

## CITY COUNCIL VIRTUAL MEETING

Regular Meeting

September 8, 2020

The one-hundred and third meeting of the City Council of Charleston was held this date convening at 6:00 p.m. over video conference call (Zoom).

A notice of this meeting and an agenda were made available on the City's website September 3, 2020 and appeared in the Post and Courier on September 7, 2020.

### 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 6:00 p.m.

The Clerk called the roll.

Mayor Tecklenburg led City Council in the Pledge of Allegiance.

Mayor Tecklenburg said, "I must admit that there's something missing at a Zoom meeting about being able to recite things together, but thank you all for that. Could I call on Councilmember Brady to lead us in an invocation, if you all would like to join us? Councilmember Brady."

Councilmember Brady said, "I'd be glad to. Please bow your heads."

Councilmember Brady opened the meeting with an invocation.

Mayor Tecklenburg said, "Thank you, kindly. So, our first order of business is a presentation, a resolution, dedicating one of our Municipal Courtrooms in honor of Judge Richard E. Fields who is with us this evening. Can I entertain a motion to approve this resolution?"

Councilmember Shahid said, "So moved, Mr. Mayor."

Councilmember Gregorie said, "Second."

Mayor Tecklenburg said, "Is there any discussion? We're going to have some more discussion in a minute."

On a motion of Councilmember Shahid, seconded by Councilmember Gregorie, City Council voted unanimously to approve a resolution dedicating a City of Charleston Municipal Courtroom in honor of Judge Richard E. Fields.

Mayor Tecklenburg said, "For those who have not had an opportunity to read the resolution, I would like to share this with everyone for the record. If you're not speaking, if you would kindly put your device on mute, that would be greatly appreciated because we get some feedback."

Mayor Tecklenburg read the resolution.

---INSERT RESOLUTION---

Mayor Tecklenburg said, "Congratulations, Judge Fields."

There was applause.

Mayor Tecklenburg said, "So, Councilmember Shahid if you would like to make a couple of remarks. Then, I'd like to ask Judge Fields if he could make some remarks to us, as well."

Councilmember Shahid said, "Thank you, Mayor Tecklenburg, members of Council, and Madam Clerk. The Honorable Judge Richard Fields, you were in the Chambers with Judge Jefferson, I believe. I just want to take this opportunity to thank Charles Karesh, who brought all of this to our attention. We were intending to celebrate what we thought was Judge Fields' 100<sup>th</sup> birthday on October 1<sup>st</sup>, and I think actually it's his 101<sup>st</sup> birthday on October 1<sup>st</sup> of 2020. But, I just want to publicly state to the community what a treasure Judge Fields has meant to the City of Charleston and to the State of South Carolina. As a young lawyer, I sort of cut my teeth appearing in front of Judge Fields when I was a member of the Charleston County Public Defender's Office. I observed Judge Fields during that time, and in later life, as someone who always conducted himself as a first class gentleman, a first class scholar, and as a first class Judge. He set the standard for judicial temperament, judicial wisdom, and judicial decisions. I'm looking at Lenny Krawcheck. He's nodding his head with me as I'm mentioning these accolades of Judge Fields. This is not an overstatement as to the value that Judge Fields has brought to our community. He was a trendsetter for our community. As you mentioned, Mayor, in your proclamation, he treated everybody equally and fairly before the law. That is not an understatement as well, or an overstatement. We are blessed, and I put a capital 'B' on that. We are blessed that Judge Fields was our son, a son of the City of Charleston. God bless him. I think that we all would look to him for guidance and wisdom in our early years as lawyers and other Judges. Congratulations, Judge Fields. God bless you. We wish you another hundred years of lifelong community to our City. This is just a fitting tribute to you and to our City. Thank you for the opportunity to honor you in this way."

Mayor Tecklenburg said, "Thank you, Councilmember Shahid. Judge Fields."

Judge Richard E. Fields said, "Yes, sir, Mr. Mayor."

Mayor Tecklenburg said, "God bless you. Welcome."

Judge Fields said, "Thank you very much."

Mayor Tecklenburg said, "The floor is open if you would like to make any remarks."

Judge Fields said, "I'm overwhelmed by this event honoring me in this manner. I'm particularly overwhelmed by the fact that I've received this honor from a young man who is now our Mayor and whose father was one of my very, very best friends."

Mayor Tecklenburg said, "God bless you."

Judge Fields continued, "In my earliest days as an attorney, I don't want to seem glib, but as I hear these remarks, I'm reminded of a bereaving widow who sat on the first pew of a ceremony honoring her husband who was in a casket. After she heard all of those beautiful words about him, she turned to her son, who was about six years old, and said, 'Boy, look in that casket and see if that's him.'"

There was laughter.

Judge Fields said, "I don't know if I'm deserving of all of this honor. I've enjoyed it so much. I've had such a good time, and I've made such great friends. It's been my honor to serve the City of Charleston. I love Charleston. I remember so well in 1947, when I was about to graduate from the law school, friends of mine wanted to take me along with them to New York, to Illinois, Chicago, Detroit, and various other places. I said, 'No, I'm going home.' They said, 'They're not going to let you practice law in South Carolina.' I said, 'Oh, yeah. They will.' I've always loved South Carolina. It's my home. It's the place where my mother and father were. I've had such a great life here and made such great friends. I don't know whether I deserve this honor or not, but I'll be delighted to accept it. Thank you, Mr. Mayor. Thank you for the great work that you're doing for the City of Charleston. Thank you for the many friends that I've made as a Judicial Officer in the State of South Carolina not only in the City of Charleston, but across this entire State, everywhere I've been. In those days, I was received with such grace and such honor. I'll never forget it. I don't know why I'm blessed to live to be 100 or 101. My birth certificate says I'm 100, but my father said I would be 101. I'll accept either one. It's been such a great honor to serve the people of the City of Charleston and a great honor to live in the City of Charleston and to consider myself a South Carolinian. Thank you very much, Mr. Mayor, and members of the City Council of Charleston. Thank you very much."

Mayor Tecklenburg said, "God bless you. An amazing gentleman."

Mayor Tecklenburg recognized Councilmember Gregorie.

Councilmember Gregorie said, "Yes, Mr. Mayor, I would be remiss. Judge Fields, your classmate, one of them that is still alive. That's Mrs. Margaret Dudley Gregorie. I think you knew her as Dudley. She told me to tell you she's right behind you. She's 99, and that 99½ won't do for her. She's going to try to reach your 100. So, she told me to send you her regards."

Judge Fields said, "Nice to see you. You look great. Thank you."

Councilmember Gregorie said, "Thank you."

Mayor Tecklenburg recognized Councilmember Waring.

Councilmember Waring said, "Thank you, Mr. Mayor. It's just such an honor to even see Judge Fields on this Zoom meeting. Judge Fields has been a legend in our community, the first African American lawyer. I will be 65 in a few weeks. The first African American lawyer that I

ever met in my life was Judge Fields. My sister, he hired her as a little student out of high school to work during the summertime. Judge Fields is a man of firsts in this town. The first scholarship that was endowed at the College of Charleston is in the name of Judge Fields. Myself and, you may remember, Tom Waring chaired that process to endow that scholarship.”

Judge Fields said, “Thank you for reminding me of that.”

Councilmember Waring said, “Yes, sir. It’s offered through the Avery Research Center at the College of Charleston. The first student to receive that award, when the student came up Judge Fields asked him a couple of questions. Unbeknownst to the young man, the young man was a relative of Judge Fields, I think, out of Sumter, South Carolina. So, it’s hard to go without finding somebody who knows Judge Fields. I’m looking at this Zoom meeting, and I’m looking at the talent on this particular meeting, yourself and certainly Mr. Lenny Krawcheck, two wonderful gentlemen. When you look at how you act as a citizen in any city, these two men are prime examples for a nation. I’ve never heard this term ‘American exceptionalism’ until President Obama was in the Presidency, but when you speak in terms of American exceptionalism, it’s right here in your own community. It’s right here in the example of Judge Fields. It’s right here in the example of Mr. Krawcheck. We’re so blessed to have you in our community. You have to tell us, Judge Fields, how do you do it? How do you make it to 100? How do you make it to 101 and have the sense of humor that you have today? Thank you so much for God bringing you this way, Judge Fields.”

Judge Fields said, “Thank you. Thank you very much.”

Councilmember Waring said, “Yes, sir.”

Mayor Tecklenburg recognized Councilmember Shahid.

Councilmember Shahid said, “Mr. Mayor, I just wanted to make a comment. I think that there are several members of Judge Fields’ family who are present on the Zoom call. If we were in Council Chambers, we would see them all, but they could just announce themselves. I know that there are several members of the County Bar Association who also joined in as well to take part in this. But, Judge Fields, if there are some family members that you would like to recognize, please, I would like to give them the opportunity to do that.”

Judge Fields said, “Well, the only member of my family really is my sister-in-law, Ms. Ann Fields, who is from Germany and who married my brother many, many years ago and tried to re-raise him. We still love her here. Here is my surrogate daughter, Judge Jefferson, who was my Law Clerk and is my surrogate daughter.”

Judge Deadra Jefferson said, “Absolutely.”

Judge Fields said, “Yes, she is my daughter. I accept her as my daughter. She has been a delight. She’s never left my side, even through her tenure as a Clerk. She was one of my first Clerks.”

Judge Jefferson said, “I also was your last Clerk, or Alicia was his last Clerk. I was next to last.”

Judge Fields said, “Yes. Elizabeth Alston, who is my surrogate daughter and her husband is one of my surrogate sons. She is here with me.”

Judge Jefferson said, "And Ms. Diane."

Judge Fields said, "Diane is on the Zoom. Yes, that's my daughter."

Diane Fields-Reed said, "And your son-in-law."

Councilmember Gregorie said, "Hey, Diane. It's been a long time."

Ms. Fields-Reed said, "Hey, Dudley. Oh, excuse me, Councilman Gregorie. How are you?"

Councilmember Gregorie said, "Incredible."

Judge Jefferson said, "I think Ricky is on, too."

Ms. Fields-Reed said, "He must have walked away."

Mayor Tecklenburg said, "Well, thank you all for being with us and thank you for sharing your father and your surrogate father, a real blessing to our community."

Judge Fields said, "Thank you, Mr. Mayor."

Several family members said, "Thank you."

Councilmember Mitchell said, "Mr. Mayor, I just want to say to the Judge, God bless you. I remember you from Bogard Street and I remember Diane from Bogard Street, and Ricky, all from Bogard Street. That was way back when in the '50s. I know Judge Fields took a cousin of mine, Demar Manigault, and was working with him years and years and years until Demar Manigault was lost. We found him, and now he's back here living on Wadmalaw Island now. So, he is back here now at the number two. So, I would say, God bless you, and to keep on keeping on."

Judge Fields said, "Thank you."

Mayor Tecklenburg said, "Alright. So, if I may move on to our next item on the agenda. Judge Fields, you have set the stage because we are honoring yet another fine Charlestonian gentleman in Lenny Krawcheck, who has served our City so well for over 41 years as Chairman of our Board of Zoning Appeals. So, Lenny, in your honor, I have a proclamation to read as well. Then, I'll call on Councilmember Appel, who requested this. Then, I'll ask for your remarks, as well."

Mayor Tecklenburg read the proclamation.

---INSERT PROCLAMATION---

There was applause.

Mayor Tecklenburg recognized Councilmember Appel.

Councilmember Appel said, "Thank you, Mr. Mayor. What an honor it is today to be able to honor nothing short of a Charleston legend. Lenny Krawcheck is, words just can't describe how great of a guy he is and what he's meant to the City of Charleston for all of these years. I had the pleasure of being a BZA member under Chairman Krawcheck starting in the fall of 2016 and I'm a pretty competitive guy. When I got on the Board, I asked, 'how long has Lenny been on the Board of Zoning Appeals?' I heard, '41 years,' and I said, 'I can beat that'. But, it turns out, I fell a little bit short. It was an honor to be a part of the BZA with Lenny. I learned how to be a better lawyer, a better Board member certainly, and a better human being, frankly. I have represented clients in front of BZAs all over the State. There is one common thread you will see at these BZAs. Most of them have time limits for speaking, especially for lawyers. I've had buzzers buzzed at me. I've had 'time' shouted at me. I've had a Sheriff's Deputy look at me like he was going to come grab me once. That never happened under Chairman Krawcheck's leadership. He gave everybody all of the time they needed to have their day, their opinion and interests expressed. Sometimes, we would leave the Chambers at about 11:00 p.m. at night, but that's okay because that meant that win, lose, or draw, everybody that appeared before Lenny's Board felt like they had a fair shake. That's the right way to do it. So, it is nothing short of an honor today to be able to honor Mr. Krawcheck and all of his long years of service. I was speaking with him the other day and he mentioned, and so I'm paraphrasing here, for all of his time and years he dedicated to the City, the City of Charleston gave more to him and meant more to him. I think that when you really reflect on what it means to be a public servant, what it means to be a citizen, it's about giving back, it's not about taking. Lenny gave a whole lot to the City of Charleston, helping to shape its path and what we see today. It's an honor to be able to recognize such a distinguished individual. Without further ado, let's turn it over to Mr. Krawcheck himself."

Mayor Tecklenburg said, "Mr. Chairman. Lenny, would you like to make a remark?"

Lenny Krawcheck said, "Well, I'm almost speechless. I want to first of all thank Ross Appel and you, Mayor Tecklenburg, and the members of Council for appointing me and Mayor Gaillard and Mayor Riley and their Councils before you. It's an honor and a privilege to participate in public service, especially for the City of Charleston. It's no secret that I love the City of Charleston. I've lived here my entire life. I still live in the house on Colonial Street where I was born. I have practiced law now for some odd 50 years in my office in downtown Charleston on State Street. I love the Broad Street area, the downtown area, the City as a whole. It's the finest City in the Country. I have no doubt about that. To be allowed to make a contribution back to the community that's given so much to your family, and that goes back to my father, Jack Krawcheck, who was a merchant on King Street for many, many, many years and my brother and family and my children, it's a real privilege. It's also an honor to be mentioned on the same evening as Judge Fields. Judge Fields was an older lawyer when I was a younger lawyer. He's always had the respect of the entire BAR and the entire community, and that continues to this day. As a matter of fact, Judge Fields and I represented clients in an almost contentious matter about three years ago. He can still do his job wonderfully as a lawyer and has my unending respect. I hope we'll have something else again, quite honestly.

Thank you for allowing me to serve the City of Charleston. The Board of Zoning Appeals is a special Board. As I told Ross, 'All you can really hope for is that, when the dust settles, the interested parties will leave, win or lose, hoping and thinking that they got a just hearing, that they were fully heard, and that they could have won or they could have lost, and the Board did its very best to make its decisions.' I would be remiss if I didn't tell you that the members of the Board, I've served with many, many over the years, have been really terrific. No agenda, just trying to do their job, trying to apply the facts to the law that City Council has given us and time and time again, I think that the losers left feeling pretty good where they could have won it, but they got a

fair shake. I think that's all you can really hope for. I also want to say that Lee Batchelder, the Zoning Administrator, and Penny Ashby make the job of zoning in the City so much easier for the members of the Board and for the community. They fairly hear everyone out. It's been a pleasure of mine to work with the City Zoning staff over the years and especially with Lee and Penny. They have my unending respect and admiration. Also, I would like to mention that we're all indebted to the Historic Charleston Foundation, the Preservation Society, and the various Neighborhood Associations. They try their best to do their best for the City. They don't always win, nor always lose, but they're there every other Tuesday night with the Board of Zoning Appeals, with the Board of Architectural Review. Then, they're in there pitching for what they think is good for the City and many, many more times than not it is good for the City. I would also like to mention my wife, Townie, who has put up with me coming home late every other Tuesday night for many, many years now and waiting for me for dinner and offering her advice and support. She's really been a good trooper, and I'm indebted to her. Mr. Mayor, enough said. Thank you so much for my day, but it's our day because we all get to live in the City of Charleston. We're just privileged to be able to do that. Thank you so much."

Mayor Tecklenburg said, "Yes, sir. God bless you. Well, we're not done with you just yet."

Mayor Tecklenburg recognized Councilmember Shahid.

Councilmember Shahid said, "Thank you, Mr. Mayor, and members of Council. I called Lenny this morning to chat with him for a few moments about this afternoon's proceedings and commented to him that his fingerprints are all over this City, and those are good fingerprints. His mark for how he has led the City on these very important decisions have made the City what it is today. I think it's just time to take a moment to reflect upon a private citizen who has spent 41 years of his time for those regular meetings without being paid one penny for that work. It's a true sign of what community service is really all about, and we can't thank you enough, Lenny, for all of that. It really is an incredible mark that you have left on our community, and I hope there are a lot of young people out there who are listening to this who understand that you are a true servant of the City. As I said about Judge Fields, you're one of our sons. You're a son of the City, you and your family, and your long mark on King Street and to our legal profession. God bless you so much from the deepest part of my heart. Thank you to you and to Judge Fields for setting a high bar for being a true gentleman through the purest sense of the word. God bless you. Thank you so much for what you have done for our community."

Mayor Tecklenburg recognized Councilmember Waring.

Councilmember Waring said, "Thank you, Mr. Mayor. Mr. Krawcheck and Councilmember Shahid just said it, you're a gentleman, but you're really a gentleman's gentleman. You would think after 41 years, you would kind of slow down and lose the edge towards the end, but I would point out the input on the new hotel ordinance wasn't complete until we heard from you. Believe it or not, the members on Council had elephant ears wanting to know what did Mr. Krawcheck think? To be the best as you leave as you were coming in is just such a credit to your talent and your skills. He's a person that, when you saw him across the street, you wanted to go across the street to say hello and introduce him to your wife or your relative or your very best friend. So, Godspeed goes with you and your family. I really meant that when I said the piece about American exceptionalism. We always think that you have to go hundreds of miles away, maybe even thousands of miles away, to come into that level of nationwide exceptionalism, but you walk with that grace every day. So, thank you for every day that you gave to the City. Thank you, sir."

Mayor Tecklenburg recognized Councilmember Seekings.

