

COMMITTEE ON WAYS AND MEANS

July 19, 2016

A meeting of the Committee on Ways and Means was held this date at 4:32 p.m.

PRESENT (12)

The Honorable John J. Tecklenburg, Mayor

Councilmember White	District 1	Councilmember Waring	District 7
Councilmember Williams (<i>by phone</i>)	District 2	Councilmember Seekings	District 8
Councilmember Lewis (<i>arrived at 4:40 p.m.</i>)	District 3	Councilmember Shahid	District 9
Councilmember Mitchell (<i>arrived at 4:40 p.m.</i>)	District 4	Councilmember Riegel -- <i>absent</i>	District 10
Councilmember Wagner	District 5	Councilmember Moody	District 11
Councilmember Gregorie	District 6	Councilmember Wilson	District 12

1. INVOCATION:

The meeting was opened with an invocation provided by Councilmember Waring.

2. APPROVAL OF MINUTES:

On a motion of Councilmember White, seconded by Councilmember Gregorie, the Committee on Ways and Means voted unanimously to approve the June 21, 2016 Committee on Ways and Means minutes.

3. BIDS AND PURCHASES:

On a motion of Councilmember White, seconded by Councilmember Gregorie, the Committee on Ways and Means voted unanimously to approve the Bids and Purchases as follows:

FIRE DEPARTMENT: ACCOUNT: 211000-52410 APPROPRIATION: \$42,653.72

Approval to purchase Super Padgenite HD Thermal Liner from Jahnke and Sons Construction, Inc. DBA WHP Training Towers, 9130 Flint Street, Overland Park, KS 66214. Sole Source

4. POLICE DEPARTMENT: APPROVAL TO ACCEPT THE 2016 JUSTICE ASSISTANCE

GRANT (JAG) FROM THE SC DEPARTMENT OF PUBLIC SAFETY IN THE AMOUNT OF \$68,709 TO CONTINUE FUNDING FOR THE DOMESTIC VIOLENCE INVESTIGATOR, TRAVEL, TRAINING AND SUPPLIES. A CITY MATCH IS REQUIRED IN THE AMOUNT OF \$7,635.

On a motion of Councilmember Gregorie, seconded by Councilmember White, the Committee on Ways and Means voted unanimously to accept the 2016 Justice Assistance Grant (JAG) from the SC Department of Public Safety in the amount of \$68,709 to continue funding for the Domestic Violence Investigator, travel, training and supplies.

5. POLICE DEPARTMENT: APPROVAL TO SUBMIT THE COPS HIRING GRANT APPLICATION IN THE AMOUNT OF \$1,250,000 FOR THE CITY OF CHARLESTON POLICE DEPARTMENT FOR THE HIRING OF 10 POLICE OFFICERS (4 – WEST ASHLEY, 4 – JOHNS ISLAND, AND 2 – COMMUNITY OUTREACH). A CITY MATCH IS REQUIRED FOR THREE-YEAR GRANT PERIOD IS 35.39%: YEAR 1 (25%), YEAR 2 (35%), AND YEAR 3 (40%).

On a motion of Councilmember Waring, seconded by Councilmember Wagner, the Committee on Ways and Means voted unanimously to approve to submit the COPS Hiring grant application in the amount of \$1,250,000 for the City of Charleston Police Department for the hiring of 10 Police Officers (4 – West Ashley, 4 – Johns Island, and 2 – Community Outreach).

6. HOUSING AND COMMUNITY DEVELOPMENT: MAYOR AND CITY COUNCIL APPROVAL IS REQUESTED FOR AN ARBOR DAY FOUNDATION GRANT IN THE AMOUNT OF \$6,000 FOR THE PURCHASE OF A MINIMUM OF THIRTY (30) TREES TO BE PLANTED IN THE MARYVILLE/ASHLEYVILLE COMMUNITY. THE AWARD IS MADE POSSIBLE THROUGH A COLLABORATION BETWEEN TD BANK AND THE ARBOR DAY FOUNDATION. THE PROJECT WILL BE IMPLEMENTED IN CONCERT WITH THE MARYVILLE/ASHLEYVILLE NEIGHBORHOOD ASSOCIATION, VOLUNTEERS, THE URBAN FORESTRY DIVISION AND THE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT OF THE CITY OF CHARLESTON. THE NORTH CENTRAL COMMUNITY WAS NAMED AS AN ALTERNATE SITE IN THE GRANT APPLICATION SHOULD WE FIND THAT ALL 30 TREES CANNOT BE PLANTED IN THE MARYVILLE/ASHLEYVILLE COMMUNITY. THE RECOGNITION CEREMONY FOR THE COMMENCEMENT OF TREE PLANTING IS SCHEDULED TO OCCUR OCTOBER 12, 2016. NO MATCH IS REQUIRED FOR THIS GRANT AWARD.

