. I want to specifically thank Councilmember Sakran for bringing it and putting it back on the agenda. He said two weeks ago that he wanted to speak to his constituents and get a little bit more information. He did his due diligence and brought it back. I told him before the meeting that I felt guilty not voting for that deferral because being new to Council, on a difficult subject like this, this is a difficult subject, so I appreciate him doing his homework and being a man of his word and putting it back on the agenda. Thank you, sir."

Mayor Tecklenburg said, "Thank you very much. So, next up is bills up for second reading."

Councilmember Seekings said, "Move to approve one through five."

Councilmember Gregorie said, "Second."

On a motion of Councilmember Seekings, five (5) bills (Items M-1 through M-5) received second reading. They passed second reading on motion by Councilmember Gregorie and third reading on motion of Councilmember Mitchell. On further motion of Councilmember Seekings the rules were suspended, and the bills were immediately ratified as:

2020-033 AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF CHARLESTON BY CHANGING THE ZONE MAP, WHICH IS A PART THEREOF, SO THAT 114 TALL OAK AVENUE (WEST ASHLEY) (0.24 ACRE) (TMS #418-13-00-092) (COUNCIL DISTRICT 9), ANNEXED INTO THE CITY OF CHARLESTON JANUARY 14, 2020 (#2020-010), BE ZONED SINGLE-FAMILY RESIDENTIAL (SR-2) CLASSIFICATION. THE PROPERTY IS OWNED BY MYRTLE GRAVES RAHN MIXSON.

2020-034 AN ORDINANCE TO PROVIDE FOR THE ANNEXATION OF PROPERTY KNOWN AS 340 & 342 WOODLAND SHORES ROAD (0.7 ACRE) (TMS# 343-11-00-112; 343-11-00-111), JAMES ISLAND, CHARLESTON COUNTY, TO THE CITY OF

CHARLESTON, SHOWN WITHIN THE AREA ANNEXED UPON A MAP ATTACHED HERETO AND MAKE IT PART OF DISTRICT 11. THE PROPERTY IS OWNED BY JENNIFER FINGER KRAUSE.

2020-035 AN ORDINANCE TO PROVIDE FOR THE ANNEXATION OF PROPERTY KNOWN AS 513 ARLINGTON DRIVE (0.51 ACRE) (TMS# 310-07-00-090), WEST ASHLEY, CHARLESTON COUNTY, TO THE CITY OF CHARLESTON, SHOWN WITHIN THE AREA ANNEXED UPON A MAP ATTACHED HERETO AND MAKE IT PART OF DISTRICT 11. THE PROPERTY IS OWNED BY VAUGHN LOEFFLER AND SYLVIA DE JONG.

2020-036 AN ORDINANCE TO PROVIDE FOR THE ANNEXATION OF PROPERTY KNOWN AS 1384 JOY AVENUE (0.45 ACRE) (TMS# 352-10-00-015), WEST ASHLEY, CHARLESTON COUNTY, TO THE CITY OF CHARLESTON, SHOWN WITHIN THE AREA ANNEXED UPON A MAP ATTACHED HERETO AND MAKE IT PART OF DISTRICT 9. THE PROPERTY IS OWNED BY GARY H SEEL AND HOPE E SEEL.

2020-037 AN ORDINANCE TO AMEND CHAPTER 2, ADMINISTRATION, ARTICLE IX, DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT, OF THE CODE OF THE CITY OF CHARLESTON, TO AMEND SECTION 2-286 TO INCREASE MEMBERSHIP ON THE REDEVELOPMENT AND PRESERVATION COMMISSION FROM TWELVE (12) TO THIRTEEN (13) MEMBERS.

Mayor Tecklenburg said, "So, next we have our one bill that's up for first reading, and that's related to the one we just had for third reading. This is to increase the freeboard requirement from one to two feet for, it says new residential and non-residential construction, and from one to two for substantial improvement of all residential and non-residential structures. So, it includes everything. It's almost like an amendment to what we had, but it's first reading basically of an amendment to the freeboard."

Councilmember Shahid said, "Move for approval."

Mayor Tecklenburg said, "We have a motion to approve and a second. Any discussion?"

Mayor Tecklenburg recognized Councilmember Griffin.

Councilmember Griffin said, "Can we get an explanation on this one a little bit? I'm confused. This is so much like what we just passed. Why are we voting on something so similar as a first reading when we just voted on a third reading?"

Councilmember Seekings said, "Because this includes renovations."

Councilmember Griffin said, "How did it end up on the agenda? Was this brought forward by you, Mr. Mayor, or someone on Council?"

Mayor Tecklenburg said, "It was brought forward by the administration, yes, by me. So, one of the reasons we did it this way was because when you get the third reading of that other matter, if you want to amend something then there are different rules of the game. So, I just thought it would be clearer to, number one, differ the discussion, because I think we had pretty good concurrence on the new construction and some more discussion about existing homes. So, we separated it, so we could separate that issue."