Councilmember Seekings said, "Thank you, Mr. Mayor. Lenny, thank you for being here tonight. It's no surprise that, as we look across the Zoom, Lenny is in his office speaking back to us. He is clearly and truly the hardest working person I've ever met. I've known him since day one at the BAR, and he has really set the standard on so many different levels. Two things in his comments caught my ear. One is he talked about his 41 years on the Board and winners and losers. There were no losers because what Mr. Krawcheck has done for the last 41 years has shaped what he describes as the finest City in America. He has shaped it in a way that no one else could have done. I mean, it is amazing where we are and who we are today. By and large, there is not a square foot of this City that doesn't have the fingerprints of Lenny Krawcheck on them. For that, we're eternally grateful, and we will remember that. The other thing is that he noted that Townie waits up for him every other Tuesday night for dinner. We on City Council grouse a lot about getting out of our meetings late. Many of those Tuesday nights, Lenny and his team were just warming up. I promise a lot of those meals were served on Wednesday, not on Tuesday, and all of those hours voluntarily given back to the City where he grew up, where he lives. It is a feat that will never be repeated, and so this one small moment in history. I will say, Lenny, when I first met you and when I first got elected, it was always my understanding that your appointment to the BZA was for life. You were much like a Federal Judge, so we probably need to get the Clerk or the Mayor to go back to look and see. I'm not sure we can really accept this, but in the spirit of who we are in the City, this City is yours, Lenny. It's been an honor to know you, to call you a friend, and to know every time I walk out of my door, that you spent 41 years making sure that this was the best City in America. Congratulations, you achieved it. So, thank you."

Mayor Tecklenburg said, "So, Lenny, in order to continue this memory on, we decided kind of quietly that we would do a little bit more than give you a day. So, Councilmember Appel, can I entertain a motion from you?"

Councilmember Appel said, "Yes, absolutely, Mr. Mayor. For a guy as distinguished as Mr. Krawcheck, a proclamation and a day isn't going to be sufficient. So, I would like to make a motion this evening for us to rename the Public Meeting Room at 2 George Street where all of the BZA, BAR, and Planning Commission meetings are held, the 'Lenny Krawcheck or Leonard Krawcheck,' it's up to you, whatever you want to go with we'll take, but to dedicate this room forever in his honor because I want everybody whoever walks in and out of that room to know about the best that ever did it. So, that's my motion."

Councilmember Waring said, "Second."

Mayor Tecklenburg said, "We have a motion on the floor. Do we have a second?"

Councilmember Waring said, "Second."

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

No one else asked to speak.

On a motion of Councilmember Appel, seconded by Councilmember Waring, City Council voted unanimously to rename the Public Meeting Room at 2 George Street after Leonard Krawcheck.

Mayor Tecklenburg said, "A unanimous acclamation, Lenny. God bless you. Thank you for your service."

Mr. Krawcheck said, "Mayor, thank you so much."

There was applause.

Councilmember Seekings said, "We're giving you a virtual standing ovation here."

Mayor Tecklenburg said, "Thank you, Judge Fields. Thank you, Chairman Krawcheck. Next, and then I'm going to ask Council if they would be willing to do a little adjustment to the agenda, but first, we have a recognition of Charleston Trident Association of Realtors. Josh Dix is with us. They have awarded us a \$3,000 grant, a re-building grant, and it's perfect timing of Josh. We've formed the Central Business District Improvement Commission, which has been meeting the last few weeks. One need was to repair our sidewalks and get the pressure washing going on Upper King Street and help re-build our businesses that are on Upper King Street. That's what we're dedicating these funds to. So, we want to thank you and give you and the Realtor Organization an opportunity to be acknowledged. Josh Dix."

Josh Dix said, "Mr. Mayor, I want to say thank you for allowing us to be a part of this process and attend the grant for you through NAR. What a night to be recognized with two lions of Charleston that just came before us, but truly thankful for your opportunity. We're happy to do it and hope to do it again. So, thank you."

Mayor Tecklenburg said, "God bless you. Thank you, Josh. We look forward to continuing our partnership together. Appreciate it."

Mr. Dix said, "Yes, sir."

Mayor Tecklenburg said, "So, speaking of legends, we've got one more legend for you. We're going to reserve comments on this until our next meeting. I sent an e-mail to Council earlier today, but just to let you know that after 20 years of serving as our Clerk of Council, and well over 30 years serving the City of Charleston, Vanessa Turner Maybank, our dear and devoted Clerk of Council, has announced that she wishes to retire. Vanessa, we're going to miss you, but we wish you so well in your future endeavors. We know that it will be long and many. So, I wanted to also just briefly recognize Vanessa tonight, but we'll allow more comments and involvement, if you don't mind, next time, next meeting, because we're running behind schedule. Vanessa, would you like to say a few words?"

The Clerk said, "Well, thank you so much, Mayor. This is a surprise that you did this today, but thank you so much. I just want everybody to know how much I have really enjoyed working for the City. It's been a wonderful opportunity, and I thank all of you who have been involved in making that happen."

Mayor Tecklenburg said, "God bless. We'll have more comments and some kind of virtual party for you at our next meeting. So, Councilmembers, if I may indulge you in taking one item out of order on our agenda out of due respect to President Hsu, President of the College of Charleston. I had told him to be onboard about 6:00 p.m., and it's already 6:43 p.m., and we still have some hearings and some public participation. So, if it's okay with you all, I would like to move I-2, our update on the City's response to COVID-19. We can even make our City response comments later, if there is no objection."

No one asked to speak.

Mayor Tecklenburg continued, "I'd like to ask President Hsu of the College of Charleston to address us about their terrific plans for the re-opening of the College of Charleston, working with the City of Charleston to make it a safe re-opening for all of our community. President Hsu."

Andrew T. Hsu, President, College of Charleston, said, "Well, thank you, Mayor Tecklenburg. It's my great honor to be with all of you here. I would be remiss not to congratulate the two College of Charleston sons on their wonderful honors today, Mr. Lenny Krawcheck, who is a College of Charleston Class of 1962 graduate, and Judge Fields. I will call him Dr. Fields because he received an Honorary Doctorate Degree from the College in 2016. So, they both do the College proud, and we're honored to be associated with you both.

So, Mr. Mayor and members of this City Council, thanks again for inviting me here. First, let me begin by sharing our sincere gratitude with you from all of us at the College of Charleston. I know how difficult these past several months have been to serve as an elected official and as a public servant. As a newcomer to Charleston, I sincerely appreciate all of your hard work and the many difficult decisions you have made to keep this community safe. Whether it is the face covering ordinance or the limitations on gathering sizes, your actions have made a difference here in Charleston. As the President of the College of Charleston, I want to thank this City Council, the Mayor's Office, the Charleston City Police, and many other municipal offices for being such great leaders of the community and great partners for the College. The College of Charleston is able to be the great institution that it is because of our incredible collaboration with you all. So, on behalf of the College of Charleston community, thank you. As you may know, the College of Charleston began its fall semester online two weeks ago on August 25<sup>th</sup>. We intend to return to campus and begin our in-person hybrid classes on Monday, September 14<sup>th</sup>, which is this coming Monday. Our faculty and staff worked very hard throughout the summer to prepare for this, and I'm confident that we are now ready. As we approach our return date, I want to reassure you that our COVID-19 Response Team is monitoring closely not only the news and numbers from around the state and around the country, but also, more importantly, among our campus community, and we are ready to make any adjustment needed as dictated by data and science.

As you might expect, there are many lessons to be learned from our sistering institutions around the country. So, what are some of those lessons? Well, the numbers are certainly daunting. More than 51,000 cases and counting have been reported on U.S. college campuses. In many states, the flagship universities like the University of South Carolina or the University of North Carolina's Chapel Hill are taking the brunt of the virus spread, which makes sense since most of those universities are quite large. They are more like miniature cities crammed into a very small geography. It has been a challenge for many of the flagships in their concentrated Greek villages, where large, unsanctioned gatherings have been taking place. Fortunately, in our set-up at the College, as it relates to these social organizations, it is not like the large schools. Our smaller size in that respect may be a big advantage right now. Despite the news stories that you see daily that talk about the failures of universities to curb the spread of the virus, there are universities around the country, large and small, which are able to keep the positive cases among their campus communities to a manageable level. Large campuses, such as the University of Georgia, Georgia Tech, and campuses closer to our size like Coastal Carolina, which returned to in-person instruction yesterday, but moved in two weeks ago, have not recorded excessively large numbers. For example, Coastal Carolina only has 54 positive cases out of a student body of 9,000. Smaller schools, such as Winthrop and Francis Marion University, which also moved their

students into their Residence Halls about two weeks ago, have far fewer positive cases. Interestingly, most universities are finding that on-campus behavior is fairly good, but off-campus and weekend gatherings are a problem and much harder to control. The statement seems pretty self-evident.

Peer monitoring seems to be having a positive effect, but that is only part of the solution. To that end, we updated our Student Code of Conduct to reflect the work of our student-written Cougar Pledge and put into place a process for interim suspensions of violations. We're taking the Cougar Pledge very seriously with our students. Our hope is that our many protocols and practices together, as outlined in our Back on the Bricks return to campus plan, will allow us to open up safely for both the students and our local communities. I imagine many community members are nervous about our students starting back next Monday. There may be a perception that 10,000 students are suddenly about to descend on the City but, in reality, that number of newcomers next week is much smaller. For this fall semester, we have worked hard to de-densify our Residence Halls, so only about 2,000 will be moving into our campus housing this weekend. The majority of our students have either already been living here for some time now, most likely since July or early August, or are staying home taking their courses online from Greenville, South Carolina, or New Jersey.

As I have stated repeatedly, the College will pivot as necessary as science and data dictate. Our hope is that our many health and safety protocols, along with guidance from our public health officials and partner agencies, will help us navigate any uptick of positive cases among our campus community. At this time, our main message to students and our greater campus community is about adhering to prevention efforts and complying with campus regulations and City ordinances. That means wearing a face covering, practice social distancing, wash your hands frequently, and try to limit the number of people with whom you come into direct contact. This is a strange and challenging time for the College of Charleston and, in fact, everyone in higher education around the Country. However, I am confident that our plans are well thought out and that they are flexible enough to accommodate what is a very fluid situation. Of course, that is what you would expect from a laborious university, a place that teaches you to be adaptable and creative in your problem solving. As is shown around the country, the partnership between cities and universities is a very important factor for the success of universities in this pandemic, and so is the partnership between the College of Charleston and the City of Charleston. I understand that the City's Legal Team will be giving an overview of the different ordinances later in today's meeting. My hope is that these ordinances will help us to curb potentially dangerous behaviors in this pandemic. Our Executive Vice President of Student Affairs, Alicia Caudill, who is actually online and participating in this discussion, and her team, will be working closely with Mr. Dan Riccio of Livability to link violations in the community to our Student Code of Conduct. These various measures and partnerships will certainly help reduce any large parties or gatherings and, therefore, limit the chances of a super spreader event occurring in our City.

Since moving to Charleston, I have learned a key phrase that most locals know all too well. You probably all knew this before, but this is something I learned only recently. That is the term, 'the cone of uncertainty.' I know we seem to be living in that cone of uncertainty 24/7 right now, but the storm that is this moment will eventually pass, and we will continue to adjust to the storm and weather it together. Again, thank you, Mayor Tecklenburg, City Councilmembers, and City staff members for all of your hard work to help Charleston respond to this crisis. I hope to see you in person soon, whether on campus or around the City, even if it is only your eyes above your face coverings. Thank you, everyone."

Mayor Tecklenburg said, "Well, thank you, President Hsu. I can't tell you how much we value our partnership with you and, as I've stated before, the origins of the College are together with the City, and I feel like our paths are still together and interwoven. To let Council know, staff and Councilmembers have been working with the College of Charleston, not just in the last week, but over these last few months to prepare for their re-opening. We have our Town and Gown Committee, led by Councilmember Seekings, who have continued to work with neighborhoods and staff. In addition, our kind of special team of folks that have been focused on COVID-19 ever since the beginning of this pandemic, including Tracy McKee, Jan Parks, Mark Wilbert, and others, have been meeting regularly not just with the College, but with The Citadel and other local institutions. Recently, with their opening coming up, there has been an increased focus. I must say, when I met recently with President Hsu, and we talked about what was going on in Columbia and other colleges around the country, we do not want to see Charleston and the College of Charleston repeat those mistakes. It's clear, as the President said, that the number one culprit is when students get together in large numbers, and in enclosed spaces particularly, and party. So, is it a daunting task or what, to try to prevent or incentivize college students from not partying off-campus? That is a very difficult thing to do and the kinds of things that we've been discussing. So, we know you're going to keep them engaged intellectually and every other way that you can.

In the meantime, we've been talking about ways that we can work together. Even two weeks from now, as we review our COVID-19 ordinances, there might be other amendments to those ordinances that might be of help. So, we're working with the College on that. I will call very briefly on Dan Riccio and maybe Susan Herdina, who has been part of that team and just share some of the thoughts that we have that we've been working on. Also, let me share with you if you didn't know, Councilmembers, that our former Captain Chip Searson of the Charleston Police Department is now the acting Police Chief of the College of Charleston's Security Team. So, our partnership is very close on many different levels. Dan."

Dan Riccio, Livability and Tourism, Director, said, "Yes, sir. Our goal, sir, as we discussed earlier, is to definitely strengthen the partnership with the College of Charleston, and communication is key. We are developing an off-campus violation notification protocol, which would be a partnership between the Charleston Police Department and their officers, Livability and Tourism, and the College of Charleston. So, basically, our goal is to respond quickly and rapidly to incidents that occur off campus involving any College of Charleston student and getting parties or social gatherings that take place and any violations that occur on campus, we intend to have a notification system. So, when the Police Department is responding, and if a Summons is issued or any issues at any off-campus housing, they would then notify the Department of Livability and Tourism. We will then reach out to the College of Charleston to ensure that the actual location is involving a College of Charleston student. We will pass on all of that information to the College so that they can intervene prior to any instance going to Court and litigate any off-campus violation in order to deter and to help with the spread of COVID-19."

Mayor Tecklenburg said, "Thank you. Susan, did you have anything you would like to add? I don't see you out there."

Susan Herdina said, "I'm here, Mayor."

Mayor Tecklenburg said, "Okay."

Ms. Herdina said, "I just wanted to add that, obviously, a few days ago, you asked us to put together a list of potential violations that could be used in the event that the conduct of the students was not consistent with City ordinances. Over the weekend, I talked to Dan. We had

about 14 or 15 of them. Dan is familiar with them and has been instrumental over the last number of years in working with the College and with the students in educating them on the various ordinances that we have. Obviously, right now, the most important being the mask ordinance, social gathering, but there are some additional ones that could be applicable to the students' conduct to try to tamp down the COVID issues. One other thing I wanted to mention is that Dan, over the years, has put together a really comprehensive list of the property managers or landlords of many of the rental properties around the College. Part of this protocol will be reaching out to the landlords and getting their cooperation in working with the students so as not to increase the risk of COVID in the community. Thank you."

Mayor Tecklenburg said, "Okay. Thank you. Councilmember Seekings, do you want to add anything from the Town and Gown Committee?"

Councilmember Seekings said, "Thank you, Mr. Mayor. I just want to thank President Hsu for coming on and giving us his report. As you know, we had a meeting with him last week with Paul Patrick, and I can just say this from listening to the College. They are prepared for what he has observed as a daunting task of having a campus open during COVID. However, we work forward. I think we've got a great partner in the College, and I look forward to having a successful fall and making this a model of how to do it, as opposed to how not to do it. I feel like the College clearly has the right person at the helm for that. So, more to come but, Mr. President, thank you for spending time with us tonight and for all you're going to do and do every day to make Charleston a better and, in this day and age, safer place. So, thank you."

President Hsu said, "Thank you, Councilmember Seekings, and thank you, everyone. I look forward to continuing to work in collaboration with all of you."

Mayor Tecklenburg said, "Great. Terrific. I saw a couple of other Councilmembers who would like to make remarks."

Mayor Tecklenburg recognized Councilmember Griffin.

Councilmember Griffin said, "Yes, sir. I just wanted to say one thing about coming back, as has been mentioned, gathering places for the students, but I think a lot of our hospitality industry has changed quite drastically due to COVID. So, I'm excited to see all of our hospitality industry rise to this challenge to make sure that they don't allow our City to become a hotspot. I know a lot of our business owners, I've spoken with them personally, are not going to be considering themselves college bars anymore, and they're not going to allow our City to become a hotspot. So, I really look forward to working with our hospitality industry to make sure that we do a good job of enforcing all of our regulations through COVID."

Mayor Tecklenburg said, "Thank you."

Mayor Tecklenburg recognized Councilwoman Jackson.

Councilwoman Jackson said, "Thank you. I didn't want to pass up an opportunity to welcome President Hsu to our gathering here. I just have to do a little motherly bragging. You know, President, our 10-year faculty member daughter is a proud teacher in the Department of Health and Human Performance. Hearing what she has been doing all summer long in helping to be as prepared as you possibly can to go through this kind of uncertainty, our daughter is one of those people that likes to have everything in a plan and the planning in place and work the plan and get to the end of a good project. It's been very interesting to watch just having to live with

that uncertainty but knowing that the planning that has gone on under your leadership has been amazing to me, in terms of having been a Risk Manager all of my life. You have to plan or think about every little opportunity that you know the what ifs and the scenarios and the flow charts and all of that. So, I think that you're as well prepared as possible. I'm grateful, as a Mom, that you know you have your daughter in harm's way, but hopefully not. So, thank you so much for your leadership."

President Hsu said, "Thank you, thank you for your kind words."

Mayor Tecklenburg recognized Councilmember Shahid.

Councilmember Shahid said, "Thank you, Mr. Mayor. President Hsu, thank you for being with us today and for your remarks. We're very fortunate that you're at the helm of the College of Charleston. The College is part of the fabric, along with The Citadel. The City of Charleston is not the City without both of those fine institutions and the students, the faculty, and the staff that represent it. I have a question for you though that is maybe a multi-phase question. Is there a certain benchmark that you are looking at that you're going to be sort of forecasting as the numbers are going up or activity is taking place and behavior of college students being who they are? Is there a certain benchmark that you're going to be looking at that you're going to pivot to another direction? Do you have any suggestions on what the City could do in the event that those numbers do have a drastic rise, that we should be doing differently than what we're doing now with these ordinances in place?"