Councilmember Gregorie said it looked like the trees would cost around \$200 a piece, which seemed expensive to him. He said that his neighborhood association did much better, and he hoped that before they allowed the contract, they find out whether or not they could get more trees for \$6,000.

Geona Shaw Johnson, Director of Housing and Community Development, stated they were confirming this with Danny Burbage in the Department of Urban Forestry, so there may be more, but there would be a minimum of 30 trees.

On a motion of Councilmember White, seconded by Councilmember Shahid, the Committee on Ways and Means voted unanimously to accept an Arbor Day Foundation Grant in the amount of \$6,000 for the purchase of a minimum of thirty (30) trees to be planted in the Maryville/Ashleyville Community.

7. PLANNING, PRESERVATION AND SUSTAINABILITY: APPROVAL TO ACCEPT THE 2016 SC DHEC FOOD RECOVERY GRANT IN THE AMOUNT OF \$7,500 TO SUPPORT A DISTRICT WIDE COMPOSTING PROGRAM FOR RESTAURANTS LOCATED WITHIN THE UPPER PENINSULA INITIATIVE ECODISTRICT TO SERVE AS A PILOT COMPOSTING PROGRAM FOR THE CITY OF CHARLESTON. NO CITY MATCH IS REQUIRED.

On a motion of Councilmember Gregorie, seconded by Councilmember White, the Committee on Ways and Means voted unanimously to accept the 2016 SC DHEC Food Recovery Grant in the amount of \$7,500 to support a district wide composting program for restaurants located within the Upper Peninsula Initiative EcoDistrict to serve as a pilot composting program for the City of Charleston.

8. OFFICE OF CULTURAL AFFAIRS: APPROVAL TO ACCEPT THE JOANNA FOUNDATION GRANT IN THE AMOUNT OF \$2,000 FOR 2016 MOJA ARTS FESTIVAL EDUCATIONAL OUTREACH PROGRAM. NO CITY MATCH IS REQUIRED.

On a motion of Councilmember Gregorie, seconded by Councilmember White, the Committee on Ways and Means voted unanimously to approve to accept The Joanna Foundation grant in the amount of \$2,000 for 2016 MOJA Arts Festival Educational Outreach Program.

9. PARKS-CAPITAL PROJECTS: APPROVAL OF CHANGE ORDER #1 TO THE CONSTRUCTION CONTRACT WITH BELFOR PROPERTY RESTORATION IN THE AMOUNT OF \$10,909 FOR INFILL OF A FLOW HOLE WITH NEW FRAMING IN PREPARATION FOR VCT (\$275), INSTALLATION OF SHEETROCK SOFFIT FOR EXISTING ACCORDING DOOR (\$1,985), RUNNING IT DROP FROM OVERHEAD THROUGH CMU IN LIEU OF SURFACE MOUNTED (\$750) AND INSTALLING CARPET TILE THROUGHOUT (\$7,899). THIS APPROVAL WILL RESULT IN A BUDGET TRANSFER OF \$10,909 TO THE BELFOR PROPERTY RESTORATION CONSTRUCTION CONTRACT FROM THE PROJECT CONTINGENCY (\$8,119.11) AND THE POLICE DEPARTMENT (\$2,789.89). THE CONTRACT TIME REMAINS UNCHANGED. THE TOTAL PROJECT BUDGET WILL INCREASE BY \$2,789.89. THE CHANGE ORDER WILL INCREASE THE CONSTRUCTION CONTRACT WITH BELFOR PROPERTY RESTORATION IN THE AMOUNT OF \$10,909 FROM \$143,750 TO \$154,659. THE FUNDING SOURCES FOR THIS PROJECT ARE: FEDERAL SEIZED AND FORFEITED FUNDS (\$58,150) AND SAVINGS IN FUEL AND SALARIES ACHIEVED BY THE POLICE DEPARTMENT IN 2014 AND 2015 (\$167,089). WITH APPROVAL OF THIS CHANGE ORDER, COUNCIL IS APPROVING THE TRANSFER WITHIN THE BUDGET FROM 200000-52054 IN THE AMOUNT OF \$2,789.89 IN THE GENERAL FUND TO THE PROJECT.

On a motion of Councilmember Waring, seconded by Councilmember White, the Committee on Ways and Means voted unanimously to approve Change Order #1 to the Construction Contract with Belfor Property Restoration in the amount of \$10,909 for infill of a flow hole with new framing in preparation for VCT (\$275), installation of sheetrock soffit for existing according door (\$1,985), running IT drop from overhead through CMU in lieu of surface mounted (\$750) and installing carpet tile throughout (\$7,899).