Mayor Tecklenburg recognized Councilmember Appel.

Councilmember Appel said, "Thank you, Mr. Mayor. This is a very complex and important issue. I think it's great that we've adopted half of a loaf of bread tonight. We made serious progress on that issue. In order to, perhaps, learn from what we just experienced this first go-round, I would just ask, let's find a way to pull all this information together, so we can all, sitting around this table, have a very clear sense of what we're dealing with. Let's look and take up the issue of fill. Let's look and take up the issue of the CRS rating. Let's look and take up the issue that Councilmember Waring is very much on target about. So, when we get here in the next two weeks, or four weeks from now, we can have as informed as a discussion as possible. This is a very complex issue. This is not one where you can just pull up your agenda packet on a Thursday and be ready for this on a Tuesday. We need to have some documentations from the experts internally, explain these various components, put it in a memo, whatever the case may be, so that we can all feel comfortable and confident that we're attacking this issue as intelligently and as deliberately as possible. It's an important issue, and let's get it right this time."

Mayor Tecklenburg recognized Councilmember Waring.

Councilmember Waring said, "Mr. Mayor, I agree with Councilmember Appel. If we're going to do this, let's have public hearings, and not just in this Council Chamber. Let's go around from community to community because people need to know the additional costs. We're talking about a discount, potentially, on points, on flood insurance. The citizens in the City of Charleston need to know the potential costs, the seven votes on this Council will cost, in particular existing homeowners, should substantial damage occur to their homes for any reason. Right now, I'm a firm believer that in the high 99th percentile, the majority of citizens don't know the potential costs of what it would be if a vote of Council, seven votes of Council, would be putting on existing homeowners. But, not having that discussion tonight, we need to go around and have public hearings on this, on James Island, West Ashley, Daniel Island, because it affects them, too. One of the issues I brought up last night, yesterday evening, in the meeting was this issue has been marginalized by being an issue that affects the poor. That's just not true.

One of the examples I brought, it was probably one of the most successful areas in the City of Charleston, is Daniel Island from an engineering standpoint. All the storm events we've had in the last six years, they didn't have one house to flood over there. That's because they have the most current engineering drainage system in the City of Charleston, and I commend them for it. By the same token, every house over there is at the elevation of FEMA, 13 and a half or fourteen and a half. Why should a house on Daniel Island have, if they got substantial damage from a fire, to undergo jacking the house up twelve more inches or in some cases two feet? The narrative out there is it's going to cost about \$2,500. That's just not accurate. So, that's why we need to have these public hearings. The cost of jacking up a house is substantial. The narrative put out there was 'well, if you're jacking your house up anyway, why not go up one more foot?' That's not the narrative with people who have existing houses. In their case, in particular if they didn't flood, why jack the house up at all? Because sea level may rise 40 years from now? There are too many people in this area that cannot afford to jack up homes because of our policies, not because of the Federal Government's policy, not because of State government's policy, because of a policy that the government closest to them put in place. So, if we're going to do this, let's not just keep it within the staff and the thirteen people who will vote on this. Let's truly roll it out to the public and hear from the public on this. Thank you, Mr. Mayor."

Mayor Tecklenburg recognized Councilmember Shahid.

Councilmember Shahid said, "Thank you, Mr. Mayor. I'm looking at Mr. Lindsey. In the presentation that you gave us earlier this evening, how does this issue fall into our Comprehensive Plan that you've been starting to work on? How does this all mesh together?"

Mr. Lindsey said, "This specific issue is not something that the Comprehensive Plan is going to recommend on. You need to solve this issue separately and in its own environment. However, we are going to look at areas that currently flood, areas that will flood in the future due to sea-level rise, and the reasons that they flood. Then, we will look at entitlements. Do you need to be decreased or increased, as a result of that? So, we will be looking at the issue of flooding, however the specifics of one foot versus two feet is not going to be addressed by the comprehensive plan. That's a separate effort."

Councilmember Shahid said, "So, just as a follow-up then to the suggestion on the public aspect of this, I think this is a critical idea to do. We have the time between now and second and third reading to take the show on the road. Let's get public input on this issue."

Mayor Tecklenburg recognized Councilmember Griffin, followed by Councilmember Gregorie.

Councilmember Griffin said, "I just want to remind everybody that we did have a workshop on this for several hours, and we did bring in people to talk about this issue. This isn't the first time we've talked about it. Really, honestly, what this reminds me of is we could end up spending hours and hours again talking about what we just voted on. With all those hours we just put in, and we couldn't come up with this, what makes you think that we're going to do that now? I'm going to make a motion that we defer this. I think this needs a little more thought. Seeing as how we've already approved something tonight, I don't see why we should vote on something else right now."

Mayor Tecklenburg said, "We have a motion to defer. Is there a second?"

Councilmember Waring said, "Can I ask a question about the deferral? We could just vote it up or down tonight, instead of deferring it. We still can go about getting that information, but we can vote it up or down and be done with it, and still have those public hearings."