President Hsu said, "So, thank you, Councilman Shahid. Good to see you here. We look at about five or six different parameters like positivity rate overall, new cases per day, our availability of quarantine space and isolation space, the availability of local hospital beds, and so on. So, there isn't a single number that we're going to rely on, but we're going to have a holistic approach and evaluate all of those numbers. The most likely number that would affect our ability to continue with on-campus face-to-face classes or not is probably our ability to handle the isolation and the quarantine number of students in those type of situations because, even though they all have a place to stay, we have to provide them with food and other necessities. They all have to have deliveries to their door and so forth. So, if it reaches a situation where we simply cannot manage the service to the number of students who are in quarantine or isolation, then we may have to pivot to an online semester and maybe even send students home at some point. But looking at our peer institutions, even South Carolina with such a large number, over a thousand within a week, they were still able to handle that. Our size is probably less than one-third of their size. So, even if our situation is as bad as theirs, it's still a manageable situation for us. Our hope is that we don't have to, but we certainly have several contingency plans of different levels of pivot to make changes. In fact, we just made one small pivot today. We told students that if they don't feel comfortable coming on campus, we're going to refund their deposits to the dorms, and they can still get out until next Monday, which was previously not allowed. They were going to be charged. So, those are the small pivots that we're continually making.

You're last question is what the City can do to help. I think really, whether we reach those critical conditions or not, the stricter the City ordinance, is where we could use to influence the behavior for our students, the better we can control the behavior of our students and prevent the spreading of the virus. Also, I think Councilman Griffin just mentioned our hospitality industry. If the bars can truly control and not allow a large group of students to sit in bars without social distancing or wearing masks, that would be tremendous. What we found from our peer institutions is that even at Coastal Carolina in Myrtle Beach, they have a situation where some of the bars would just welcome all of the students in without even checking I.D.'s. Then, the student would

come in and start drinking without any social distancing and masks on. So, those are the type of things I think the City can definitely help with.”

Councilmember Shahid said, “Thank you, sir.”

Mayor Tecklenburg said, “Absolutely. Thank you, again, President Hsu. Now, just to wrap up this section, speaking of metrics and numbers, I’m just going to very briefly call on Tracy McKee to give us our numbers update. Tracy.”

Tracy McKee said, “Good evening, everyone. Thank you, Mayor. I want to share my screen, and I do have a few slides, but I’ll try to make this very, very quick because I know we are running behind. I thought this was a really interesting graphic from Johns Hopkins University. It kind of shows all of the states of our Country and gives a really good visual of how we are doing and how every state is doing in comparison to each other. So, the redder the color, the bigger the increase is in new cases, and the greener is they’re seeing decline. So, you can see South Carolina here. We are kind of a very pale red color, so a little bit on the increase, but almost neutral. So, I thought this was a really interesting graphic that they have on their website that kind of puts it into perspective of how we’re doing as a state.

So, how are we doing at the local level? I think for those of you who have been watching the numbers they have been very volatile over the last couple of weeks, we saw a little bit of an uptick last week. Looking at the past seven days, it’s actually come down a little bit. So, this top gray line is actually the number of tests performed, and that’s at Charleston County. The orange bars are new cases for a seven-day period in Charleston County. Then, dark navy blue ones are actually the City of Charleston. So, you can kind of see the trend in new cases and how that compares to the number of tests performed, at least in Charleston County. So, you can see the number of tests have really come down, but generally the trend has been downwards, really since we implemented the mask ordinance back on July 1<sup>st</sup>.

So, where are we with our current metrics? These are really the numbers and the associated color codes based on our stoplight approach. So, this 1.21 of new cases per 1,000, 1.0 is where this goes to green, and this has been hovering right around 1.0. Our positivity rate is still a little bit high according to the WHO. We really want to be at 0.5% of a positivity rate.

This is Charleston County. So, this is going down. You all might recall the positivity rate in July was over 20%, very, very high. So, that’s actually been trending downwards, as well. The reason I show these stoplight approaches to you is because I’ve been getting questions of when we can move forward. So, I think everybody knows that we have a phased re-opening plan of City offices and services that we implemented quite a long time ago. Kind of like the College of Charleston, it is intended to be a data driven and flexible approach to how we open up. It’s very fluid information, that changes every day. We’re learning new things every day. We’re learning how to do things better in this COVID world.

So, how do we adapt? Our plan is very malleable, but based on data and things that we can measure and, of course, our measurables were not created in a vacuum, not by City staff. We looked around the Country and at public health professionals to really create those measurements, if you will. We are currently in Phase II of a Phase IV plan, and we have been there since May 26<sup>th</sup>. So, how do we move forward? There aren’t really any good COVID leading indicators. Everything that we have is a lagging indicator. It’s really based on testing. So, that becomes problematic because we don’t really know what’s happening until two to three weeks after transmission rates have gone up for some reason or another. So, because of that in our

plan, we don't really move to a new phase until 14 to 21 days after our metrics are in that green phase if you will. With that 7-day growth rate, it's been a little bit of a yo-yo here in the last couple of weeks, but we've stayed less than 1.0% which has kept us in the green. So, that's really good. I've mentioned this before but, just to share again, we do have an internal task force that meets weekly to make recommendations to the Mayor. We also discuss issues that are happening around the City and how we can improve.

Really quickly, for employee cases we currently only have one active case. So, it's time to follow what's happening in the community which makes sense. So, things seem to be very stable. We have had 120 total cases among employees, and 625 employee COVID tests have been performed. We did have one hospitalization. Luckily, that was a very short-term hospitalization, but we did have one. I think this is really important, and I'll cover these really briefly, but we've really had a lot of success. That's just because of the amazing people that we have running around in the City that have just done an amazing job of keeping things going as best we can during this pandemic. So, Recreation, they ran summer camps from June 22<sup>nd</sup> to August 28<sup>th</sup>, incredibly successfully. I, myself, was very white knuckled, if you will, nervous about doing summer camps, as probably I imagine the folks at the College are a little nervous right now, but this was very successful. We had 80 seasonal employees for pools and the camps. They averaged 250 kids per week at summer camps, 375 per week in half day sports camps. The parents were very appreciative and supportive, so that was really good. A shout-out to our Safety and Risk Reduction Team. I know Jan and Rick are both on the call tonight. They've done an amazing job of going to all of the City Offices and conference rooms and posting occupancy limits, so it's very clear how to maneuver around City Offices during this time. Permit Center and Special Facilities, they've done an amazing job. We've made accommodations to handle a very small number of folks that cannot for some reason do business with us digitally in the Permit Center, so they've handled about 20 walk-in customers per day. Initially, they were distributing about 10 masks per day, so about 50% of the people that walked in. They've actually handed out 0 since July 17<sup>th</sup> in the Permit Center. So, people have their masks. They understand it's the rules. Everybody seems to be playing really well. Special Facilities, Angel Oak had almost 3,000 patrons over this past weekend on Saturday and Sunday. They only had one 'mask incident.' I'm using my air quotes there. So, I feel like that's very good. At the beginning, they were handing out 200 to 300 masks per week, which was at the end of May. Now, they're only giving out about 1 to 10 per week. So, that's really great.

Some of the challenges, really the biggest thing we have right now as school has started, as we all know, or at least Charleston County started today, is our employees with school-age children. We have about 479 employees with one or more school-age children. So, our HR Department has really been working proactively to help employees understand what their options are and help them identify what options they have. Parents were still receiving details about their specific children's situation over this past weekend. So, I think we're still learning what that impact is really going to be.

Everybody knows we're not out of the woods. I think we've been very stable. A little bit of uptick, like I said, last week. But, other than that, it's been really stable over really the past month-and-a-half. We are watching some of these events that have the potential for spraying COVID. So, we've seen students coming back. That's been evident with the number of residential parking permits, the activity that's being seen there. We've just experienced Labor Day weekend. So, we'll be looking to September 21<sup>st</sup> as kind of the day when we might start seeing some sort of uptick. We hope it's not a big uptick, and maybe similar to what we saw right around August 28<sup>th</sup>, two weeks after we started seeing a lot of the students come back. So, hopefully, it will be

similar. We'll see a little uptick, and then it will come back down, but a lot of upcoming events that we have on our radar.

So, with that, that's kind of out of our control, right? So, if testing again becomes an issue, we want to be prepared for that. Environmental Services, Fire, and PD are still receiving the prioritized testing from MUSC. One new thing is that the Risk Reduction Team is working to secure a contract with the testing lab, which is downtown, for employee testing. So, if testing becomes strained again and gets delayed, we'll have this in place for all of the rest of our employees. It is available to employees and spouses that are on the City health insurance. Results will be same day or next day, and it's less expensive than where we've been getting testing for, and it's going to be a lot easier for our employees that may not have a computer or a smart phone. So, with that, sorry I was a little bit long. I had a couple of things that I really wanted to share with you tonight, but I'm happy to entertain any questions that you all might have."

Mayor Tecklenburg said, "Alright. Are there any questions for Tracy and her team? They've done a remarkable job, if I may say so."

No one asked to speak.

Mayor Tecklenburg said, "Alright. I don't see any questions. Thank you, Tracy, appreciate that update. Let's go back and get on track with our agenda which brings us back to public hearings. I did hear just this morning that there was a late notice that went out about the public hearings. Hence, we do not plan to take any action tonight on the public hearings. But, since they are on the agenda, Jennifer and Vanessa, if we have anybody that signed up and wanted to make comments on any of the numbers 1 through 4, we certainly should allow them to be heard. So, do we know of anybody who signed up specifically for those items?"

The Clerk said, "I have a letter here from Eli Poliakoff. It is a letter of support for Homes of Hope. It's a rezoning request. Then, for those people who left comments, I will go through those. There was one person who was interested in the public hearing. This person says 'I'm against zoning and the redevelopment of number 2 Race Street.' So, that's under the public hearings."

Mayor Tecklenburg said, "Okay. Is that all they said about it?"

The Clerk said, "Yes, that's all I have for now. We sent to City Council the long version of what they said."

Mayor Tecklenburg said, "Right."

Councilwoman Jackson said, "Mayor, might we know the name of that person? Don't we normally hear the name and address of someone who makes a citizen comment at a public hearing?"

The Clerk said, "You should have it, we sent it to you. I don't have it on this form, but that information was sent."

Councilmember Gregorie said, "We did get it. We have it."

The Clerk said, "It's on your computer, Councilmember. If it isn't, please let me know."

Councilwoman Jackson said, "I did receive it. I just thought it was a matter of public record. Thanks."

The Clerk said, "Okay. So, what they're doing in that regard, I am going to read a portion of these and there may be one you're interested in. So, I have several, I'll read a synopsis of what they wanted."

Mayor Tecklenburg said, "Okay. Go ahead."

The Clerk said, "Alright. So, the first one is 13 people are in support of the Charleston Coalition for Wireless Safety Standards; 15 people feel the smokestacks of the St. Julian Devine Center should be restored, preserved, and protected. One person supports the proposal to remove the St. Julian Devine Center's smokestacks. One person does not agree with Councilmember Griffin's in-person meeting request while amidst the COVID-19 pandemic. One person asks if the City will drop charges for the nine community members who were arrested for defacing the John C. Calhoun Statue that was eventually removed. One person demands that there be an end to police violence at protests. Five people are against the mask mandate and think mask wearing should be optional. Eight people are against the proposed development for Riverland Oaks in Central Park on James Island until drainage and flood issues are resolved and meet the 2013 Stormwater Manual requirements. One feels the City should spend development money beautifying the Eastside Neighborhood, i.e. plant flowers, clean the streets, etcetera. One person would like the City to present an update on the police substation in Gadsden Green. One person wants to know why Councilmember Griffin is so concerned about maintaining a relationship with the Washington Light Infantry and Sumter Guards. This is the final one. This person feels the community members should be able to ask Council questions about the Emergency Management leadership response to the May 30<sup>th</sup> protests. That's all I have."

Mayor Tecklenburg said, "Great."

The Assistant Clerk said, "Mr. James Wilson has signed up to speak on E-1."

Mayor Tecklenburg said, "Okay. This is back to public hearing matter number one. So, Mr. Wilson, do you want to proceed please?"

James Wilson said, "Thank you, Mr. Mayor. I was only signed up to speak if there were any questions, but I understand there are not."

Mayor Tecklenburg said, "Great. Well, thank you for being with us."

Councilmember Griffin said, "Mr. Mayor, we're not going to vote on these as public hearings or as second readings, correct?"

Mayor Tecklenburg said, "That's correct."

Councilmember Griffin said, "Okay. Thank you."

Mayor Tecklenburg said, "I apologize for that, but we're just going to have to do it at the next meeting. We normally have public hearings at the second meeting. Apparently, there was a little mix-up. So, we'll come back and re-do these at the second meeting of September. But, just in case somebody showed up expecting to be able to be heard, I wanted them to have that opportunity."

Mayor Tecklenburg said, "Okay. We'll come back to Citizens Participation Period, if there are any others that want to be heard live, but we kind of skipped over approval of City Council minutes from August 18<sup>th</sup>."

Councilmember Griffin said, "Move for approval."

Councilwoman Jackson said, "Second."

The Clerk said, "So, Mayor, those minutes are not quite done."

Councilmember Griffin said, "Move for deferral."

Councilmember Seekings said, "Second."

The Clerk continued, "But they will be by the end of the week. Staff is still working on those."

Councilwoman Jackson said, "I think it was Ways and Means we got. I made the same mistake, Councilmember."

The Clerk said, "Your Ways and Means minutes were good."

The Assistant Clerk said, "Mr. Mayor."

Mayor Tecklenburg said, "Yes, ma'am."

The Assistant Clerk said, "There were two citizens that were also signed up to speak during public hearings, Bernie Mazyck, Item E-2, and Steve Saltzman for Items E-3 and E-4. I didn't see the telephone numbers they registered with on the line, but they did register to speak in case they're on."

Mayor Tecklenburg said, "Bernie, Steve, you all out there?"

No one asked to speak.

Mayor Tecklenburg said, "They must not be. Was there anyone else?"

The Assistant Clerk said, "No, sir."

Mayor Tecklenburg said, "Okay. Well, that will be our Citizens Participation Period this evening. Thank you for pulling all of that together and keeping track of it all. Next, is our appointment of Central Business District Improvement Commission At-Large Members."

A Lady said, "Is there going to be a Citizens Participation portion?"

Councilwoman Jackson said, "Mr. Mayor."

Mayor Tecklenburg said, "Yes. Did you sign up for that?"

A Lady said, "I sure did."

Mayor Tecklenburg said, "Okay."

Councilmember Griffin said, "Mr. Mayor, I think those were only the people that signed up for the public hearings. We haven't done the actual Citizens' Participation call-ins."

The Clerk said, "That is correct."

Mayor Tecklenburg said, "I'm sorry. I thought I asked for that. Jennifer, do we have folks signed up for Citizens' Participation?"

The Assistant Clerk said, "Yes, sir. We have about 24 citizens that have signed up to speak."

Mayor Tecklenburg said, "Oh, great. So, I hate to keep it short, but we're running long, and we normally keep this to 30 minutes. So, I'm just going to ask everyone to please keep it to one minute for their remarks. Jennifer or Vanessa, if you all want to call out in the order signed up or whatever order you've got."

The Clerk said, "Okay. I'll call out the names. I'll call them out three and four at a time. The first one is Lynz Piper-Loomis to be followed by Amy McLeod and Melissa Engdahl. So, the first is Lynz Piper-Loomis. Is she present?"

1. Lynz Piper-Loomis said she honored Council and thanked them for their service. She made Council aware that her husband was 100 percent permanently and totally disabled through the VA. They had gone out to eat in downtown Charleston, and they were seated at a table outdoors. Everyone was not wearing a mask outside. Her husband was refused service because of his service dog. Businesses in the community were violating Federal laws due to the mask ordinance. She asked Council to consider this medical exemption. He had been refused service at more than three businesses. They stated it was the mask but no one sitting at the tables outside were wearing masks. She asked Council to consider that the suicide rates were up. Veterans suffered from PTSD and wearing a mask was a hazard.
2. Amy McLeod said the Charleston Coalition for Wireless Standards provided a memo to Council, and she hoped everyone had read it. There was an inaccuracy in it that stated the wireless transmission facilities on top of the Ashley House were adjacent to the VA, but it was not. It was adjacent to the Medical University Children's Hospital. There was yet another City that prevailed in Federal Court by a site installer, Xnet vs. The City of Cambridge, Massachusetts. The District Court sided with the City, and they required a lot of things in their ordinance that the City of Charleston could also. The City would also prevail in Federal Court.
3. Melissa Engdahl said she was speaking as a member of the Charleston Coalition for Wireless Standards. She was a 16-year Camp Counselor at Camp Happy Days. She started doing this because when she was 12 years old her best friend died of an osteosarcoma tumor. When she first started at Camp Happy Days, they barely had any children that had cancer in this area, but now they were at capacity. There were hundreds of children that had cancer in this area now. St. Jude's, St. Baldrick's, and MUSC were all expanding. They were all trying to help, but she

asked Council to consider looking more into 5G towers. They were not safe. They were trying to get onto school campuses, parks and recreation, playgrounds, and onto places where children were trying to be safe.