10. TRAFFIC AND TRANSPORTATION: APPROVAL OF A RESOLUTION BETWEEN THE SOUTH CAROLINA DEPARTMENT OF TRANSPORTATION, CHARLESTON COUNTY, AND THE CITY OF CHARLESTON FOR IMPROVEMENTS TO MAYBANK HIGHWAY FROM PAUL GELEGOTIS BRIDGE TO RIVER ROAD.

Councilmember Waring said he was familiar with this area, but he needed input from Councilmember Wagner. He asked if this was the area going across Johns Island onto Maybank Highway as one came to the Oak Grove area. There is a turn lane in that area, and one could make a left turn using the turn lane if they were coming out of the residential area on the right going onto Johns Island. He said it was his understanding that when this is redesigned, there would not be a turn lane and asked if there would be a signaled light. Councilmember Waring said that if people coming out of Fenwick had to take a left turn, and there was no center lane, how would they be helped?

Councilmember Wagner said that he thought Planning staff was working with Charleston County. Councilmember Waring said if they were going to take away the center lane, they ought to have a signaled light. Councilmember Wagner said this was where the northern pitchfork would be at some point in the future, and there would be a stoplight there at that time. He said this was at least a year away though.

Councilmembers Lewis and Mitchell arrived at 4:40 p.m.

Molly LeMin with Charleston County Transportation Development addressed the Committee and stated that the left turn lane would still be in the configuration for the project, and people would still have a turn lane to turn left. Councilmember Waring asked if this would be coming out of Fenwick Hall. Ms. LeMin said it would be off of Maybank Highway. Councilmember Waring clarified that he was not talking about when Maybank Highway reached River Road, but closer to the bridge. Ms. LeMin said that when one was coming off of the bridge headed towards River Road, there would still be a dedicated right turn lane into Fenwick Hall. Councilmember Waring said he was talking about before one got to this intersection. Ms. LeMin said there would still be a right turn lane off of Maybank going onto Fenwick Hall. Councilmember Waring said if he wanted to leave and head back into town and make a left turn coming out of Fenwick Hall onto Maybank Highway, currently there was a center lane that he could use. He wanted to know if there would there be a center lane with these improvements to assist residents taking a left onto Maybank Highway in the morning.

Ms. LeMin said that, technically, there was not a center turn lane now. It was actually the

merge from the right turn lane, and there would still be a small merge area in the configuration. Councilmember Waring asked how the left turn lane coming out of Fenwick Hall would be accomplished without a center lane if there was no signal. Ms. LeMin said one would have to cross two lanes of traffic to make the left turn. Councilmember Waring asked if they would be addressing this in the early stages, or wait until after they started receiving complaints that people cannot get out of the neighborhood. Ms. LeMin explained that as part of their plans, they did include a signal at Fenwick Hall, but it was not approved by the South Carolina Department of Transportation (“SCDOT”) because it was currently not warranted. She said that a signal could only be included if it met warranted analysis for the condition. Their anticipation was that when they constructed the northern pitchfork road, the signal would be included at that time. Councilmember Waring said the center lane was warranted now because that is what helped facilitate making the left turn. He said that the left turn would be a monster without a signal or without the center lane. He thought that should be addressed now, and if they asked what people thought in Fenwick Hall, they would probably think it was warranted. He said there should be a center lane or signal, one of the two.

Mayor Tecklenburg said that he was pretty sure City staff requested a signalization, but it was reviewed and turned down. The City was happy to continue to request and push the SCDOT to include a signal there as he thought it was deserved, as well. Councilmember Waring said his point was that if they went with this process, and they turned it down, this was the part of the process where they needed to fight to get the signalization. He said it was his understanding that it was not wide enough to have additional lanes and a turn lane, but there were quite a bit of condos, homes, and apartments in that subdivision. How were the residents going to get out? Mayor Tecklenburg said he heard Councilmember Waring, but they did not want to hold up this project for an aspect that had been turned down by the SCDOT because the SCDOT told the City that whenever the City changes something, it could lead to another year of delay. The improvements were needed badly to get people on and off of Johns Island.

Councilmember Gregorie asked but for approval of the Resolution, what would happen, and would it hold up funding? Could the City potentially lose the funding for the project? Ms. LeMin said that if the Committee did not approve the Resolution, she would have to take the matter of redesigning the project back to County Council. She said she could not speak for County Council and whether or not they would approve a redesign of the project for what she thought would be a fourth time. Councilmember Gregorie asked if the plan was taken back to County Council, and it said ‘no,’ would the City lose the funding for the project from the County? Ms. LeMin said they would no longer pursue widening from the bridge to River Road. They would continue the project on the northern and southern pitchfork road.