Mayor Tecklenburg recognized Councilmember Gregorie.

Councilmember Gregorie said, "If what we experience on the Westside, when we brought this issue up, is any indication of how this is going to play, it's not going to play very well at all. They were adamantly opposed to this provision. Now, I know you just put it here, but we explained to them what was going on."

Mayor Tecklenburg said, "This was where?"

Councilmember Gregorie said, "This was at our Westside neighborhood meeting. I think we should defer it and have a public hearing on this because I think if you get a public hearing on it, this room will be full. I'm talking about the first reading, N-1. I'm not talking about L-1, but N-1."

Mayor Tecklenburg said, "Right. We've already passed L-1, so did you make a second to his motion?"

Councilmember Gregorie said, "To his deferral, yes."

Mayor Tecklenburg said, "So, we now have a second. Did anybody else want to be recognized?"

Mayor Tecklenburg recognized Councilmember Shealy.

Councilmember Shealy said, "Mr. Mayor, I would like to recuse myself."

Mayor Tecklenburg recognized Councilmember Brady.

Councilmember Brady said, "Thank you, Mr. Mayor. So, I think this gives us an opportunity, because one of the reasons I voted nay on the third reading was about what Councilmember Seekings said about not being able to ban fill. I think this gives us that chance, but also on the substantial improvements to the structure, we can have the discussion around establishing a fund to help people who can't afford to do it. We can have that conversation. I think that's important to have because I don't think we should necessarily gut it from the ordinance or vote it down just because of that being in there. We can come up with a solution to help in that regard, so I'm in favor of moving this version forward, as well."

Mayor Tecklenburg said, "Thank you."

Mayor Tecklenburg recognized Councilmember Seekings.

Councilmember Seekings said, "Can I just ask a quick question of Mr. Julka? So, Mr. Julka gave us all an excellent presentation. It was excellent. It explains exactly what freeboard is and what it isn't. I think one of the things we need to all be clear about is freeboard does not equal the currently existing elevation of a house. There are some places where you are well below freeboard, so freeboard plus two could be seven, could be eight in my district, the very low parts of the old Peninsula. So, this is complicated. We had a long discussion about this. You remember, the last time there was some thought about exempting the Old Historic District. We didn't get to that. There are a lot of moving parts on this, and I think I'd love to hear back from Mr. Julka to explain it all again. I have a question for you, and I don't know if this is possible. I don't want to make work. But, is there a way to do a map that shows us, in some dimension, freeboard, and where houses sit relative to freeboard today? Then, so we know if you have substantial improvement to 63 Gibbes Street, what that really means in absolute elevation if we pass this. I know that's probably a lot of work, right? I'm looking to our team over here, too."

Mayor Tecklenburg said, "That's our goal, to get there one day."

Councilmember Seekings said, "I think if we're going to get there, Mr. Mayor, we should do it sooner rather than later, so when we pass an ordinance and dump it on people, let me rephrase that, we pass an ordinance and people are subject to it, they know if they are going through substantial improvements, how many feet they've got to go up, because that then has BAR implications, zoning implications, has so many implications. Again, I'm not thinking inwardly, in terms of District Eight, but it goes across the Peninsula. So, I think caution on this one is still the word, and I do believe that Mr. Julka's presentation, when did you give that? It was before we had the elections. Right, it was awhile. Really, we need to get that presentation again. I keep it on my desk. It's excellent. I think we should get it into your hands, so you see what freeboard means, how it affects certain areas. Then, we can go ahead and look at elevation charts, and people will know, to a property certain, what freeboard plus two means if you have substantial improvements."

Does it mean two feet? Does it mean four feet? So, anyway, thank you for allowing me time. Deferral or not, I think that's something we need to do, and we need to get on this, even if we vote this down tonight. This is something we've got to do, and I'm asking Mr. Julka, I think, for some help."

Mayor Tecklenburg said, "So, I am going to allow Mr. Julka to respond."

Mr. Julka said, "Sure. Making a determination of where buildings currently sit and where they sit in relation to the base flood elevation in that particular location, right, so every flood zone in the City has a different base flood elevation. There's no single base flood elevation, city-wide. So, there are lots of different base flood elevations across the City. Determining where a building is related to that base flood elevation is more difficult in the historic areas of the City because we would have to do an inventory of the lowest floor elevation of every building to know that. Now, in newer parts of the City, particularly 70's onward, we would have a pretty good determination of the lowest floor, or an estimate of the lowest floor elevation of those buildings, because that's when our base flood elevations first came into effect in Charleston. So, we would know, based off the time that a particular neighborhood was built, probably where it sits because it would have had to have been built to that base flood elevation."

Councilmember Seekings said, "So, thank you for that. I totally get it, and when you say 70's, for my district that 1870's, not 1970's, or 1770's. Again, look at some point, sooner or later, people are going to come in one at a time or two or three at a time and say, 'We're going to do substantial improvements. It floods in our area. Where do we have to go?' So, we're going to have to do that anyway, and eventually, we'll have to get there. I know it's super complicated, but in order to vote for this and then go out there when people ask any one of us in their district, me in particular, but there are others here that have old historic districts. 'What does it mean for me if I'm doing substantial improvements, how high do I need to go, and is it even possible with BAR regulations and zoning?' We're going to have to go property by property."