4. Karen Beard said she was speaking on behalf of the Charleston Coalition for Wireless Standards. Their members were reading articles and scanning the web for possible options regarding 5G, as Charleston parents did not want 5G in their neighborhood. The 5G spectrum had a high, medium, and low band. The low band frequencies were not as fast as the high band, but they were faster than 4G and they traveled much greater distances than medium and high bands. Since they traveled greater distances, there was no way to place the antennas in neighborhoods. The towers could be placed a far distance from homes and still achieve 5G service. One telecom carrier in the area now was running 5G on a low band spectrum. They wanted to know if low band spectrum could be used for Charleston's suburban neighborhoods rather than medium or high bands thus eliminating the need for small cell antennas in residential neighborhoods. They asked Council to consider this.
5. Rita Kazirkis said they just heard from the College that they were working to implement measures to control the spread of COVID. She was sure that they would not deal kindly with repeat offenders. She was at the Battery almost every weekend protesting men with Confederate Flags. They noticed that the gentlemen there not only refused to wear their masks which was okay because there was an exemption but they also repeatedly refused to maintain the six-foot distance. There were police out there every single weekend and they refused to do anything to enforce the ordinance also. She said one of the police said that she wasn't complaining when Black Lives Matter was burning down the City. That was why he wasn't enforcing the mask ordinance. Another time, a Captain just walked to his car and refused to talk to her. Because this was an important matter during this pandemic, she asked as the College suggested to be adaptable, that Council enforce the park ordinance where they could refuse activities on a temporary basis in that park.
6. Frannie Henty said they hired Dr. Emerman to tell them how exactly the Central Park Cluster subdivision by Crescent Homes wouldn't cause more flooding harm in the area. In addition to Dr. Emerman's important finding that the Central Park Cluster stormwater plan design was not in compliance with the 2013 Stormwater Guidelines, if the City permitted building of the subdivision contiguous to property that already flooded due to poor maintenance, insufficient pipe, and a system inadequately serviced over decades and presently by the County, the State, and the City, their Common Enemy Doctrine rights would be infringed upon. In South Carolina, the Common Enemy Doctrine water law stated the landowners could dispose of surface water, which was everyone's common enemy, provided it didn't create a nuisance for a neighboring landowner. This particular developer had a history of flooding out other contiguous neighbors in the County.
7. Harriet Reavis said her hat was off to all of Council's service to the City. She had been following the meetings since early that afternoon, they really did a great job. She supported removing the cluster ordinance in the Zoning Code as there were too many problems with it. She was opposed to the Accessory Dwelling Units ordinance because it may mean that they were not supporting the density figures

as written in the Zoning Code. She asked that Council stop any permitting on the Central Park Cluster. Their consultant, Dr. Emerman, who had 40 years experience in the field of hydrology, found that the 2013 Stormwater Manual had not been followed. He also recommended that no developments occur until the Central Park Basin recommendations were implemented and proven to work.

8. Michael McPherson said from the founding of the nation and still today, people had come here for religious freedom. During the first initial shutdown, they saw churches called non-essential. The right to peaceably assemble and the government staying out of churches was in question as the religious freedom to congregate in the church without the government coming in and wanting to fine people for not wearing a mask with the mandates. He believed that they should stop the mandates and fines, as Charleston was starting to look like California. He thought they should be taken completely away and let the people decide whether or not they wanted to wear a mask. If people wanted to wear them, they could wear them, and if they didn't want to wear them, then they don't have to. He didn't think the government should force it on people. The people were the governed, and Council was the government. The people gave Council the power to not enforce the fines and mandates because they weren't protecting the people's rights.
9. Carol Greene said she lived in the Marlborough Subdivision on James Island which was in the City. With every new development, the flooding of their property was increasing. It was most evident recently in the development of Fleming Park on Fleming Road, due to the 2013 Stormwater Regulations not followed regarding not exceeding the downstream capacity. Here they were again with the proposed Central Park Cluster, and the engineers were telling them that the models worked, but the hydrologist hired to complete the independent study concluded that the 2013 Stormwater Regulations were not being followed. She asked Council to consider delaying any further permitting on the Central Park Cluster until the Central Park Basin Study was completed and implemented to see if it actually worked. They needed to know if the recommendations worked as implemented, because if they didn't, they would continue to have damage to their properties. The 2013 Stormwater Regulations also stated that there should not be damage to the current property owners. She asked Council to put first things first and get the flooding resolved so they could have a win/win for the Marlborough and Laurel Park residents and the Central Park development.
10. Selena Ramsey thanked Council for the work they were doing and asked that Council not renew any mask mandates. As of that day, there had only been 241 COVID deaths in Charleston County. She was concerned that the mask mandates infringed upon her right to make a choice and to assess the risk that COVID brought to her and her family. She believed that people should take the information given to them regarding the outbreak, virus, pandemic, or whatever they wanted to call it, to decide what was in their best interest to stay safe and healthy. She wanted the choice to wear a mask or not. Professionally speaking, as a public health communication expert, she was concerned at the level of misinformation and the lack of a coordinated public health response and appropriate communication to the public about the viral spread, the costs and treatment, and restaurants. Last week, the CDC lowered the deaths attributed to COVID from over 100,000 to a little over 9,000. The other deaths were mostly from older adults

with pre-existing co-morbidities such as diabetes, heart disease, and obesity. That was the real problem they should be focused on.

11. Whitney Rainero said on August 17<sup>th</sup>, 20<sup>th</sup>, and 27 there were documents concerning links to scientific studies and articles about mask wearing in relation to the transmission of the virus. There were e-mails to all of Council, and she asked for them to take a look at those, as they would be able to make an educated and informed decision about mask wearing based on science, not guess work and modeling. Her brother-in-law who was in his late 20's who worked as an Assistant Chef at a small restaurant had been required to wear a mask at work, and he worked very long hours. One day after work, he went home took off his mask, and collapsed. His heart stopped, his mother gave him CPR, but was unable to revive him. When the EMT's arrived, they gave him a shot of adrenalin in his heart, and they were able to bring him back. The doctors concluded that his collapse was due to a lack of oxygen, and his lungs had been overstressed. She thought Council needed to take a look at this, as anyone could see that these two things were related.
12. Kristopher King spoke on behalf of the Preservation Society and Historic Charleston Foundation. He said they had reached out multiple times to the City in order to try and help on the smokestacks. They had been unable to get a response. He wanted to tell Council directly that they stood ready to help, and they were grateful for the two weeks and appreciated the thoughtful discussion. The key takeaway they heard was there was nothing they could do for this hurricane season. He knew they couldn't kick the can down the road regarding safety, but they could move forward deliberately. They believed that a second opinion was the only way to ensure they were making a right decision. They had offered to fund this, and they felt strongly it was a necessity. They had an engineer and they were ready to go, and they thought this was critical. They heard from so many about how important the smokestacks were. They had gathered over 1,200 signatures asking for a better outcome. They really wanted to work together with Council and with the City on a project for this neighborhood that they could all be proud of, and they stood ready to help.
13. Theodosia Wade said she was part of the Laurel Park community, and she and her neighbors asked that the City of Charleston not permit the Central Park Cluster Project, given the fact that the stormwater infrastructure in their area was not properly documented and in places its maintenance and condition was so poor that it already flooded in their streets and homes. They had Lake Mohawk when it rained, and it didn't have to rain much. The stormwater expert, Dr. Emerman, found that the 2013 Stormwater Guidelines were not followed for this project. They recommended that the City should wait for the Central Park Basin Study to be implemented, tested, and field tested again to be sure that it worked before permitting on any development occurred. She thanked the City, and she enjoyed listening to the Judge and the other people getting their awards. She was very proud to be a part of this City. She thanked Council for their time.
14. Tyler Jones said he represented Charleston C.A.R.E.S., which was the Carriage Association for Responsible Equine Safety. They were made up of the three largest carriage companies in the City, Palmetto Carriage Works, Charleston Carriage Works, and Old South Carriage Company. They fully supported the clean

new hitching ordinance that was up for second reading. It was a common sense step that they had already implemented themselves voluntarily. They worked with Dan Riccio at the City to see that this was put into the ordinance for all carriage companies in the interest of safety. They prided themselves on being held to a very high standard, and they believed this new ordinance was a significant step towards meeting that standard they had set for themselves. He urged Council to support this ordinance and give it second and third reading that evening.

15. Susan Milliken said for several months now, residents of Marlborough and Laurel Park neighborhoods had been concerned about the Central Park Cluster proposal of 38 homes. The reason why was because right now, when it rained on James Island, these neighborhoods severely flooded. The Aspire Apartments were built across the street, and that was 135 units. Another cluster neighborhood was nearby with 30 homes about to be under construction. The residents had known that their stormwater and waste water infrastructure couldn't handle any more homes, but an expert hydrologist recently confirmed this in a well-written report. They asked that the Central Park Cluster proposal not be approved at this time and be delayed until recommendations for flooding fixes could be implemented. Additionally, they asked that the cluster zoning be removed from the Sea Islands, which were James and Johns Islands. She thanked the Clerk for her service over the years, and they so appreciated her. She asked Council to please save the iconic smokestacks.
16. Julia Lane Napolski said she was a resident/homeowner on the Eastside, and she echoed what Kristopher King had said about the second opinion of the smokestacks at St. Julian Devine. She owned a business in the downtown district, and she had lived on the Eastside for over two-and-a-half years. She used to work for the Historic Charleston Foundation and as a tour guide in the City, so she was deeply ingrained in both the tourism and the resident side of the City. She strongly opposed the current set up of the City being able to disregard the excellent BAR process that the rest of them followed for their homes and businesses by way of having a City staff member make a decision on what would happen with these smokestacks off one solo engineering request. She definitely thought they needed to have another one.
17. Jennifer Trudeau said regarding the mask mandates, she didn't feel like there were any justifiable grounds to continue the mask mandates. South Carolina DHEC had recently given a report indicating that certain masks during a pandemic could actually make things worse, as opposed to wearing nothing at all because of the way that it aerosolized coughs and sneezes. There was no uniformity with the ordinances, so people didn't wear their masks correctly. They wore the wrong type of masks, or the people who were exempt from wearing them so there was a whole group of people who were not necessarily wearing them correctly. She didn't think they should be renewing the mandates. She also wanted to speak to people who were going through discrimination against different disabilities.
18. Jessica said since they were so focused on science she wanted to state some studies. This was on the WHO's website and she quoted, 'The wrong wearing of the surgical mask causes loss of intellect potential and cognitive performance due to a decrease in blood oxygen and subsequent brain hypoxia. Note: Some changes may be irreversible.' This was on the advice for the use of masks in a

wider community setting during home care and health care settings in the context of the Coronavirus. Another study could be found on the National Institute of Health's website stating that high breathing resistance made it difficult for the subject to breathe and take in sufficient oxygen. Shortage of oxygen stimulated the sympathetic nervous system and increased heart rate which was why they would see an increase in strokes this winter. Another study found 70 percent of the patients showed a reduction in partial pressure oxygen and 19 percent developed various degrees of hypoxemia.

19. Abby Frierstein said she worked at a small local business downtown, and they had been affected greatly by COVID-19. This mandate had made the citizens of Charleston divided and had brought out the worst in people. It was not her job or her responsibility to tell people to wear a mask. This was something she was now expected to do at her job which had made for a hostile work environment. Local leaders had given citizens the illusion that it was okay to discriminate against people, including children, if they saw them without a mask. People were so angry over this that they were getting in bigger and physical fights, and it was dangerous. The mask was a symbol of comfort for people, and most weren't wearing them properly. The logic and science did not support this, and it seemed that as long as it made people comfortable, it didn't have to make sense. If people sacrificed their freedoms for temporary security, they would lose both. This mandate had opened a door to a slippery slope. They could not have government dictating the medical practices.

The Clerk said, "That's all I have, Mayor."

Mayor Tecklenburg said, "Okay. Thank you very much. Thank you to all of the citizens who took the time to share with us, and I appreciate that very much. So, we're going to move on with our other item under Petitions and Communications which was the appointments of the Central Business District Improvement Commission At-Large Members."

Councilmember Griffin said, "Move for approval."

Councilwoman Jackson said, "Second."

Mayor Tecklenburg said, "Do I have any discussion?"

No one asked to speak.

On a motion of Councilmember Griffin, seconded by Councilwoman Jackson, City Council voted unanimously to approve the appointments of Helen Hill, Tom Stockdale, Tim Mueller, and Tyrone Wilson to the Central Business District Improvement Commission.

Mayor Tecklenburg said, "I initially thought I might give a report to you about the ongoing meetings of the Central Business District Improvement Commission. They have been meeting weekly, but I'm going to hold that until our next meeting because we're running long in time. So next, would be our Council Communications. First up is to discuss an amendment of our City's Single-Family Zoning categories to eliminate the opportunity for owners to submit a Concept Plan of Development under the current so-called Cluster subdivision definition."

Mayor Tecklenburg recognized Councilwoman Jackson.

Councilwoman Jackson said, "Thank you, Mayor. I'm sensitive to our time and I actually listened to a podcast this week on how to manage and host and get the most out of a meeting setting, especially in today's workforce generation which I'm not part of. So, I know I'm guilty of running on about a topic that I care about, but the suggestion that I picked up on in this podcast was you should not have a meeting topic on your agenda if you can't ask a question around it and expect the discussion to focus in on answering the question. So, on that basis, my question of my Council colleagues tonight is can you, or will you, agree with me that we can task the Legal and Planning staff, who I've already consulted, to come back to the Council with a first reading amendment that would allow us to consider whether it's time to eliminate Section 16 of our Zoning Code that deals with giving Single-Family zoning the opportunity to have cluster subdivisions as a by-right concept plan of development?"

Councilmember Griffin said, "So moved to agree with you, Councilmember Jackson."

Councilmember Brady said, "Second."

Councilmember Griffin said, "Let's see what it looks like."

Councilmember Waring said, "I agree."

Councilwoman Jackson said, "Alright. I will take that as consensus."

Councilmember Gregorie said, "No, no."

Councilwoman Jackson continued, "I had planned on discussing it with you. I have maps that the Planning staff have created to show where parcels are sort of left for cluster-type development based on the current Code, and I look forward to having the conversation in two weeks. Thank you so much."

Mayor Tecklenburg recognized Councilmember Gregorie.

Councilmember Gregorie said, "Yes. While I don't disagree with Councilmember Jackson, I think it's inappropriate to bring this before the Committee as a whole without it going through the appropriate Standing Committee, which is the Community Development Committee. I think that there needs to be some discussion in that Committee. That Committee can make its recommendations accordingly. I think bringing it before the body of the whole before discussion in a Standing Committee is not following protocol."

Councilwoman Jackson said, "I'm happy to make that part of the process, Councilmember. Thank you for the suggestion that you gave to me early on. So, that works for me."

Councilmember Gregorie said, "So, my motion really is to defer and send to the Community Development Committee for discussion."

Councilmember Griffin said, "Well, Legal still has to draft it no matter what."

Councilwoman Jackson said, "I don't think we really have to have a motion and a vote. My understanding of Council Communications is it's for discussion and a consensus. So, I'm happy to cooperate with the process, Councilmember Gregorie in particular, with your suggestions. I just want to bring this as an amendment to the Zoning Code whenever it's

appropriate with the staff, and I don't want to drag our feet on it. I would appreciate having it at the next CD Committee, if that's the consensus between the Mayor, the Legal Office, and the Planning staff. That would be fine with me. I just want to move this on."

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

No one else asked to speak.

Mayor Tecklenburg said, "So, without objection, Geona Shaw Johnson, if you are on the call, please put this on this next agenda for Community Development. Planning, if you all would take a look at the Ordinance and see what would be required in order to amend it to this effect, and we'll discuss it at CDC."

Councilmember Gregorie said, "You have the Chairman of the Community Development Committee on the call. I'm sure he'll put it on the agenda."

Mayor Tecklenburg said, "Without his objection, of course."

Ms. Shaw Johnson said, "Mayor, I'll confirm with Jennifer, and we'll get it done. Thank you."

Mayor Tecklenburg said, "Sounds good."

Councilwoman Jackson said, "Thank you very much."

Mayor Tecklenburg said, "Any other comments on this one? So, next is discussion to amend the Emergency Ordinance 2020-090 to remove the 9:00 curfew on amplified music."

Mayor Tecklenburg recognized Councilmember Griffin.

Councilmember Griffin said, "Yes, sir. If you don't mind, Mr. Mayor, I think that I can consolidate a lot of these five. Numbers three and six were both covered in Public Safety, so they can be discussed in that report. They don't need to be discussed twice. Number four, I would ask for your permission, Mr. Mayor, to wait until the next meeting to talk about. So really, I would only like to talk about numbers two and five right now, if possible."

Mayor Tecklenburg said, "I don't think that you will hear any objection from Council."

Councilmember Griffin said, "Number two is, honestly, I was just really, really, optimistic after looking at Tracy's numbers since July 1<sup>st</sup>, how our numbers and cases have gone down dramatically, drastically, whatever word you want to use as an optimism. Being cautiously optimistic, I thought it might be a good idea to try getting rid of the 9 p.m. amplified music and seeing if the numbers stayed down. Obviously, if they spike, I would be the first person to say, 'let's bring it back.' But start giving our businesses back a few things and seeing if they can control it, they can still police it, and the numbers don't spike. I think that this would be a really good thing for them. Then, if the Governor were to open things back up, even more, we wouldn't have this different curfew than on the State level. So, I was just hoping that this could be our first test of if our hospitality industry can handle it, and if our people are going to comply. If the numbers don't spike up, then that's a good win for the business community. So, that's where my heart is coming from on that one."

Mayor Tecklenburg said, "Got you. Would anyone like to chime in?"

Mayor Tecklenburg recognized Councilmember Gregorie.

Councilmember Gregorie said, "Yes, I think that right now we are in a situation where things are, in fact, working in terms of our decline. While I don't disagree with Councilman Griffin, I would look at it a little differently. Why don't we do it this way, okay? Let's reverse it. Why don't we hold off on changing the curfew to 11 p.m. to see what the effects will be within the next two weeks, with regards to Labor Day weekend, the college going back in, etc. Why don't we see whether or not it goes down. Let's not see whether or not it spikes. If it goes down in the next two weeks, Councilman Griffin, then I think that we would have a much better argument that, perhaps, we could raise the curfew until 11 p.m., as opposed to raising it to 11 p.m., not knowing the effects of the mass gatherings that have taken place within the last weekend, as well as the college coming back, and a number of other activities that, I think, Tracy highlighted during her presentation.

So, I would do it just the opposite. I would make it participatory. Folks, if you want us to go to 11 p.m., then let's make sure these numbers go down first. Let's get the numbers down first, and if the numbers go down within the next couple of weeks, Councilman Griffin, then I think your argument would be much stronger, to raise the curfew from 9 p.m. to 11 p.m. So, I'm not disagreeing with you. I'm just disagreeing, perhaps, with the timing and how we should look at it. Let's reverse it. Let's not wait for the spike. If it goes down within the next two, two and a half weeks, then I think you have a solid, solid argument to go to 11 p.m. Let's make it the bars, the businesses, the students, everybody, to participate to make sure that things go down in the next couple of weeks, as opposed to just going forward now and saying we're going to raise it to 11 p.m., when we know wearing the mask has been very, very positive, in terms of bringing our numbers down. I think it is important for us to make sure that we try to keep the numbers down. So, if the businesses, the bars, the college kids and all of us do what we are supposed to be doing, and we see that, by our next Council meeting, the numbers are still going down, still trending down, then, I think I would be in a position to consider supporting your recommendation. Right now, I think we are doing it opposite. I would do it the opposite way. Just throwing that out."

Mayor Tecklenburg said, "Thank you, Councilmember Gregorie. I would also concur on the practical matter, Councilmember Griffin, that we're just discussing this tonight. When we passed that ordinance, it was passed in effect through late September, after our next meeting. So, it was intended that we would review all those ordinances and either renew or make amendments when we meet on September 22<sup>nd</sup>. Right now, as President Hsu so eloquently shared with us, is a real critical time, with the students coming back, with our own public schools going back in session, as well. So, it's not time to take the foot of the gas just yet. Although this is just a tweak. When you brought it up at our last meeting, I was sympathetic to aligning the time, but Councilmember Gregorie's advice is wise. Any other comments or suggestions?"

Mayor Tecklenburg recognized Councilmember Seekings.

Councilmember Seekings said, "Thank you, Mr. Mayor. Just very briefly, I think that you used the right word, 'tweak.' You know, where we are right now, I know that something that we can do at the next meeting is we've got a little bit of winners and losers. Councilmember Gregorie talks about curfew. What I think Councilmember Griffin is asking for is just a relaxing of the 9 p.m. to 11 p.m. in terms of music. It doesn't change where people are. Here is one of the things, one of the natural, unintended consequences we'll have with students coming in, and I think one of the things that we'll talk about at the next meeting from President Hsu's conversation, is what

happens when the students come around, and they go off campus to have these big parties. Well, if you shut down music at 9 :00, and people want to go and hear music and gather and party, where are they going? They're going to go to places where we don't have compliance, where we don't have an entire industry that is looking at each other and trying to make sure that we have compliance. They are going to go into private homes.

So, I think that creates the level playing field, and we don't have that inherent inconsistency. The other thing is, this weekend, I couldn't go, but Michele went to a wedding where the live music went to 11:00, and it was right next door to a bar/restaurant in the City that had to shut down at 9:00. So, again, just an inconsistency where I think we could probably do a little bit better, and we'll know by the next meeting where we are. So, I support putting the level playing field out there and, as long as the numbers are good, the level playing field of 11 p.m. looks good. If the numbers look bad, we'll have a completely different conversation, right? We'll be talking about different times. I think you bring up a good point, and I'm in favor of at least making sure it's on the agenda for the next meeting."

Mayor Tecklenburg said, "I concur. Any further discussion on this one?"

Mayor Tecklenburg recognized Councilmember Sakran.

Councilmember Sakran said, "Thank you, Mayor. Is the plan to try to get this on the next agenda for the 22<sup>nd</sup> of September?"

Mayor Tecklenburg said, "It will be."

Councilmember Sakran said, "I think the point that I would like to make just briefly, I know that we are pressed for time, is looking at the data, assuming that the curfew does anything for the health and safety is one thing. I do think the mask ordinance has helped, the social distancing and all the health measures we have in place. But to suggest that the curfew, and if there is any evidence to prove otherwise, is doing anything positively, I'd love to see that. So, I don't want to set ourselves up for a false narrative in two weeks. If the numbers do go up, we're going to point to the curfew. I will say that the curfew does nothing, particularly when we have municipalities around us that are beating to their own drums. Folks are leaving bars at 9 and 10 p.m., and then going across the river. So the curfew, in my opinion, has done absolutely nothing to help, from a health and safety standpoint. I think we want to look at the data, and we want to look at the evidence. It's been the masks. It's been the social distancing, and it's been us washing our hands. So, all I'm saying is I don't want to set ourselves up to look at the data in two weeks and to say 'we're not going to revisit the curfew'. I think that is one thing that we should look at. We should base that decision on the data that we have in place."

Mayor Tecklenburg said, "I will commit to you all that we will bring it to Council as a change from 9 p.m. to 11 p.m."

Councilmember Sakran said, "One last piece, I'm sorry Mayor, I do want to acknowledge, this past weekend I've heard from several folks, midnight, 11 p.m., thousands of people in the street with no masks. I think it's incumbent upon us, as Councilmembers, to simply be honest with our citizenry. That is that, if we have tried to change the culture of folks in Charleston, in terms of wearing masks, I think we've done a good job of that. But, I think it is disingenuous of us to say that we're going to enforce this. It has been unenforceable. We've had zero tickets written. I have spoken to folks in the CPD, and basically, their time and resources doing this, they have better things to be doing. So, I'm not saying that we have not changed the culture. I think the mask

ordinance has changed the culture and behavior. If that's the goal, then I think we've done that. But, to suggest that we are going to continue to enforce this, we're just fooling ourselves. I think, as Councilmembers and politicians and as public officials, I think we sometimes put things on the books just to make ourselves feel better. The curfew is one of them. I'm not talking about the mask ordinance, but the curfew is one of those items where I feel we just checked the box because it makes us feel better. That's all I have."

Mayor Tecklenburg said, "So, we have been writing some tickets, but that is a different matter. Councilmember Griffin, do you want to go now to number five?"

Councilmember Griffin said, "Number five, and honestly, I thought more about this over the last week. I was thinking I would like to change that to the first meeting in October. But, I think that with having a month to plan, logistically, whether it be the Gaillard or Dock Street, every other municipality and local government around us is meeting in person. I think we've got to do more, and we have got to do it, too. So, I support it, and I ask that you all support it, too. It's just not the same on Zoom. If all these other municipalities can face their citizens, I think we should be able to, as well."

Councilwoman Jackson said, "I think that's an excellent suggestion, Councilmember Griffin. I appreciate that you are moving it back to October 8<sup>th</sup>, because I do hear our Clerk of Council's office and the IT and the whole—"

Councilmember Griffin said, "Logistically, I would say a month is a good amount of time to plan."

Councilwoman Jackson said, "Thank you. I would hope and pray that we can be ready to meet in person. I do think that it is a loss to not have that opportunity."

Councilmember Griffin said, "Mr. Mayor, I'm only speaking to Ways and Means and City Council. I think that there is a lot to be said about some of these Committee meetings being on Zoom. I think that there is some benefit to that, but I think definitely the Council and Ways and Means Committees are so important that if we can possibly meet in person, if it's logistically possible, I'd love to see that happen."

Mayor Tecklenburg recognized Councilmember Shahid.

Councilmember Shahid said, "Thank you, Mr. Mayor. Initially, I had brought this back up several months ago, thinking that we could safely have Council meeting by a distance, spread out, and use the Gaillard as our landing place. I want to bring to everybody's attention a couple of things that have changed since then. We've been pretty good at getting our numbers reduced. Look at the zip codes, and the ordinances that we have passed have had some impact on keeping these numbers down. But, as Tracy pointed out to us, we are not a red, red zone yet, but sort of an amber red, and our numbers have not gone down significantly enough. Several things are going to happen. Public schools started today. We just heard from the President of the College of Charleston that, at some point in the immediate future, his students are coming back for in person classes. The activities of our community are going to be more congested than what we had experienced over the summer. Councilmember Seekings has just gone through some medical treatment. He will be a vulnerable person if he is forced or required to attend a Council meeting in person. In addition, we have several staff members whom we call upon, not just in the Clerk's Office, but other staff members that we call upon to come and attend these meetings. We're not ready for it yet."

It also sends a bad signal to folks that we are out of the danger zone. We're still in the pandemic. Look at the numbers nationwide as to where we are with this and statewide with this. We were controlling it to some degree, doing pretty well to some degree, but there are several members of Council who are over the age of 50. I just turned 65 in July. I think Councilmember Waring is pushing right behind me. I don't want to call, cumulatively, our elderly members of Council, but we are in that category. We have to be careful, because we're putting, not only ourselves in danger, but we're putting our staff in danger, as well. To do that for appearances is just not a smart move at this point. So, let's see where we are. Let's wait and see what this new change coming down with classes starting back in full swing, with our elementary and high school students and when the College in Charleston back in full swing, let's see how these numbers pan out. There are a few more markers that I want to watch before we get back to meeting in person. Just as my mother would say, 'Just because someone jumped off a bridge, doesn't mean you have to jump off a bridge as well.' Just because other Councils are meeting in person, doesn't mean that's what we need to be doing, as well. But, we need to be smart about all this and take into consideration the danger this poses to folks. Let's be patient with this. Let's see, when October comes, what our numbers are. Let's revisit this at some point later on down this calendar year. Thank you."

Mayor Tecklenburg said, "So, if I may remind you all, Tracy shared with you at the end of her remarks how the City has actually been doing more to keep our employees safe and our citizens safe. We are one of the few organizations that I know of that really followed the CDC recommendations that were presented by President Trump in April, to heart. We came up with this phased opening approach that we have been following ever since. We are still in Phase 2 of four phases. We have been following that protocol and, I think, to good effect. You saw that we only have right now one employee who is COVID positive."

I also did check, Councilmember Griffin and Councilmembers, on the technology of us doing a hybrid. We do have some folks that would like to attend the meeting whose health might be compromised, and they don't want to come to a physical meeting. It is hard for us, from a technological point of view, to do more than just put up a live stream on YouTube. To have a more interactive thing, like we do now, in combination with an in person meeting, becomes pretty difficult. You have to have microphones for everybody, a camera for everybody. We have that by virtue of providing our own computers. So, the logistics of running a hybrid is very difficult. So, if you go back to in person, you basically go all the way. I'd be curious, I didn't get the numbers from her, but Jennifer, did you have a chance to look at how many people have been actually giving us public input?"

The Assistant Clerk said, "Yes, sir. Since we started our meetings virtually at the end of March through our last meeting in August, we've had a combination of citizens submit comments online, by telephone, and at the meeting. The total, just for those meetings, is 859. By comparison, in 2019, we only had 318 in total for the whole year."

Mayor Tecklenburg said, "So, in a way, by being virtual, we have expanded our input from our citizens. We have given them more opportunities to give us their comments and input. So, there have actually been some pluses to this. I want to try to maintain what we can of those different options as we go back to an in person meeting. Some of it is difficult, particularly the live presentation as we did. Anyway, I think that we should stay the course and follow our regimen that we have established. It's been very successful, and continue to watch it, but anyway, Councilmember Waring, you wanted to be recognized."

Councilmember Waring said, “Yes, sir. Thank you, Mr. Mayor. I certainly understand you and Councilmember Shahid, but our Congress meets in person. Our U.S. Senate meets in person. The only reason our General Assembly is not meeting in person is because their sessions are over. They still come in special sessions to pass the budget in person. I think we need to start making preparations, I don’t know whether it’s a month, but I definitely think, we’re going to be voting on our budget, certainly in November and December. Getting back into the public square is part of our democracy. If we can go to Home Depot, Costco, the grocery store and the drug store, with only one caveat that Councilmember Shahid said, that there is no doubt about it. I would agree with it. My colleague and yours, Councilmember Seekings, certainly has a big challenge. Our prayers are with him on beating that challenge. I certainly want to have my desk mate return back in good health.

That said, we need to plan to meet in person, Mr. Mayor. A couple of months ago I actually made mention of that when I saw Governor Cuomo spread his team out when they were going through the height, quite frankly, of the pandemic in New York before anybody got a grip on handling what to do, spacing and masks and all of that. He led by example. I had a pretty good talk with Councilmember Gregorie today on this one. I’ll never forget, on this Zoom meeting, no one has a mask on for obvious reasons, but we lead by example, and I’ll never forget during Hugo when people weren’t leaving town. Mayor Riley got out on the front porch of City Hall and pleaded with people to leave at the same time he had people putting plywood up on the windows at City Hall. Let me tell you, that image sent a message out through Charleston. Everybody didn’t leave, but a lot of them left because nobody had seen City Hall boarded up like that in modern times. That’s the threat that was heading to us. But, by example, we have to have that picture out there with us, when we have a microphone, and we’re not talking with that mask on. We passed an emergency ordinance for people to adhere to the same guidelines that you spoke to, Mr. Mayor, that we all support.

So, I think that we need to begin to make plans to meet in person. I don’t know whether 30 days is the right amount of time, but I would certainly pray that we would be doing that by November when we start talking about passing the budget. This is probably one of the most important budgets in a long time in the history of Charleston. That should not be on Zoom. That should be in person. There would be only one reason I would continue to support doing this on Zoom. I agree with Councilmember Griffin. The Committee meetings are working extremely well on Zoom. The only reason would be to get my desk mate back in good health. That would be the only reason. That said, I know we can do this. We put a man on the moon and brought him back, and when the world said they didn’t believe it, that we didn’t do it, we did it a second time to make sure everybody had proof. So, if we can do that as a country, the City of Charleston can show how government can practice safe spacing, with a mask, with proper order in the public square. So, thank you. I’m in favor of making plans now to meet in person.”

Mayor Tecklenburg said, “Understood.”

Mayor Tecklenburg recognized Councilmember Appel.

Councilmember Appel said, “I tend to agree with Councilmember Waring here. I think that the goal and the aspiration needs to be for us to get together, as soon as it is safe to do so. I’m going before the Charleston County Planning Commission for a workshop on behalf of a client on Monday, and they’re meeting in person. This can be done. It can be done safely. Of course, we need to make sure that we’re looking out for and protecting our fellow Councilmembers and staff. We’ve got to do this safely and we’ve got to do it the right way, but these are issues that can be

solved. There are examples all over the country. People with a whole lot less are able to do it. I think that it sends the right psychological message to the community, that we're learning to live with this virus that, guess what guys, is not going anywhere. COVID is going to be with us into 2021. They're already talking about the 2021 football season having to deal with COVID. So, it can't just be that COVID keeps us on Zoom indefinitely. We have to find a way to make this work. Even when we get the vaccine, we've heard from the anti-maskers, wait until you hear from the anti-vaxxers. They're going to be calling in, writing in, emailing in, and Facebooking in. So, this isn't going anywhere for a long time. We've got to find a way to strike an appropriate balance. I would love to have our Committee meetings stay on Zoom until Lenny Krawcheck and Judge Fields age. I think that's the way to do it forever. But, for our Council meetings, for the number one city, not just in South Carolina, but in the world, for us to show that we are able to meet together and do the business of the City during some critical times, I think is a goal that we all have to share. Let's not rush it, let's do it right. We have a very competent, capable staff. Let's make it happen."

Mayor Tecklenburg said, "Thank you. It's not that we haven't thought about it or made plans. That's part of Phase 4. We just haven't gotten there yet, folks. But, I hear you loud and clear. We'll drill down and plan a little better or start to make some provisional plans. I don't think it would be practical for us to meet here at City Hall because the space of our Chambers has been analyzed by our safety team. They just don't think that what we would consider a reasonable number of people could safely distance in that room. So, we'd likely meet at the Gaillard or Dock Street Theatre, but probably the Gaillard where we could have even more room to spread out. So, we'll start looking at that. I don't know a time frame. I'll feel better at the end of September if the numbers stay at least even with what they are right now. You saw Tracy's chart about the different events and openings that are happening right now, along with Labor Day weekend. Let's get at least to the next meeting at the end of September. I think it would bring us some comfort about phasing on at least to Phase 3 and try to move back to some in person meetings. Alright, any other comments or suggestions on that?"

No one else asked to speak.

Mayor Tecklenburg said, "Thank you all. So, next we'll move to our Council Committee Reports. First up is the Committee on Human Resources."

Mayor Tecklenburg recognized Councilwoman Jackson.

Councilwoman Jackson said, "Thank you, Mr. Mayor. I appreciate the opportunity to give a brief account of the Human Resources Committee meeting. We met on Thursday, August 20<sup>th</sup>. We don't meet very often. It's more of a topical requirement type of meeting, as opposed to a regularly scheduled meeting. So, we did have some very important business that was a combination of the amazing combination staff of our Human Resources Director and her team, in concert with Amy Wharton, our CFO, and the budget and benefits analyst. Basically, the main decision that we voted on was to approve the submission of the premiums for our employee benefits package. There will be no change to the benefits themselves, but we are needing to adopt a 7.8% overall increase, based on the performance of the plan. I think we had some claims that sort of pushed us into an increased direction. The reason that we needed to do that, and give the direction to HR and our CFO, was because the notice for the plans needs to be decided before we make our final budget decision. So, this amount of funding will go into the base numbers of the 2021 budget. But, we basically have given the green light to contract for the premium package that we all are proud to offer to our City employees.

You'll see that we deferred the Stop Loss Agreement at the request of the CFO. They are going to bring that straight to Ways and Means. Then, we went on to a very specific and timely COVID-19 update, specifically geared to the state of our employees. We've heard a lot about that from Ms. McKee, so I don't think we need to get into that. We really appreciate the attention, the tender loving care, that we are providing to people with all the announcements that go out from Jan Park's office, our on staff nurse, and the woman who basically keeps track of all the programs and the opportunities for employees to be well looked after during this unpredicted season.

Then, we had a really good, thorough presentation from our contractor, Novak, who have been following our employees' opinions about being workers within the City. So, this was a year to update the employee survey that had been done originally in 2018, under Julia Novak's leadership as a consultant to the City. So, we had a thorough report. I think that has been made available to the full Council. If you haven't looked at it, we're happy to forward you another copy. They continue to drill down into some of the demographics. I'm proud to say that the Women's Commission had made some suggestions about tracking information about our employees that hadn't really been part of the mix in 2018. So, we were glad to know that we were making a difference in how we're thinking about our employees and their suggestions and satisfaction with all the questions we want to know about turn-over and longevity and things like that. So, it's a really good survey.

Then, we received a Report from the Women's Commission. Basically, it was three recommendations that the Commission on Women had put forward to HR. The one that you should all be familiar with was the original resolution that was recommended to the Council, which we put forward to Human Resources, to study the opportunity to begin offering Paid Family Life Leave as part of our employee benefit package. I am very proud again, as a Councilmember on the Commission on Women, to say that it was a very thorough six months of evaluation and working cooperatively with Ryan Landry, in particular, from the Human Resources staff. He did all of the research, in conjunction with some of the research that the Women's Commission had begun a year ago. So, we now have, I think, the beginnings of a very great, informative, comparative study about what other localities like ours are doing. We came up with an incremental, progressive benefit to honor the family life leave intentions that we all declared as a Council last year. Unfortunately, with the 2021 budget what it's going to be, I think the Human Resources Committee made a very careful and good stewardship decision to delay putting any family life leave on our agenda for the 2021 budget. But, we are going to continue to fine tune it and promote it and study what other jurisdictions are doing. So, I think we are going to have to wait and see that this package is going to be introduced for 2022.