Mayor Tecklenburg said, "So, I'd like to just comment and to add what Mr. Julka shared, and that is you're not required to do this, unless you're in a flood protection area. So, if you're in one of those special flood protection areas, and you have a mortgage on your home, and I know some people own their homes free and clear, then you have to have, most banks and mortgages require that you have flood insurance. So, to get flood insurance, you have to have an elevation certificate done on your house. So, that's how you know for that specific property what that delta is, between your lowest living level and what freeboard plus two would mean. Right now, we've got it set at freeboard plus one. I do want to share with Council, and I've inquired about this, there's a day that we'll get to where we, as a City, know the base flood elevation of every property in every special flood protection area. Unfortunately, and other cities have tried it as well, when you just do a scan of people's reports, and we collected as many as we can, but those reports have changed over the years, and they don't put the information for what we're looking for in the same place. So, it needs to be entered by hand by someone going through flood elevation certificates one at a time and building a new database, in order to be able to punch a button and say, 'okay, how many properties in the special flood protection area are at what level and would be impacted by going from the trap that they're already in,' we've acknowledged, we've talked about this, 'of going from freeboard plus one to freeboard plus two.' I know you say sooner rather than later, but the task of getting that done could, realistically take us a year or so to accomplish. That's a big job, and it's something that very few communities have accomplished so far."

Mr. Fountain said, "Just adding very briefly to that, it would be very hard to go house by house and do an elevation determination. Mr. Lindsey and I were just talking about this actually,

that we could look at some of the data and look at the flood elevations and sort of say, 'how high off the ground would a house likely have to be in order to meet the current requirements?' That wouldn't tell you if those houses already have crawlspace and already meet requirements, but would give you a sense of a neighborhood perspective of if houses are generally going to meet, or are they generally going to be too low. So, it's starting to provide more data, even if it's not all the data."

Mayor Tecklenburg said, "So, we have a motion on the floor to defer. Could I just make a suggestion? I'm hearing all this. I'd like to hear from the new Councilmembers if they'd like the opportunity for a new presentation of the information that Councilmember Seekings referred to, that Mr. Julka has done before. They weren't on board on the Council when we took this matter up, even though we had very long conversations about it, and I'd like to hear from you all. So, they haven't been heard yet. Councilmember Delcioppo. I will come back to Councilmember Griffin and Jackson."

Councilwoman Delcioppo said, "So, that meeting that Mr. Julka did was well after all of us had announced our candidacy and I sat here. It was open to the public, and we had that opportunity to be here. I think for him to have to put together something again for new Councilmembers, which I'm beginning to resent words being put in my mouth that I don't know information because I'm new, which is completely false. When I decided to run, I had a 50/50 percent chance of sitting in this seat, so dang right I started to do my homework. I started to come to Council meetings, and I came to that presentation and others. Do I know this inside and out? I don't. But, I do understand what I'm being asked to vote on, and I do understand my constituents' concerns. So, I don't feel as though we need to have yet another presentation and even more hours upon hours of dialogue. I agree with Councilman Griffin on that. We've had it."

Mayor Tecklenburg recognized Councilmember Griffin.

Councilmember Griffin said, "I just have a question for Mr. Julka. Do you have any idea when the Charleston FEMA map is coming out?"

Mr. Julka said, "The simple answer is no. The longer answer is it should happen this year."

Councilmember Griffin said, "Berkeley County has already gotten theirs, and that would be a big help to us."

Mr. Julka said, "That is certainly a very important consideration that's part of this whole conversation because almost all of Charleston County is seeing base flood elevations decrease on the new maps. An important concern there is that, with base flood elevations decreasing in this iteration of the maps, when the next iteration of the maps come around ten, twelve years from now if all of those base flood elevations go back up, where does that leave people who have built based on the lower base flood elevations in the meantime?"

Councilmember Griffin said, "I heard also that there's a chance that a lot of people that are actually in a special flood zone now may not be in one with these new maps."

Mr. Julka said, "That's right."

Mayor Tecklenburg said, "And our ordinance only applies to people who are in the special flood areas. So, if they're removed then the requirement would be removed."

Mayor Tecklenburg recognized Councilwoman Jackson.