The other two suggestions that the Commission on Women made to the Human Resources Committee that we discussed and took action on was one additional study that the Commission on Women members had been doing about what everyone calls 'the salary history question.' It's very similar to the written questions when an applicant is invited to apply for a job, and they call it 'ban the box.' So, the City has been 'banning the box' about whether you had any history of incarceration or any sort of criminal offense. We have not been doing that for a few years. I think that's a good feather in the City's cap.

The other question that we have been asking on applications is a salary history question. 'What is your most recent salary?' That has become a pretty well accepted question that we should be dropping from our application. As you can imagine, it can be a matter that really discriminates against people who have been underpaid in similar jobs, or had to be out of the workforce as parents for a period time and are behind on their salary based on their own career opportunities. We have recommended that instead of asking the salary history question, we turn

it into an aspirational, 'What salary would you think is appropriate for the job you are applying for?' That basically gives the same look at if people are going to be applying for jobs that meet their salary needs. That was the reason that the Human Resources staff has been keeping that question on an application, because they don't want people to be surprised by applying for a job and then realizing that the salary that is being offered by the City is not going to meet their expectations or their needs. We've made that a compromise with the Human Resources Department. I think, Mayor, you determined that you were going to go along with that. That will be the way that we collect a salary question answer from people who apply to be employed by the City.

The last recommendation the Commission on Women made is to support and make permanent what has become the Temporary Work at Home Policy that the City has enacted during the COVID-19 pandemic. We think that is a wonderful addition to our Human Resources policy. So, we're recommending that we turn what has currently been a temporary opportunity into a permanent one. Obviously, it needs to be worked through with each Department Head and the jobs that they are in charge of. We do feel like the time has come, in our technology and in the workforce and in the way people have to commute to jobs, that they could probably do just as well at home at least some hours a week, if not full time. So, I think that was well received by our staff and by the Committee members. So, we're looking forward to making that a permanent enhancement of our employee policy. That's it. Thank you very much for listening. I know it was a little longwinded, but we don't meet very often."

Mayor Tecklenburg recognized Councilmember Gregorie.

Councilmember Gregorie said, "Yes, just a couple of things. The 'banning the box,' I think we have to just make it clear that if we ban the box, according to Human Resources, we will still continue to do our background checks."

Councilwoman Jackson said, "Sure."

Councilmember Gregorie said, "So if there is an issue, we should still be able to pick it up. In addition to the work at home, we also need to discuss flex time. In many cases, Mayor, as you know, we are already doing that in some of our Departments. However, if somehow we can kind of formalize that. Again, most of what we are talking about are not Council decisions. These are administrative decisions that would be made by the Mayor and his staff. I just wanted, Madam Chair, to put those two issues on the table."

Councilwoman Jackson said, "Thank you. I appreciate the enhancement of my report, Councilmember."

Mayor Tecklenburg said, "Good observation. Any discussion on any other items? Do we want to receive the report from the Human Resources Committee?"

On a motion of Councilmember Jackson, seconded by Councilmember Gregorie, City Council voted unanimously to accept the Committee on Human Resources report, as presented.

- (i) Review and Approval of 2021 Healthcare Budget and contract renewals
  - BCBS South Carolina – Medical and RX
  - Premiums

(The 2021 Healthcare budget in the amount of \$23,098,033 was approved by the HR Committee on August 20, 2020. This includes the renewal of the BCBS of South Carolina

contract. There is a budget increase for 2021 of \$1,668,458 which is an increase of 7.8% from the 2020 healthcare budget. The stop loss agreement has been deferred.)

- (ii) Defer - Stop Loss Agreement-request to take straight to Ways and Means
- (iii) COVID19 update
- (iv) Employee Survey
- (v) Report from Women's Commission

Mayor Tecklenburg said, "Thank you for that report and a lot of the work that you all did. Okay, Committee on Community Development."

Mayor Tecklenburg recognized Councilmember Mitchell.

Councilmember Mitchell said, "The Committee on Community Development met on Thursday, August 27 at 4:30 p.m. We had three different items a, b, and c. 'A' was a Rental Assistance Demonstration. Don Cameron came by and did a presentation, talking about the RAD program, updating us on the RAD Program and explaining that the project that would be affected first would be Kiawah Homes on Rutledge Avenue. Then, on 275 Huger Street, they plan to demolish that and build many units there in that area. So, he was updating us to let us know exactly where they were going with the RAD Program. The RAD Program stands for Rental Assistance Demonstration Program.

Under 'B,' we had a program presentation from Mr. Bradford about the Friends of the Lowline, the Community Outreach Education. He explained to us the Lowline and how it's coming along and needing to get people in the community, even African American individuals, who know history about the area of the Lowline that was there. So, we can include them in this process in getting that done.

Thirdly, we had a presentation about Laurel Island Development, which was already approved by the Planning Commission and sent to Council for approval by Robert Clement and a couple of the staff members. So, that's the only thing I need a motion on was Laurel Island. I move for approval of the report."

Mayor Tecklenburg recognized Councilmember Gregorie.

Councilmember Gregorie said, "I would like to add, just a bit, we did have extensive discussion also with Mr. Cameron. While rental assistance development is important, it is also important that we try to come up with some wealth creation, home ownership opportunities like the City has been doing over the years. For some reason or another, I don't know why, but there are programs that the Housing Authority has where people will be able to use their Section 8 certificate toward purchasing a home. I think that, as Councilmembers, and all of us have constituents who often want to be first time home buyers, but somehow we need to convince our public housing authority that rental assistance is fine. We also need to start thinking about how we can emulate some of the programs that the City already has in place for homeownership. The Housing Authority, which already has a family self-sufficiency program in place, train people for home ownership opportunities. Lastly, as it relates to the Huger Street development, while currently, and correct me if I'm wrong, Mr. Chairman, there are public housing units, those units will be private. While we will continue to have some assistance there, and we may be able to, I think that there was one that we would gain, right Councilmember, Mr. Chairman?"

Councilmember Mitchell said, "I think it's one."

Councilmember Gregorie said, "I think it's one in addition, but that really will be a private development."

Councilmember Mitchell said, "Mr. Mayor, I questioned Mr. Cameron about 275 Huger Street. It was built in 1983. I moved there in 1983 when it was built. This is a nice unit, 3 bedrooms, 2 bedrooms, bath and a half. I asked him, 'this was just built, and you're going to tear it down already?' They said they're going to tear it down to build more units. Even the self-sufficiency program I worked with while I was working on HUD, helped people use that to purchase homes. We had quite a few people who went into that, people who were paying high rent on the public housing. Once you get them to go into the first time home buyer's workshop and get them prepared for homeownership, you had quite a few people that went into it, but some people didn't want to do it. But, that's one way that even the City of Charleston has with the first time home buyers program. Some of them might be eligible for that. If you have a Section 8 program certificate or a voucher, you could use that remainder money in there. If you've got 15 years left, that money will go towards your mortgage payment so to speak. So, you will receive that subsidy for that 15 years, and after that 15 years is up, then you're really on your own and paying your full mortgage payment. So, that is one way of assisting people to become home owners under that self-sufficiency program. All of the Housing Authority carries that particular program. I don't how much they appreciate that program like they used to, but the City, the County, Charleston, everyone carries that self-sufficiency program."

Mayor Tecklenburg recognized Councilwoman Jackson.

Councilwoman Jackson said, "Thank you. I think it's great that we're adding on, too, because these are very important programs that are going to be shepherded, supported, and participated in by the Housing Authority. So, my take away from Mr. Cameron's report to us was, their properties have been inventoried, evaluated, and prioritized into two major groups of opportunity under this demonstration program that HUD has been basically encouraging all Housing Authorities to get into. So, my understanding is that they have one category called Preservation. The Kiawah Homes is a good example of that. Those units are going to be retained and rehabbed to a significant level of modernization. Then, the other type of major program that HUD is approving now, is a redevelopment demonstration. Huger Street will be demolished and rebuilt in a private/public partnership model as a mixed income, with more units overall. So, I think that the model is allowing the Housing Authority to retain condominium ownership of the units that they will retain permanently for their own use with residents who will be allowed to come back, and basically occupy a unit that is brand new under their current rental structure. I totally agree with you, Councilmember Gregorie, if we can encourage and figure out and add to ways that all the residents of the Housing Authority could see themselves as home owners and become home owners that would be fabulous. But, I don't think that they're going to give up ownership of the units. They are going to retain ownership, and it will be a mixed income – private public partnership condominium regime."

Mayor Tecklenburg said, "Alright, back to Councilmember Mitchell."

Councilmember Mitchell said, "Yes, and a lot of tenants there on the public housing and as it stands now, will be offered Section 8 certificates and Section 8 vouchers, that they can move somewhere else if they can find a place. What HUD is paying, that's not what they're renting these houses out here. See, that's another problem they're going to run into, and that's the question I asked Don. If these people cannot find a place, what's going to happen? Normally, it was 60 days that they could find a place. But he said 'no, they'll still be able to come back.' They'll have a longer period of time, ninety days or whatever the case may be. I just want to make sure of that

because I don't want to personally go out there and take that, and then they become homeless. Then, we'll have more homeless people out there doing that again with their children. So, you've got to be very careful, even when they accept that Section 8. The reason why they are changing this, this is nationwide now with all the housing authorities. The Housing Authority here for the City of Charleston, HUD put zero money in for renovation. So, they now have to be able to recoup and have money to be able to maintain these buildings and renovate these buildings because zero money came to them for restoration and renovation of the public housing."

Mayor Tecklenburg said, "Right, exactly. At the end of the day, it's going to take a while. It's going to either modernize or reconstruct these units and to add some more units along the way. Not a huge addition, but some additional units, as well. So, it may take two decades for this to cycle through all 1,400 units, but it's a step in the right direction you all. It's going to take us a while to get there."

Councilmember Mitchell said, "Mr. Mayor, Gadsden Green will be the last one because it's the largest one that they own."

Mayor Tecklenburg said, "Well, I'm not sure it will be the absolute last one. It wasn't in the first batch."

Councilwoman Jackson said, "It was in the middle of the pack."

Mayor Tecklenburg said, "They need to get their legs under their feet first on working the program. Alright. Any further discussion?"

The Clerk said, "Mayor, I just want to be clear. Councilmember Mitchell, you said you wanted item 'C' approved?"

Councilmember Mitchell said, "Yes. That's the one that would have to be approved."

The Clerk said, "Okay, so I need someone to second. You made the motion, and I need a second."

Councilmember Waring said, "I will second it."

Councilwoman Jackson said, "I'm sorry, what are we approving with item number 'C'?"

Councilmember Mitchell said, "That's Laurel Island. It was sent to us from the Planning Commission. It was approved by the Planning Commission and sent to us to be approved through the City Council. So, we have to approve it through Community Development."

Councilmember Seekings asked, "So, that's approval of the PUD?"

The Assistant Clerk said, "Mr. Mayor, and I don't know if legal is on the line, I think the recommendation from CD was to approve it. But, I think it has to come to Council for a public hearing for the final PUD approval."

Mayor Tecklenburg said, "That's right. I was going to say, even if you all voted in favor of this now, we really pick up the matter in earnest when we have our public hearing. That's when Council would give it final approval or not to the PUD."

The Clerk said, "So, your motion could be to send it to the Commission. Is that what you're saying?"

Councilmember Mitchell said, "No. The Planning Commission sent it to the Committee. We have to approve it and send it to Council."

The Clerk said, "Okay."

Mayor Tecklenburg said, "Let's do this. Let's accept the Committee report, which included a recommendation for Council to approve."

The Clerk said, "Yes."

Mayor Tecklenburg recognized Councilmember Gregorie.

Councilmember Gregorie said, "Mayor, just to give a little bit more information on Laurel Island. We're talking about 200 permanent affordable housing opportunities on the island and an additional 200 units, I think. It's either 10 or 15 years."

Mayor Tecklenburg said, "Ten years."

Councilmember Gregorie said, "So, to me, the fact that we are going to have 200 units in perpetuity is a big deal. Even having the other additional units that will sunset is still giving us a considerable amount of affordable housing opportunities in that PUD."

Mayor Tecklenburg said, "Correct."

Councilwoman Jackson said, "Mr. Mayor, I think that the numbers are higher than that. I think that there are 4,000 overall units to be built on Laurel Island, and the permanent amount will be 10% of those units."

Mayor Tecklenburg said, "Correct."

Councilwoman Jackson said, "And then another 10% will be the ten year sunset. What was recommended by the Planning Commission, that we agreed with at the CD level, was that those units would be delivered as they are built. So, whatever future developer will not be allowed to wait until the final buildout to deliver those 800 units essentially."

Councilmember Gregorie said, "I don't think it's 800 units, Councilmember. We might want to check that."

Councilwoman Jackson said, "It's 10%. 10% of the total amount."

Mayor Tecklenburg said, "It will depend on the units they build. They agreed upon that, and it was incorporated in the price. I think their intent is to produce a good number of them earlier rather than later."

Councilmember Mitchell said, "Correct."

Councilwoman Jackson said, "But the ten year clock will start at the CO. So, I think the original proposal was that the ten year clock would start when we approved the PUD. Now, it's

going to be when they deliver a unit, and then the ten year clock will start. That's what they agreed to in front of us."

Mayor Tecklenburg said, "That's correct, yes ma'am. Alright, any other comments? We will receive this as a report, if you will, Councilmember Mitchell. I think that is the appropriate thing, given the fact that we technically vote on the PUD at our next meeting."

On a motion of Councilmember Mitchell, seconded by Councilmember Waring, City Council voted unanimously to receive the Committee on Community Development Report as presented:

- a. Rental Assistance Demonstration Program (RAD) – Program Update
- b. Friends of the Lowline Community Outreach and Education
- c. Laurel Island Development

Mayor Tecklenburg said, "Alright, let's move along to our Committee on Public Works and Utilities."

Mayor Tecklenburg recognized Councilmember Waring.

Councilmember Waring said, "Thank you, Mr. Mayor. Our Committee met, and you see items number a(i), well Roman numeral one through six, for Acceptance and Dedications of the various roadways and rights-of-way. They were passed unanimously, and I so move."

Councilmember Shahid said, "Second."

Mayor Tecklenburg said, "Any discussion?"

No one asked to speak.

On a motion of Councilmember Waring, seconded by Councilmember Shahid, City Council voted unanimously to approve Items a(i) through a(vi) from the Committee on Public Works and Utilities Report as presented:

(i) Dedication and Acceptance of Johnston Point, Phase 2- Fallfish Way (20' R/W, 649 LF), Sugarberry Lane (R/W varies, 1109 LF), Calico Bass Lane (20' R/W, 1143 LF). All infrastructure for this phase has been constructed.

- Title to Real Estate
- Affidavit for Taxable or Exempt Transfers
- Exclusive Stormwater Drainage Agreement
- Plat

(ii) Approval to notify SCDOT that the City intends to accept maintenance of 2050 LF of concrete sidewalk on Camp Road (S-28) and 1150 LF of 10' asphalt multi-use path on Riverland Drive ( S-53).

(iii) Approval to notify SCDOT that the City intends to accept maintenance of 237 LF of granite curb, 630 SY of bluestone sidewalk, 57 SY of brick crosswalks, 237 LF of crosswalks, 3 non -standard handicap ramps and 1 sanitary sewer conflict structure in conjunction with the Market Street Division III Streetscape. These improvements are on East Bay Street (US -52) and South Market Street ( S-214)

(iv) Woodbury Park, Phase 3A, Acceptance and Dedication of a portion of Harmony Lake Drive and drainage easements, as shown on attached plat. The development includes 17 lots. Sidewalks and street trees have been bonded.

- Title to Real Estate
- Exclusive Stormwater Drainage Agreement
- Plat

(v) Dedication and Acceptance of Non-Exclusive Storm Water Drainage Easements over Charleston County TMS No. 301-00-00-028, as shown on attachments.

- Non-Exclusive Storm Water Drainage Easements

(vi) Dedication and Acceptance of Oakfield, Phase 2, Cul-de-sac, Acceptance and Dedication of Rowan Road Extension, as shown on attached plat. The development includes 4 lots. Sidewalks and street trees have been bonded.

- Title to Real Estate
- Plat

Councilmember Warning said, "I'm going to jump out of order for one minute and come back to the Stormwater Updates. There was also an ordinance that was put forth, really by Councilmember Griffin, to include more participation on behalf of the City, as well as a Church Creek Stormwater Basin Authority to be established. That is item 'C' on the agenda. It also was put forth and passed unanimously on the Committee, and I so move."

Mayor Tecklenburg said, "Second. Any discussion?"

Mayor Tecklenburg recognized Councilmember Shealy.

Councilmember Shealy said, "Yes, thank you, Mr. Mayor. I know that there is a County Council person that's going to be on there that is in the district that Church Creek is. Church Creek actually splits two districts. I don't think we need to change anything on it. I just wanted to clarify. The one Council person that's in Church Creek right now, there is one that serves under West Ashley revitalization. So, I think that's good. It would be the District 6 representative, I guess, that would need to do that. So, I just wanted to bring that clarification. There are two Council people for the County, District 6 and 7."

Mayor Tecklenburg said, "Yes, that was what I was thinking, Councilmember Shealy. That District 6, Councilmember Rawl, who currently holds that. Most of Church Creek is in that district, if I'm not mistaken. So, it was my intention that's who would we would ask."

Councilmember Shealy said, "Very good. I think so, too. Thank you."

Mayor Tecklenburg said, "Yes, sir. Any further comments on the Church Creek ordinance?"

No one else asked to speak.

On a motion of Councilmember Waring, seconded by Mayor Tecklenburg, City Council voted unanimously to give first reading to the following bill from the Committee on Public Works and Utilities report:

*An ordinance to amend Chapter 27, Stormwater Management and Flood Control, to add an additional article to be numbered as Article IV, and titled Church Creek Stormwater Drainage Basin Authority whose purpose is to review, rank, and make recommendations*

*to the Mayor and City Council on the selection of Church Creek stormwater drainage basin projects, priority, and funding.*

Councilmember Waring said, "Now, we go back to the Stormwater Management Updates. Pay attention to one, in particular, for Barberry Woods on Johns Island, King and Huger, Councilmember Sakran, Barberry Woods, Councilmember Brady, South Windermere. Councilmember Appel may have an interest in that one. Mr. Fountain, can you touch base on that with Council for those? On all items?"

Mr. Fountain said, "Yes, Councilmember Waring. The first item was Barberry Woods Drainage Improvement. It was accepting the National Fish and Wildlife Foundation Grant. It's \$117,500 of federal funding, matched with \$117,500 of City funds from the Drainage Fund, Barberry Woods project. It's basically a plan to identify existing drainage patterns, natural drainage patterns and natural drainage systems, on Johns Island. Plus, to identify ones that have been damaged by development and propose options for re-naturalization and enhancement of those damaged items, similar to what we are doing in the Barberry Woods project.

The second item was the King and Huger Drainage Improvement. This is the next step in the design work. We've previously designed the surface drainage collection improvements and taken the pump station concept to a 30% design for a couple of different options for the pump station. The task now would be to further that selective pump station design all the way through final design and permitting, construction drawings, as well as providing additional construction services based on this environmental contamination in the intersection from the gas station.

The third item is the Windermere Drainage Improvement. This is the initial professional services contract with Thomas & Hutton for the conceptual design work in the Windermere, kind of the greater Windermere Basin, to look at different options for drainage improvement in that area and come back with recommendations for design and permitting. The fourth item was for the Low Battery Seawall. This was basically a conversion of a previous purchase order that will go above \$40,000 into a contract for vibration monitoring services through the end of the project. We haven't had any issues on the project at this point with vibration, but we've had a lot of concerns. So, we're continuing monitoring efforts to address that.

Item five was just the discussion about how FEMA has now provided the final Charleston County Flood Insurance Rate maps that the City can adopt. The way FEMA is doing the Charleston County maps is a little bit different than they did the Berkeley County maps. They're basically having a hard date for adoption of that. No matter when the local agencies adopt, they'll become effective January 29th, even if you adopt before that date. Instead of it being phased in over different municipalities' across the County, everyone has the same unified start date. So, we discussed that, and we'll be bringing information, probably at the next Public Works and Utilities meeting, for an actual ordinance to begin the adoption process. We discussed a little bit of information about how the maps are changing. The flood zones are getting a little bit lower. The data was collected pre-2015, so we don't know how that will hold up through the next flood map update in 10 years. Then, we briefly discussed some changes in the velocity zone and the coastal pay zone, which gives us an opportunity to basically modify some other ordinances that we'll be bringing for further discussion to Public Works & Utilities, either later this month or beginning of October, to propose those options for building code modifications, as well."

Councilmember Waring said, "Okay, now items b(i) through b(iv), we need to make a motion to vote on, and I so move."

Councilmember Shahid said, "Second."

Mayor Tecklenburg said, "Is there any discussion?"

Councilmember Waring said, "Well, it passed unanimously at the Committee level."

On a motion of Councilmember Waring, seconded by Councilmember Shahid, City Council voted to unanimously adopt items (i)-(iv) of the Committee on Public Works report:

(i) Barberry Woods Drainage Improvement - Approval to accept the National Fish and Wildlife Foundation (NFWF) Grant for Johns Island Restoration Plan to Improve Flood Resiliency. The grant will develop a plan to reduce barriers to coastal resilience by producing a preliminary floodplain restoration planning framework that will integrate ecological function to increase the overall resilience of Johns Island's communities, fish and wildlife. The grant is \$117,500 of Federal Grant Funds and \$117,500 of City Funds currently budgeted in the Drainage Fund.

(ii) King/Huger Drainage Improvement - Approval of Fee Amendment #1 with Johnson, Mirmiran & Thompson, Inc. (JMT) in the amount of \$582,970.47 for pump station and forcemain design, enhanced environmental construction services, and general consulting services. Funding for this project is from the Cooper River Bridge TIF, the South Carolina Rural Infrastructure Authority Grant, and Stormwater Operations.

(iii) Windermere Drainage Improvement – Approval of a Professional Services Agreement with Thomas & Hutton Engineering Co. in the amount of \$119,600 for the conceptual design phase of the project which will include a study, conceptual design of phase 1 (conceptual layout and probable cost) and project management and coordination. Funding for this project is currently budgeted in the Drainage Fund.

(iv) Low Battery Seawall Phase I – Approval of a Professional Services Contract with Insight Group in the amount of \$42,000 to replace a previous Purchase Order for vibration monitoring services. Additional vibration monitoring needs will result in an increase over the purchase order procurement threshold and necessitate creation of this contract. Funding for this project is from the Hospitality Funds, Municipal Accommodations Tax, CPW Contribution, and Charleston County Accommodations Tax Fees.

Councilmember Waring said, "The last item would be the Stormwater project updates. We had the elongated one at the August meeting. Mr. Fountain, can you touch on the three or four things we did in the meeting?"

Mr. Fountain said, "Certainly. Thank you, Councilmember Waring. Since we only had one August meeting, it's only been a couple of weeks since the last updates. We did a very abbreviated update for this meeting. Basically, we just mentioned that at the Low Battery we're relocating the gas line and preparing to transition from South Murray Boulevard to North Murray Boulevard, which will be a major milestone in that project.

For King and Huger, due to some of the contamination of the gas station, we're updating our MOA with CWS. We're bringing that back to Council for how we are splitting those contamination costs and furthering that project. We're still preparing for a Fall bid for the surface drainage improvements. Central Park Drainage, we scheduled some neighborhood discussions. We're working on scheduling them with the County. Basically, the City looks like it's awarded some CTC funding, in addition to SDOT being awarded some CTC funding. That's the County Gas Tax Committee. The County is basically going to take those two funding allocations and use them to manage the improvement project on what was Area 4 within that report. So, the City is

going to look at basically working on Areas 1 and 2 and the downstream of area 3, but we'll have more discussion on that with the Councilmembers who are impacted by it and then prepare something to bring back to Council and the Public Works Utilities Committee for approval.

The Cooper Jackson Drainage Evaluation, that's the East Side work. We're underway now on 10,000 feet of drainage pipe rehabilitation in that neighborhood, so we should see some real improvements there. We've handed out flyers in the neighborhood and identified the Neighborhood Association presidents in the area. On that, we are finding a lot of issues with the piping system in that area, as you would expect. The Church Creek Storage project, the selection committee met, selected the top two firms, and we have interviews with them this week to progress that project.

Dupont-Wapoo, we've kind of finalized our path forward with the County for the first four projects. We finished our design scope negotiations between the County and AECOM. We're just finalizing the IGA at this point, so we can bring that back through Council for getting those designs started on the first four projects. That's the end of that."

Councilmember Waring said, "Okay, Mr. Mayor, the rest of that information for the Committee was for information only. That was the extent of our report."

Mayor Tecklenburg said, "Great, thank you kindly. Next up is our Committee on Public Safety."

Mayor Tecklenburg recognized Councilmember Shahid.

Councilmember Shahid said, "Thank you, Mr. Mayor. We met at 1 p.m. this afternoon, and I've been in this chair since that hour plodding right along with the committee meetings. So, thank you for the opportunity to give a report on Public Safety. We amended our agenda to include an update for Emergency Management. Shannon Scaff gave us a detailed report on Emergency Management, particularly in light of hurricane season. The one thing that was an important note, I received a communication from Chief Dan Curia and from Shannon that we're rolling Emergency Management into the Charleston Fire Department, which I think is a very good idea to organize and coordinate their efforts together on first response and emergency management responses, as well.

We received a report from Susan Herdina as to the update on arrests and prosecutions of the afternoon of May 31<sup>st</sup> and early evening of May 31<sup>st</sup>. Susan, if you're still with us, I can sort of tee her up a little bit. But, the City Police Department made 47 arrests on Sunday the 31<sup>st</sup>, in the late afternoon, early evening. Twenty-seven cases were recommended to be dismissed, in which the Municipal Judge agreed to dismiss those cases. Susan, with that tee up for you, I'd like for you to give them a bit more meat on the bones with those 47 cases and numbers that have been dismissed and what took place with that."

Ms. Herdina said, "Sure. Very briefly, as you said, on August 31<sup>st</sup> there were 27 cases that the prosecutor recommended be dismissed. Twelve cases were recommended to be continued. The court agreed. What I stressed at the meeting this afternoon was that no cases that were dismissed on the 31<sup>st</sup> involved any kind of violent action. No brick throwing, no vandalizing property, spray painting, looting, hurting anyone. There were no cases that were dismissed that were related to charges that were brought against the looters and other criminals of May 30<sup>th</sup>. The morning of the 31<sup>st</sup>, the Chief talked about those and the status of those, so I won't go over that. Each case was presented to the court individually. Many hours were spent looking at each of

those cases. Of all the cases, all the arrests that were made on the 31<sup>st</sup>, body cams were reviewed. Reports were reviewed from the police officers. Supplemental reports from other jurisdictions were reviewed, and each case, again, was looked at individually.

All the cases that were dismissed, of the 27 that were dismissed from May 31<sup>st</sup>, those arrestees had spent the night at Leeds Avenue. They were required to post a bond of \$465.00. There were no new charges that were brought against them between May 31<sup>st</sup> and the end of August. Again, none of them participated in the events of the prior night. The vast majority of the cases that were dismissed simply involved young people, frankly, that had no criminal record, and were peacefully demonstrating in Marion Square and did not leave when the police asked them to, but eventually did in a peaceful manner. So, as I had said to the Committee, there was a lot of misinformation that had been circulating on Facebook and other social media about the cases. I felt that it was important to stress that none of those cases in Municipal Court involved violent activities that occurred the night of the 30<sup>th</sup> and the early morning hours of the 31<sup>st</sup>.”

Councilmember Shahid said, “Thank you, Susan. I’m going to move on to Chief Reynolds. He will talk about this in a little bit more detail, as to the events of May 30<sup>th</sup> into the early hours of May 31<sup>st</sup>, but the U.S. Attorneys’ office issued a press release announcing the Federal formal charges against six individuals involved in those riots in Columbia and Charleston. Of those six, two are associated with the events that took place in Columbia, and four involved individuals that were charged formally by federal charges that resulted in the May 30<sup>th</sup> – 31<sup>st</sup> violence that took place in Charleston. I have been in contact with Peter McCoy, the U.S. Attorney, and with his office. He has been feeding me some information regarding those formal charges. With that tee up, Chief Reynolds, we’d ask you to go ahead and give us the numbers on those folks involved in the violent aspect of what occurred on May 30<sup>th</sup> and the early hours of May 31<sup>st</sup>.”

Chief Reynolds said, “Sure. If I could, I just want to take the liberty of thanking a lot of the people that helped us respond that night, the next night, and every night since then with the variety of protests. We’ve had over 40 permits since we started reissuing permits for a variety of different protests. We’ve gotten help from the Sheriff’s Office, Berkeley County Sheriff’s office, Mount Pleasant, North Charleston, SLED, and many other agencies. More specific to this investigation, I think that it is important to note that our detectives, our officers, and all our partners never, ever, ever slowed down. From the day that the cases occurred, they had their foot on the gas pedal. They’ve continued to make sure that every piece of evidence that has been presented, every clue that’s been shared, every video, every statement, every piece of information that we had a tip on, has been followed up on. It’s putting knowledge on, and it’s being focused on, to make sure that any kind of violent, criminal offenders who attacked our City on the night of the 30<sup>th</sup> and the following morning to include: arsons, thefts, vandalisms, assaults on the police, on our merchants, on our businesses, and on our residents.

So, it’s very important to note the distinction of these violent criminal offenses that we’re talking about right now. We are prosecuting these to the greatest extent that is possible to include the Federal adoption of these cases. Four of these cases today that were announced by the U.S. Attorney Peter McCoy were our cases from that night. I anticipate at least one additional adoption for a Federal case. We have gotten tremendous support from the U.S. Attorney’s office and from our local Solicitor’s office, Scarlett Wilson, and her team. She’s assigned one singular prosecutor, Dave Osborne, for all these cases to make sure nothing falls through the cracks. We continue to, and have from day one, work closely with our partners in the FBI and the ATF.

With that, we had a total number of arrest warrants issued thus far of 90. One of those was for an incident that happened in Marion Square on the 31<sup>st</sup>. A total number of offenders

identified, 31, and an additional five offenders that were arrested in June during the riots. The total number of 74 warrants have been served. Sixteen warrants are still outstanding, for a total of 90 that have been issued. The total number of offenders that have been arrested is 26 with the five additional on view arrests. The total number of offenders with Federal charges, Federal adoption, is four cases. I anticipate at least one additional case in working with the ATF. For those Federal cases, two are riot related, two are arson related, and one was related to gun charges. The total State charges, we had nine for arson, of which two are for retail stores. More are under investigation, five for arson to a police car, and two for attempt to burn. We had 46 burglary charges. Inciting a riot was three for Felony statute. We had 10 for assault and battery, of which two were upon citizens and eight on police officers. One of those was an assault on Sunday in Marion Square. We had 22 for damage to property, and nearly all of those are General Session charges.”

Councilmember Shahid said, “Thank you, Chief. I will mention as well, Councilmember Sakran brought to our attention regarding the resolution of these Municipal cases, that we get a better heads up and notification of those prior to it happening. I think that we would agree that would take place. We then received an update from Dan Riccio on the number of face covering ordinance enforcements. Dan, are you still with us?”

Mr. Riccio said, “Yes, sir, I’m here.”

Councilmember Shahid said, “And I think that number that you gave us on citations that we had issued.”

Dan Riccio said, “Yes, sir. 41 citations have been issued continuing the enforcement efforts in conjunction with the Police Department and in coordination with Chief Reynolds. So, everything is going smooth and as well as expected.”

Councilmember Shahid said, “Okay, and the final item on our agenda, Mr. Mayor, and members of Council, is that we received a status report on the after action review of the events of May 30<sup>th</sup> and 31<sup>st</sup>. Chief Reynolds is still on the line. We are anticipating a report being received to the Public Safety Committee by the end of September. The Committee had a discussion about the next process with that. Once we’ve received the report from the Police Department, we will review it and digest it, and then we will meet and make decisions on how we want to present a report and recommendation to the full Council at that time. Chief Reynolds, is there anything else that you would like to add to the after action review? This is certainly within the purview and the oversight of the Public Safety Committee to receive that report and to provide the oversight, I think, to the Council and the community as to the events of May 30<sup>th</sup>, 31<sup>st</sup>. Chief, did I leave anything out regarding that? Okay, he looked like he was done with that. So, Mr. Mayor, that is our report. There are no items that need to be voted on at this time, but that is our report. I appreciate the work that the Legal Department has done in preparing for this report, and the Police Department, as well. We certainly do appreciate the coordination with our other law enforcement agencies and the Solicitor’s Office and with the U.S. Attorney’s office on their cooperation. It looks like other individuals may be charged federally, as well.”

Mayor Tecklenburg said, “Thank you for that report. Next, we’ll move right along to our Committee on Ways and Means.”

Mayor Tecklenburg recognized Councilmember Gregorie.

Councilmember Gregorie said, "Yes, Mr. Mayor, before I move for approval, I just want to make sure that the record reflects what I said during the Committee on Ways and Means meeting, with regard to the Budget Finance and Revenue collections of the Stormwater System Refunding, that I'm going to be pursuing that \$5,000,000 that we will get in savings to go towards a fix for the Wambaw Drainage project. I know we have a number of residents on the phone, and I think the common thread that we all hear is that we need to fix it. So, at some point during the budgetary process, I just want Council and the Mayor to know that I will be pursuing, and hopefully with the support of my fellow James Island Councilmembers, that that \$5,000,000 be earmarked specifically for the Wambaw project. Other than that, I move for approval of the Committee on Ways and Means report."

Councilmember Shahid said, "Second."

On a motion of Councilmember Gregorie, seconded By Councilmember Shahid, City Council voted unanimously to adopt the Ways and Means report as presented:

(Bids and Purchases

(Planning Preservation and Sustainability (Business and Neighborhood Services):  
Approval of Memorandum of Understanding between City and LDC for management and administration of the EDA CARES Act Revolving Loan Fund and authorization for Mayor to sign any additional documentation required by EDA for implementation of the Revolving Loan Fund.

(Budget Finance and Revenue Collections: Approval of the Second Amendment to the contract with JLA in the amount of \$100,000 to act as the City's representative during the design and construction of the Magnolia PUD. The scope of the services is to act as an approved reviewing consultant for the City of Charleston. As the reviewing consultant, JLA will assist with the review of construction documents, shop drawings and pay request. They will also assist with the observation of construction to verify that it is satisfactory with project requirements. JLA will also attend construction site meetings. All final approvals will be made by the City. The previous amendment to this contract ended May 2020. Fees will be paid from the Charleston Neck TIF.

(Budget Finance and Revenue Collections: A Supplemental Ordinance providing for the issuance and sale of one or more series of City of Charleston, South Carolina, Stormwater System Refunding Revenue Bonds; and other matters relating thereto.

(Police Department: Approval of a Memorandum of Understanding between the CPD and the United States Department of Justice, Drug Enforcement Administration regarding CPD's participation in the DEA's Charleston Resident Office Task Force.

(Police Department: Approval of a Memorandum of Agreement between CPD and Berkeley County School District regarding SRO's for the 2020-21 school year. Total agreed amount to be funded by BCSO for the FY20-FY21 school year is \$37,699, with an additional \$11,500 for summer school, if applicable.

(Police Department: Approval of a Memorandum of Agreement between CPD and Charleston County School District regarding SRO's for the 2020-2021 school year. Total agreed amount to be funded by CCSD for the FY20-FY21 school year is \$692,583.18, which includes (2) SRO positions being funded by state allocation.

(Police Department: Approval of a Memorandum of Agreement between CPD and James Island Charter High School regarding SRO's for the 2020-2021 school

year. Total agreed amount to be funded by JICH for the FY20-FY21 school year is \$37,699.