Councilwoman Jackson said, "Thank you, Mr. Mayor. I mean, I'm certainly willing to think that we need to bring ourselves back up to speed to where we were when this was first voted on and given first reading and then second reading. I do feel like we had a ton of information provided to us, and the one missing element that I think now, especially your new concerns, Councilmember Waring, about people that are not just low income who own their homes and don't have insurance, but talking about people that are insured and going to have a disaster, God forbid, that would take their house out and make them have to rebuild and replace their house. That's a whole different construct. So, we had a lot of expertise from the insurance industry speak to us and also the construction industry, and we sort of discounted that one debate at a time. I do think it would be very helpful, for all of us, to have a baseline of facts that we could then say, 'we're making our minds up because we know this and we believe this, and subsequently, we're going to make a good decision based on these facts.' Frankly, my understanding of the insurance industry today, yes if you have a mortgage and you're in a flood zone, you have to have flood insurance. Even if you don't have a mortgage, which is the case of many of us, if you're in a flood zone, you have to have flood insurance because you won't get homeowners insurance if you don't have flood insurance. That's just a fact of the insurance requirements today. That is the truth from my own home. I live 12 feet off the ground. I don't have a mortgage, and my homeowners' insurance won't write us for regular wind, hail, and disaster, not including flood, unless we have a flood insurance policy in place. I pay very little for it, thank heaven, because it's never going to be put into action. But, we have to have that, and even if you're not in a place where you have to have flood insurance, and you have a home loss, and we require you to build it up, your replacement coverage for your homeowners is going to cover the cost of putting your house to building code, which is what we will be requiring. Freeboard is a building code. So, I really feel like we need to have sort of those baseline factual information. Then, we can say we don't believe them but, please, let's have some experts give us that kind of decision making criteria, because I really feel like now we're going on a lot of memory that we've accumulated over the last year discussing this, and we're not really thinking clearly about the facts that we have. I would like to do first reading tonight, so that we can start that ball again. I don't want FEMA to come and investigate us, or audit us, or whatever, visit us to give us our new rating and have this left undone."

Councilmember Waring said, "Mr. Mayor, I just want to correct. She took me out of context. The newspapers are already taking me out of context saying that my argument is based on the poor. My argument has always been a broader argument. It's not a new argument. I had that same argument for a better part of a year, so it's much more than low-income people."

Councilwoman Jackson said, "I stand corrected on that, Councilmember Waring, but I do think we need to take the insurance industry into consideration. Let's have some case studies. Let's make a 'what if' example of this homeowner versus this homeowner."

Mayor Tecklenburg recognized Councilmember Sakran.

Councilmember Sakran said, "Thank you, Mr. Mayor. This will be short and sweet. Last time, I was the guy who wanted deferral, and I'm going to make that motion again or second that motion that Harry made. It's not because I need additional information, but I was elected by a diverse group of constituents, and I want to make sure that they're aware of this. My first indication two nights ago, or a couple nights ago, at the Westside was that they were not aware of it. It's not that they're just not aware, but I think if we explain, we'll probably get more support. So, I'm doing

that mainly because I want to get back to them, my constituents, and explain the process to them. I think that's very important to do."

Mayor Tecklenburg said, "We have a motion on the floor to defer. Any conversation on the motion to defer at this point?"

Councilmember Shahid said, "On the motion to defer, let's go back full circle of what started this conversation, which Councilmember Appel said and what Councilmember Waring said, not that we need to be reintroduced to this so much, but taking it to the public and educating the public on this. So, if we give this first reading tonight, we take this to the public, let's have these public hearings on this. Let's let the public weigh in on this, so we all get a sense from our constituents on what they feel about this. I think all of this discussion is heady discussion. It's very important discussion, and misinformation is the worst thing we can do with that. So, if our constituents are informed, or they have the opportunity to be informed one what's going on, we're going to be better in representing them. Let's do that. Let's give it first reading and come back and see how this plays out with our public hearings on going to our constituents."

Mayor Tecklenburg recognized Councilmember Appel.

Councilmember Appel said, "Real quickly on this, I'm a big believer in the democratic process, getting out in the community and talking to people. I don't think we're even close to being in a position to do that. This reminds me of when we sent Matt to Johns Island to have a public hearing on the stormwater manual. Honestly, I don't think we should have had a public hearing on the stormwater manual. It's a technical document that is enormously complex. I don't think anybody, respectfully, understands the ins and outs of those complexities, and we don't need to really. That's what our staff and our experts are for. If we're going to go to the community on this issue, I want to have a two page, four page, whatever how many page document that we can provide to the community with facts. Until we have that, going to the community makes no sense on this issue because it's extremely complex. We are just going to start winding ourselves up into major knots. The good news is we've got all the information. Let's just put it all together and go out and gather the feedback."

Mayor Tecklenburg said, "Alright. Last shot, last call. The motion to defer."

Mayor Tecklenburg recognized Councilmember Griffin.

Councilmember Griffin said, "Let's just make sure that when we go to the community, whenever this time, we let them know that we've already passed part of it and explain all of that, as well."

Mayor Tecklenburg said, "You're right. Absolutely. I'm agreeing with you, sorry to interrupt you."

Councilmember Griffin said, "I don't remember the last time that happened."

Councilmember Seekings said, "A rare moment in history."

There was laughter in the Chamber.

Councilmember Griffin said, "But, anyway, people need to know, we've already passed one part. So, it's not a completely fresh idea and so, when we go out to the community they need

to know, really, we're in agreeance on one part of it, but we've got this bigger thing that we're still looking at."

Mayor Tecklenburg said, "Okay, the motion on the floor is to defer this matter."

On a motion of Councilmember Griffin, seconded by Councilmember Gregorie, City Council considered deferring Item N-1 on the agenda.

The vote was not unanimous. Councilmembers Sakran, Gregorie, Seekings, and Griffin voted in favor of the motion. Councilmember Shealy abstained from voting. The motion failed 8 to 4 with one abstention.

Mayor Tecklenburg said, "Call a roll call, please."

The Clerk said, "Yes. Let me do a roll call vote. Councilwoman Delcioppo."

Councilwoman Delcioppo said, "Nay."

The Clerk said, "Councilmember Shealy."

Councilmember Shealy said, "Recuse."

The Clerk said, "That's right. Councilmember Sakran."

Councilmember Sakran said, "Yes. Yea."

The Clerk said, "Councilmember Mitchell."

Councilmember Mitchell said, "Nay."

The Clerk said, "Councilmember Brady."

Councilmember Brady said, "Nay."

The Clerk said, "Councilmember Gregorie."

Councilmember Gregorie said, "Yea."

The Clerk said, "Councilmember Waring."

Councilmember Waring said, "Nay."

The Clerk said, "Councilmember Seekings."

Councilmember Seekings said, "Aye."

The Clerk said, "Councilmember Shahid."

Councilmember Shahid said, "No."

The Clerk said, "Councilmember Griffin."

Councilmember Griffin said, "Yes."

The Clerk said, "Councilmember Appel."

Councilmember Appel said, "Nay."

The Clerk said, "Councilwoman Jackson."

Councilwoman Jackson said, "Nay."

The Clerk said, "Mayor Tecklenburg."

Mayor Tecklenburg said, "Nay. So, the nays carry. The motion is still on the floor to give first reading to the matter."

Councilmember Seekings said, "Call the question."

Mayor Tecklenburg said, "I would like to make a comment myself and share with you all that the overriding purpose about this whole matter, both new construction and existing, is for long-term protection from flooding and sea level rise. I don't want us to lose sight of the ultimate reason why this whole thing was brought forward. I know there's been discussion about going further than what our neighboring jurisdictions have done. I'd even welcome, maybe in the future, a motion to go to three feet. But, I do believe from the development community that it would be good to be consistent with the County, Mount Pleasant, and North Charleston. Everybody's at two feet for everything. This would make us consistent with them. This would also take the uncertainty out of us getting the extra CRS points, which will save over \$1 million city-wide for our policy holders for flood insurance. This is only applicable in special flood protection areas and not everywhere. It's over half of our City, I admit, but it's not everywhere. Citizens are already required, we've had a long discussion about this before, to go to freeboard plus one. So, what we're doing is just adding one more foot of delta. If a big disaster occurred, we've all seen that FEMA will come forward and help our citizens. I know there's a good thought to create our own fund to help citizens in need when this occasion would arise that they would have to elevate their home to meet this requirement. I do want to share with you all, a very good possibility, it hasn't passed yet, but it's part of the State budget, the head of the Ways and Means brought this forward, a disaster relief and resilience reserve fund that will be funded with \$50 million this year by the State of South Carolina. The second provision of this State-wide fund is, in fact, for infrastructure repair for homeowners that are not eligible for other grants like disaster recovery and federal funding assistance. So, not only can we explore the City having such a thing, but the State government is doing that, as well. So, I would support first reading tonight, and I do agree that we should have a further conversation about fill, getting us there. That's a valid discussion that needs to occur. We ought to get all our facts together and go to the public with this before giving second and third reading. So, I just wanted to add my remarks."

Mayor Tecklenburg recognized Councilmember Mitchell.

Councilmember Mitchell said, "In the essence of the public housing, what role would they play if this happened? They're federal, but they're public housing owned by someone. Would passing this, and they're in a flood hazard area, like my house is also, what's going to happen to them?"

Mayor Tecklenburg said, "The same rules would apply. If they wanted to renovate Gadsden Green, and the renovation was more than 50% of the value of the property, they would have to elevate."

Councilmember Mitchell said, "That's what I'm saying. How would they lift a housing complex up when they're low on the ground as it is now? They're low on the ground, the public housing. How would they--?"

Mayor Tecklenburg said, "In some cases, I would propose that it would be easier and better to start all over again depending on the condition of the property, but they'll have to follow, they have to follow that right now. They're in the same trap. They've got to go to freeboard plus one now. I bet Gadsden Green is, I don't know where it stands in terms of its flood elevation, so I hate to even say it, but any property right now below freeboard plus one, if they had a substantial renovation, would have to come up if they're in a special flood protection area."

Mayor Tecklenburg recognized Councilmember Waring.