- (Police Department: Approval to accept an award of \$3,000 from the Ernest Kennedy Center for field intelligence training and alcohol enforcement. There is no match required for this grant.
- (Police Department: Approval to submit a request for sponsorship to the Motorola Solution Foundation for the Lighthouse Health and Wellness custom mobile app through the National Center for Prevention of Community Violence. There is no match required for this sponsorship. This sponsorship request is due September 1<sup>st</sup>. This is an after-the-fact approval request.
- (Stormwater Management: Approval to accept the National Fish and Wildlife Foundation (NFWF) Grant for Johns Island Restoration Plan to improve flood resiliency. The grant will develop a plan to reduce barriers to coastal resilience by producing a preliminary floodplain restoration planning framework that will integrate ecological function to increase the overall resilience of Johns Island's communities, fish and wildlife. Federal Funds - \$117,500, Local Match - \$117,500. Matchkind funds of \$117,500 are budgeted in the Drainage Fund.
- (Stormwater Management: Approval of Huger-King Street Drainage Improvements Fee Amendment #1 with Johnson, Mirmiran & Thompson, Inc., in the amount of \$582,970.47 for enhanced environmental construction services, pump station and force main design and general consulting services. Approval of Fee Amendment #1 will increase the Professional Services Contract by \$582,970.47 (from \$405,061.21 to \$988,031.68). Funding for this project is from the Cooper River Bridge TIF (\$1,000,000), South Carolina Rural Infrastructure Authority Grant (\$499,292) and Stormwater Operations (\$3,000).
- (Stormwater Management: Approval of Windermere Neighborhood Drainage Improvement Project – Phase 1 Professional Services Contract with Thomas & Hutton Engineering Co. in the amount of \$119,600 for the conceptual design phase of the project which will include a study, conceptual design of phase 1 (conceptual layout and opinion of probable cost), and project management and coordination. This Professional Services Contract will obligate \$119,600 of the project budget. Funding for this project is coming from the Drainage Fund.
- (Parks-Capital Projects: Approval of International African American Museum Construction Management Fee Amendment #1 to the Construction Management Contract with Cumming Construction Management, Inc., in the amount of \$296,492 for an extension of program management services to June 30, 2021, cost management/estimating services for the Lobby revisions and budget analysis and reconciliation services by CS&L. Approval of Fee Amendment will increase the Construction Management Contract by \$296,492 (from \$767,689 to \$1,064,181). Funding sources for this project are: Accommodations Tax (\$13,200,000), Charleston County Accommodations Tax (\$12,500,000), State Funding (\$14,000,000), IAAM Contributions (\$53,000,000).
- (Parks-Capital Projects: Approval of International African American Museum GMP Change Order #4 with Turner Construction Company in the amount of \$435,549 for costs to initiate the utility rough-ins for the lobby and kitchen design changes requested by the IAAM (\$32,056) and costs to complete all lobby and kitchen modifications requested by the IAAM which includes plumbing revisions for the restroom reconfiguration, changes to the kitchen/dining area, utilities for food service additions and other general design adjustments to the design on the second/third level (\$403,493). Approval of Change Order #4 will increase the Guarantee Maximum Price (GMP) Contract by \$435,549 (from \$58,457,323 to

\$58,892,872). This change order is fully funded by the IAAM. Funding sources for this project are: Accommodations Tax (\$13,200,000), Charleston County Accommodations Tax (\$12,500,000), State Funding (\$14,000,000), IAAM Contributions (\$53,000,000).

- (Parks-Capital Projects/Stormwater Management: Approval of Low Battery Seawall Repairs-Phase I Professional Services Contract with Insight Group in the amount of \$42,000 to replace P161282 for vibration monitoring services. Attached is a memo explaining the need for extending the services and going over the \$40,000 procurement threshold. Approval of the Professional Services Contract will obligate \$42,000 of the \$36,108,771.21 project budget. The funding sources for this project are: Hospitality Funds (\$15,087,957.53), Municipal Accommodations Tax Funds (\$15,548,816), CPW Contribution (\$5,071,997.68), and Charleston County Accommodations Tax Fees (\$400,000).
- (Parks-Capital Projects: Approval of a Construction Contract with Kompan, Inc. in the amount of \$89,125.52 for the purchase and installation of new playground equipment at the St. Julian Devine Community Center. The playground equipment is being purchased through the City's cooperative purchasing membership with Omnia (US Communities). Approval of this Construction Contract will obligate \$89,125.52 of the project budget \$3,110,000. Funding sources for this project are: 2015 General Fund Reserves (\$250,000), 2018 General Fund Reserves (\$400,000), Cooper River Bridge TIF (\$2,340,000), and Charleston Parks Conservancy Contribution (\$210,000).
- (Parks-Capital Projects: Approval for the 2020 Park and Recreation Development (PARD) Grant Acceptance to furnish new playground structure, swing set, and safety surfacing for the Vivian Anderson Moultrie Playground. Requested funding of \$32,430.60 with a 20% City Match of \$8,107.65. City Match of \$8,107.65 from 523000-52435 Maintenance, Playground Equipment.
- (Parks-Capital Projects: Approval of a Professional Services contract with Bennett Preservation Engineering, PC, in the amount of \$89,355 for engineering services related to the partial removal and preservation of the St. Julian Devine Community Center Smoke Stacks. Approval of this engineering contract will obligate \$89,355 of the project budget \$3,110,000. Funding sources for this project are: 2015 General Fund Reserves (\$250,000) 2018 General Fund Reserves (\$400,000), Cooper River Bridge TIF (\$2,250,000), and Charleston Parks Conservancy Contribution (\$210,000). (*DEFERRED*)
- (Parks-Capital Projects: Approval of a Construction Contract with Demolition Environmental Company, LLC (DECO) in the amount of \$485,990 for the partial demolition, removal and preservation of the twin smoke stacks located at the St. Julian Devine Community Center. With the approval of the project budget, Staff is authorized to award and/or amend contracts less than \$40,000, to the extent contingency funds exist in the Council Approved Budget. Approval of this Construction Contract will obligate \$485,990 of the project budget \$3,110,000. Funding sources for this project are: 2015 General Fund Reserves (\$250,000), 2018 General Fund Reserves (\$400,000), Cooper River Bridge TIF (\$2,250,000), and Charleston Parks Conservancy Contribution (\$210,000). (*DEFERRED*)
- (Traffic and Transportation: Approval of a Financial Participation Agreement in the amount of \$292,414.30 between the South Carolina Department of Transportation (SCDOT) and the City of Charleston. In coordination with SCDOT, schedule resurfacing of Brigade/Cypress, introduce a protected bikeway with addition of pedestrian ramps with bulb-outs, curb and gutter, leveling grades,

rapid beacon flashers (RFFBs) and pavement markings. Total contribution from the City is \$292,414.30 from the Cooper River Bridge TIF.

(Review and Approval of 2021 Healthcare Budget and contract renewals

- BCBS South Carolina – Medical and RX
- Premiums

*(The 2021 Healthcare budget in the amount of \$23,098,033 was approved by the HR Committee on August 20, 2020. This includes the renewal of the BCBS of South Carolina contract. There is a budget increase for 2021 of \$1,668,458 which is an increase of 7.8% from the 2020 healthcare budget. The stop loss agreement has been deferred.)*

- Defer - Stop Loss Agreement-request to take straight to Ways and Means
- COVID19 update
- Employee Survey
- Report from Women's Commission

(Request authorization for the Mayor to execute a Sublease Agreement with Charleston County for the lease of the EMS Medic Station located at 21 Courtenay Drive to house City of Charleston firefighters during renovations to City Fire Station #8. The monthly rent amount for the building and parking is \$3,595.00. (TMS: 460-14-00-020)

(Consider the following annexation:

- 1569 N. Pinebark Lane (TMS# 353-15-00-033) 0.27 acre, West Ashley (District 7). The property is owned by Elizabeth and Nicholas Curry.

First reading was given to the following bills from Ways and Means:

*A Supplemental Ordinance providing for the issuance and sale of one or more series of City of Charleston, South Carolina, Stormwater System Refunding Revenue Bonds; and other matters relating thereto.*

*An ordinance to provide for the annexation of property known as 1569 N Pinebark Ln (approximately 0.27 acre) (TMS# 353-15-00-033), 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 7. The property is owned by Elizabeth and Nicholas Curry.*

The Assistant Clerk said, "Mr. Mayor, this is Jennifer. I hate to do this, but going back to Public Works and Utilities, I may have missed this, was there a vote on the ordinance to form the Church Creek Stormwater Drainage Basin Authority?"

Mayor Tecklenburg said, "Yes ma'am, there was."

The Assistant Clerk said, "Thank you."

Mayor Tecklenburg said, "It was approved unanimously. We took it a little out of order, so you might have missed it. Okay. So, I hear you loud and clear, Councilmember Gregorie. I do want to share with you, that savings is over like a 12 year period. So, we're going to fund those improvements quicker through our Stormwater Fund and Stormwater Bond, and you know I just thought I'd share that."

Councilmember Gregorie said, "No, I clearly understand that, but perhaps, since we know that we're going to be getting 'x' dollars annually, couldn't we go for a bond too?"

Mayor Tecklenburg said, "We will be."

Councilmember Gregorie said, "Okay, I just wanted to make sure that there is a way to get it before the 12 year period."

Mayor Tecklenburg said, "I just didn't want to give anybody the impression that the savings from that bond we financed was going to be available immediately."

Councilmember Gregorie said, "Oh no, I clearly understand that, but I think that there may be a way that we can still do what I'm going to propose."

Mayor Tecklenburg said, "Right. So, also, just to let you know, every year the Mayor gets to prioritize our funding from the CTC Transportation Funds. Not a whole lot of money, it's about \$350,000, but my top priority was for the Central Park Road Improvements that are part of the drainage improvements. That was approved by County Council. So, there's a little bit more money there for you coming your way."

Councilmember Gregorie said, "Okay, thank you."

Mayor Tecklenburg said, "Next up is bills for second reading."

Councilmember Mitchell said, "Move for approval."

Councilmember Griffin said, "Second."

Councilwoman Jackson said, "Mr. Mayor, I would really like to carve out item number 2, please. I do have some discussion, or at least my own comments about number two."

Mayor Tecklenburg said, "Okay. We will take items number one, and then three through ten together. Is that acceptable? Any discussion on those?"

On a motion of Councilmember Mitchell, nine (9) bills (Item L-1 and L-3 through L-10) received second reading. They passed second reading on motion by Councilmember Griffin and third reading on motion by Councilmember Mitchell. On further motion of Councilmember Griffin, the rules were suspended, and the bills were immediately ratified as:

**2020-115** AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF CHARLESTON BY CHANGING THE ZONE MAP, WHICH IS A PART THEREOF, SO THAT PROPERTY LOCATED ON LOHAVEN DRIVE (WEST ASHLEY) (APPROXIMATELY 3.0 ACRES) (TMS #306-00-00-090) (COUNCIL DISTRICT 2), BE REZONED FROM GENERAL OFFICE (GO) CLASSIFICATION TO BUSINESS PARK (BP) CLASSIFICATION. THE PROPERTY IS OWNED BY THE WHITFIELD COMPANY.

**2020-117** AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF CHARLESTON BY CHANGING THE ZONE MAP, WHICH IS A PART THEREOF, SO THAT 416 RIVERLAND DRIVE (JAMES ISLAND) (APPROXIMATELY 0.26 ACRE) (TMS #343-10-00-002) (COUNCIL DISTRICT 11), ANNEXED INTO THE CITY OF CHARLESTON JUNE 23, 2020 (#2020-078), BE ZONED SINGLE-FAMILY RESIDENTIAL (SR-1) CLASSIFICATION. THE PROPERTY IS OWNED BY W. COLEMAN AND CHRISTINA M. LAWRIMORE.

- 2020-118** AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF CHARLESTON BY CHANGING THE ZONE MAP, WHICH IS A PART THEREOF, SO THAT 450 RIVERLAND DRIVE (JAMES ISLAND) (APPROXIMATELY 0.5 ACRE) (TMS #343-10-00-019) (COUNCIL DISTRICT 11), ANNEXED INTO THE CITY OF CHARLESTON JUNE 23, 2020 (#2020-079), BE ZONED SINGLE-FAMILY RESIDENTIAL (SR-1) CLASSIFICATION. THE PROPERTY IS OWNED BY WHITNEY AND ALEXANDER PASQUINI.
- 2020-119** AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF CHARLESTON BY CHANGING THE ZONE MAP, WHICH IS A PART THEREOF, SO THAT A PORTION OF RIGHT-OF-WAY LOCATED AT THE SOUTHEAST CORNER OF FISHBURNE STREET & COMING STREET (PENINSULA) (APPROXIMATELY 0.14 ACRE) (TMS # TO BE ASSIGNED) (COUNCIL DISTRICT 4), BE ZONED DIVERSE RESIDENTIAL (DR-1F) CLASSIFICATION. THE PROPERTY IS OWNED BY SCDOT.
- 2020-120** AN ORDINANCE TO PROVIDE FOR THE ANNEXATION OF PROPERTY KNOWN AS 2229 WEEPOOLOW TRAIL (APPROX. 0.32 ACRE) (TMS# 353-12-00-017), 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 2. THE PROPERTY IS OWNED BY JOHN EVERETT MCINNIS.
- 2020-121** AN ORDINANCE TO PROVIDE FOR THE ANNEXATION OF PROPERTY KNOWN AS 2444 QUAIL HOLLOW COURT (APPROX. 0.09 ACRE) (TMS# 355-16-00-069), 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 2. THE PROPERTY IS OWNED BY DOUGLAS R. WURSTER.
- 2020-122** AN ORDINANCE TO PROVIDE FOR THE ANNEXATION OF PROPERTY KNOWN AS 1551 N PINEBARK LANE (APPROX. 0.22 ACRE) (TMS# 353-15-00-037), 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 7. THE PROPERTY IS OWNED BY ROSCOE L. BOLTON, III AND JOY L. BOLTON.
- 2020-123** AN ORDINANCE TO AMEND CHAPTER 29, ARTICLE V., SECTION 29-212 OF THE CITY OF CHARLESTON CODE OF ORDINANCES ADDING NEW SUBSECTIONS TO SECTION (B), DEFINITIONS, AND A NEW SECTION, SECTION 29-212 (L), SETTING FORTH HITCHING REQUIREMENTS FOR CARRIAGE ANIMALS.
- 2020-124** AN ORDINANCE TO AMEND THE CODE OF THE CITY OF CHARLESTON, SOUTH CAROLINA, CHAPTER 19, SECTION 400(A) TO STIPULATE THE METHOD FOR HOW TO DETERMINE THE MAXIMUM CHARGE FOR A NONCONSENSUAL TOW.

Mayor Tecklenburg said, "Now, we will take up item number 2 for discussion. Can I have a motion for approval?"

Councilmember Griffin said, "Move for approval."

Councilwoman Delcioppo said, "Second."

Mayor Tecklenburg recognized Councilwoman Jackson.

Councilwoman Jackson said, "Thank you, Mr. Mayor. I appreciate the opportunity to speak to this second reading. I've really been thinking about this. I, obviously, buy into the all the affordable housing options and opportunities that we can provide through our zoning code. So, it's been a hard decision for me to decide that this is really one that I was hoping that we would make this ordinance sort of a 'pilot' that we started on the Peninsula to see how it turned out, because that really is where we have the biggest affordability challenges and where we have properties that are probably more attuned to having a small little ADU combined with a primary residence. But, the sentiment was to just go forward with one blanket ordinance. So, I have a lot of concerns how this would actually play out in the boroughs where we have larger properties.

The problem that I basically have is two-fold. I think it will be very hard to enforce the affordability of the units as we are approving them. That, for me, is the carrot for making ADUs part of our affordable housing inventory mix. I know how hard it is to literally keep up with rental agreements and making sure that it starts out on an affordable basis. That might be one thing. But, as time goes on and people rent and renew and rent again, I've seen this in my Committee, it's just very hard to enforce individual affordability on a single-family property. The other concern that I have that I'm experiencing on a regular basis are the challenges that we have to enforce unlicensed, short-term rentals for the same reason. We are stretched very thin when it comes to enforcement and the staff that is required to come out. People don't like to rat on their neighbors. Most people don't even know or realize that there is a short term rental license ordinance restriction in the City. I live out here in typical borough territory where it's a checkerboard of jurisdictions. So, I'm concerned about how we would actually make this ordinance into the tool that we're all in favor of to incentivize the affordability of permanent rentals, not short term gain, for property owners. So, I'm going to have to vote against the ordinance, much to my regret. I hope it works out, and I'm really going to have to work hard to make sure that it works fine for James Island. Thank you."

Mayor Tecklenburg said, "Any other comments on this item?"

No one else asked to speak.

On a motion of Councilmember Griffin, one (1) bills (Item L-2) received second reading. It passed second reading on motion by Councilwoman Delcioppo and third reading on motion by Councilmember Griffin. On further motion of Councilmember Mitchell the rules were suspended, and the bill was immediately ratified as:

**2020-116** AN ORDINANCE TO AMEND CHAPTER 54 OF THE CODE OF THE CITY OF CHARLESTON (ZONING ORDINANCE) TO AMEND THE DEFINITIONS FOR HALF STORY, ACCESSORY BUILDING, AND ACCESSORY DWELLING UNIT, AND INCORPORATE PROVISIONS TO PERMIT ACCESSORY DWELLING UNITS WITHIN ALL BASE ZONING DISTRICTS IN THE CITY OF CHARLESTON (AS AMENDED)

The vote was not unanimous. Councilwoman Jackson voted nay.

Mayor Tecklenburg said, "We have no bills up for first reading, so the last thing on the agenda is to have an executive session or two. The first is on the lawsuit regarding the Central Park Cluster development. Then, we have another update after that. I would share with anybody in the public that's still with us that when we come back from our executive session, there's no plan or intent for us to take any action on any other items tonight. So, you're welcome to hang around for when we come back, but in all likelihood, we'll just be adjourning when we do come back. So, can I entertain a motion?"

On a motion of Councilmember Shahid, seconded By Councilmember Griffin, City Council voted unanimously to go into Executive Session at 9:36 p.m.

On a motion of Councilmember Shahid, seconded by Councilwoman Delcioppo, City Council voted unanimously to come out of Executive Session at 10:54 p.m.

Councilmember Shahid said, "Move that we adjourn."

Councilwoman Delcioppo said, "Second."

Mayor Tecklenburg said, "First, let the record show that no action was taken on any matter while we were in Executive Session. We now have a motion to adjourn. God bless, you all. Peace be with you."

There being no further business, City Council adjourned at 10:55 p.m.

Vanessa Turner Maybank  
Clerk of Council