Councilmember Waring said, "I have a question of our Counsel. Ms. Herdina, could you come to the microphone? We're depending a good bit on FEMA on this for funding, what's the area in your district, the townhouses we bought? Bridgepoint. We voted for a City match on that when Mayor Riley was Mayor."

Ms. Herdina said, "We had a 10% match."

Councilmember Griffin said, "Seven, five."

Ms. Herdina said, "Are you talking about the ones we just closed on?"

Councilmember Waring said, "That's right. We voted on that in 2015 for the City to put money up as we applied for the Federal grant. How long did it take for applying for the grant and eventually buy-out for the people? How many years did it take?"

Ms. Herdina said, "Three. Stephen's probably in a better position to answer that."

Mr. Julka said, "Way too long."

Councilmember Waring said, "No, no, seriously. I don't want to be in jest with this. How long did it take?"

Mr. Julka said, "It took about three years from the flooding event until they were gone."

Councilmember Waring said, "Now, hypothetically, we have a super storm that hits Charleston. Every house that's on a slab cannot be lifted. There are a lot of homes on slab on grade in the City of Charleston. Our dependence is going to be on FEMA coming forward, to help these people out. The FEMA requirement is to bring it up to what height, Mr. Julka?"

Mr. Julka said, "To the base flood elevation."

Councilmember Waring said, "And how does FEMA determine that? Is it fourteen and a half? Is it fifteen and a half? What is FEMA?"

Mr. Julka said, "The base flood elevation is tied to the specific flood zone that's showed on the flood insurance rate map."

Councilmember Waring said, "Is FEMA's requirement fourteen and a half or fifteen and a half?"

Mr. Julka said, "It's different in every flood zone."

Councilmember Waring said, "Our requirements are higher than FEMA's, as I understand."

Mr. Julka said, "That's right. Our current requirement is one foot above the base flood elevation."

Councilmember Waring said, "Alright, and on new construction we've already voted to go to two. Now, we're placating the subject saying FEMA and the Federal government and the State will come up with, potentially, \$50 million. When these super storms come through, they do billions of dollars' worth of damage. So, I hear you, Mr. Brady, on the City potentially coming up with monies to do it but, financially, we flat out don't have the money. Our whole budget is about \$226 million, something like that. We could dedicate the whole \$226 million if a super storm were to hit, and it wouldn't be enough money. We always talk about points for flood insurance. If we're going to do the facts on this, let's not run a campaign. The campaign is over with. As a matter of fact, we all deferred this until after the campaign. I deferred it because I wanted a factual discussion and did not want a campaign because it affects so many people in our districts and our City. So, when you're talking about helping people lift their homes, you're talking about a major expense that we're assigning to people, and they don't even know it. They have to have an endorsement on their policy to pay for that. When we increase the cost of construction, the cost of homeowners insurance increases, as well. We have not done a good job bringing forth the facts on that. We have talked, consistently, about a 4-5% discount on flood insurance. Flood insurance covers one peril, that's flooding. Flood insurance does not cover the many perils that a homeowner's policy covers.

So, hypothetically, it's not hypothetical, if you increase the cost of construction, if you increase the cost of replacement, homeowners premiums will rise. We have not heard one penny of what that increase will be. Homeowner's insurance, in most cases, is higher than the flood insurance. So, if the homeowner's policy increases, that increase is going to impact the homeowner much more than the increase on the flood insurance or the 5% that they're going to save on the deduction of the flood insurance. We're doing a lot of effort to save on flood insurance, looking straight past what it's going to cost many people, who are on fixed incomes, on their homeowner's insurance. So, I understand we have a difference on this, but you're talking about houses being boarded up for years before people could get back in their own homes. I've seen the desolate neighborhoods with the houses boarded up. Can you imagine Charleston being boarded up like that, even if it were just for three years? I could tell you, those people in Bridgepoint certainly knew, that was an eternity. They couldn't buy another house, in some cases, until they got their claim solved to get money to go forward. Let's extrapolate that, potentially, over 1,000 homes.

We have not thought this through. It sounds great in a campaign. We could have it up to twenty feet. We haven't even heard, I'm surprised that people from the disabilities haven't come, how high will the handicap ramps have to be? They'll look like roller coasters in some neighborhoods. Councilman Seekings is right. In some of his district, it may be five or six feet they

have to come up. So, if you're disabled in that case, that means you have to get an elevator? Will a handicap ramp do if you're six feet off the ground? We haven't thought this through, but we're willing to assign the cost to people, and they don't know that cost is coming. So, I appreciate having the time to hear myself, because this one is not a campaign issue. If it were a campaign issue, and we truly explained this to the homeowners and the voters out there, many of us would not be back on this Council. Thank you, Mr. Mayor."

Mayor Tecklenburg said, "Anyone else?"

No one else asked to speak.

On a motion of Councilmember Shahid, seconded by Councilwoman Jackson, City Council considered giving first reading to Item N-1 on the agenda.

The vote was not unanimous. Councilmembers Brady, Shahid, Appel, Councilwoman Jackson, and Mayor Tecklenburg voted in favor of the motion. Councilmember Sakran abstained from voting. The motion failed 7 to 5 with one abstention.

Mayor Tecklenburg said, "Roll call, please?"

The Clerk said, "Yes. Councilwoman Delcioppo."

Councilwoman Delcioppo said, "Nay."

The Clerk said, "Councilmember Shealy."

Councilmember Shealy said, "Recuse."

The Clerk said, "Councilmember Sakran."

Councilmember Sakran said, "Nay."

The Clerk said, "Councilmember Mitchell."

Councilmember Mitchell said, "Nay."

The Clerk said, "Councilmember Brady."

Councilmember Brady said, "Aye."

The Clerk said, "Councilmember Gregorie."

Councilmember Gregorie said, "Nay."

The Clerk said, "Councilmember Waring."

Councilmember Waring said, "Nay."

The Clerk said, "Councilmember Seekings."

Councilmember Seekings said, "Nay."

The Clerk said, "Councilmember Shahid."

Councilmember Shahid said, "Yes."

The Clerk said, "Councilmember Griffin."

Councilmember Griffin said, "Nay."

The Clerk said, "Councilmember Appel."

Councilmember Appel said, "Yes."

The Clerk said, "Councilwoman Jackson."

Councilwoman Jackson said, "Yes."

The Clerk said, "Mayor Tecklenburg."

Mayor Tecklenburg said, "Yes. I think the motion failed. So, I appreciate the fact that we got new construction passed, and we got a decision on existing construction. So, thank you all for that. Next, we're going to have a little Executive Session regarding WestEdge Development. I guess we'll reconvene in my office. Thanks to Rick Jerue, we do have some crackers."

Councilmember Seekings said, "Mr. Mayor, I think we're also going to discuss the Fire Station."

Mayor Tecklenburg said, "We'll also discuss another matter from Ways and Means."

On a motion of Councilmember Gregorie, seconded by Councilmember Shahid, City Council voted unanimously to go into Executive Session at 7:53 p.m.

On a motion of Councilmember Waring, seconded by Councilmember Gregorie, City Council voted unanimously to come out of Executive Session at 8:53 p.m.

Mayor Tecklenburg said, "Let the record show that no action was taken while we were in Executive Session. Can I entertain a motion to approve the item that was on Ways and Means that we deferred?"

Councilmember Shahid said, "So moved."

Councilmember Shealy said, "Second."

Mayor Tecklenburg said, "I've got a motion and a second to approve that zero dollar construction amendment."

Ms. Herdina said, "Mayor, I think we just have to make a motion to reopen Ways and Means. It was suspended, so I think we need to do that."

Mayor Tecklenburg said, "Okay, we're going to have a motion to reopen Ways and Means. Can I entertain a motion to recess the City Council meeting and reconvene Ways and Means?"

Councilmember Mitchell said, "So moved."

Councilmember Shealy said, "Second."

On a motion of Councilmember Mitchell, seconded by Councilmember Shealy, City Council voted unanimously to recess the City Council meeting and reconvene the Ways and Means Committee at 8:53 p.m.

City Council reconvened at 8:56 p.m.

Mayor Tecklenburg said, "City Council is hereby reconvened, and we just need to affirm the vote of the Committee report from Ways and Means. Mr. Chairman, do you want to ask for a confirmation of your Committee?"

Councilmember Gregorie said, "Yes."

Councilmember Griffin said, "No, we don't have to vote again."

Councilmember Shahid said, "Yes, we do."

Mayor Tecklenburg said, "Yes, we do. City Council now needs to affirm what the Ways and Means Committee passed. Can I have a motion to do that? We're adopting their report."

Councilmember Seekings said, "Move to adopt the report, which includes the vote we just took."

Councilmember Waring said, "Second."

Mayor Tecklenburg said, "Any discussion?"

No one asked to speak.

On a motion of Councilmember Seekings, seconded by Councilmember Waring, City Council voted to adopt the recommendation of the Committee on Ways and Means to disapprove Item #10 on the Committee on Ways and Means agenda:

(Parks-Capital Projects: Approval of CFD Savannah Highway Fire Station #11 Change Order #13 with NBM Construction Company, Inc. in the amount of \$0.00 which modifies the contract by: adding 5 weather days for a new substantial completion date of 12/26/2019, if NBM achieves substantial completion by June 5, 2020, all liquidated damages are waived, however, if this date is not achieved the City is entitled to recover all liquidated damages, the City reserves the right to issue joint checks to contractor and subs/vendors/supplies or design professionals. Approval of Change Order #13 will increase the Construction Contract by \$0.00. The funding sources for this project are the Installment Purchase Revenue Bond (\$7,989,524), Proceeds from Sale of Real Estate (\$1,135,607.64), Surplus Sales (\$1,130.02), and Hospitality Funds (\$380,000).
(Disapprove))

There being no further business, the meeting was adjourned at 8:56 p.m.

Vanessa Turner Maybank
Clerk of Council