Councilmember Wagner said that he had been working on this for a few years with Ms. LeMin. He said this was far from perfect. They were originally looking for four lanes, two lanes on the island and two lanes off of the island. He said where they were right now was having two lanes come onto the island with the answer being a year from now, the northern pitchfork, and in possibly two years, the southern pitchfork coming off of the island. He said what the people on Johns Island were telling him and what County staff had told him was ‘now, or we’ll wait a while

for it.’ He said what they were saying to him was very simple: they’d rather have some improvement, the two lanes on and fight to get off in the morning, than to not have anything at all. He said he sat for a solid hour to go one and ¼ miles one afternoon.

Councilmember Waring asked if they were going to design it knowing there was a flaw. Councilmember Waring referenced the intersection at Headquarters Island and said it seemed like that kind of design could be put in place if it were to be redesigned and the City had to go back to County Council. Councilmember Waring asked why they would have to do something new knowing that it had an inherent flaw.

Councilmember Wagner said he would answer Councilmember Waring’s question the best way that he could, and that was it was for the same reason that Maybank Highway was three lanes instead of four. Ms. LeMin said it was her understanding that City staff was still going to push for the signal to be at Fenwick Hall, but as of right now, SCDOT had not permitted it. They would still continue to push for the signal. Ms. LeMin said it would be included as part of the northern pitchfork road, and she anticipated that construction of the northern pitchfork road would happen almost concurrently as the light did. She said it would be a very small timeframe between the improvement of the widening and the northern pitchfork, and they anticipated that signal being there. It just had to be warranted before it was installed.

Mayor Tecklenburg said that, as a general matter, they were beholden to the SCDOT, and the City could not force SCDOT to agree with the City that the light was warranted at this time. The City would continue to request and push for it to be added. Councilmember Waring asked if they could get the County on their side, so that they would be pushing in the same direction. He said the point about going back to County Council was a good one, but they had not even tried that. Mayor Tecklenburg said the City made suggestions to the County that they disagreed with, and they were so concerned about the City delaying, given the need to get on and off of Johns Island, that they did not want to work with the City on it.

On a motion of Councilmember White, seconded by Councilmember Waring, the Committee on Ways and Means voted unanimously to approve a Resolution between the South Carolina Department of Transportation, Charleston County, and the City of Charleston for improvements to Maybank Highway from Paul Gelegotis Bridge to River Road.

11. TRAFFIC AND TRANSPORTATION: AN ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE ON BEHALF OF THE CITY OF CHARLESTON FRANCHISE AGREEMENTS WITH MARK RYERSON, LOW COUNTRY VENDORS, CHUN HONG CHAN, KYLE PHILLIPS, ANTELMO VARGAS, KEVIN SCHELL, JACK BYRNE AND SASSYASS COFFEE FOR CERTAIN DESIGNATED SPACES WITHIN THE CITY OF CHARLESTON FROM WHICH FOOD OR DRINK OR READING MATERIAL SOLD IN CONJUNCTION WITH THE SALE OF FOOD OR DRINK MAY BE SOLD FROM STATIONARY CARTS OR OTHER DEVICES.

Councilmember Waring said this was an example of wonderful money management. The City would be able to refinance bonds while interest rates were low. He thanked the City’s Chief Financial Officer, Kin Hill of Charleston Water Systems, and Charlton deSaussure. He said that

interest rates had hit the lowest they had been in 63 years. He said most of the people in the room had not been alive when interest rates were this low.

On a motion of Councilmember Seekings, seconded by Councilmember Shahid, the Committee on Ways and Means voted unanimously to recommend giving first reading to the following bill:

An ordinance authorizing the Mayor to execute on behalf of the City of Charleston Franchise Agreements with Mark Ryerson, Low Country Vendors, Chun Hong Chan, Kyle Phillips, Antelmo Vargas, Kevin Schell, Jack Byrne and Sassyass Coffee for certain designated spaces within the City of Charleston from which food or drink or reading material sold in conjunction with the sale of food or drink may be sold from stationary carts or other devices.

12. AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF WATERWORKS AND SEWER SYSTEM REFUNDING REVENUE BONDS OF THE CITY OF CHARLESTON IN ONE OR MORE SERIES IN THE AGGREGATE PRINCIPAL AMOUNT OF NOT EXCEEDING \$50,000,000 AND OTHER MATTERS RELATING THERETO. (SERIES ORDINANCE)

On a motion of Councilmember Waring, seconded by Councilmember White, the Committee on Ways and Means voted unanimously to recommend giving first reading to the following bill:

An ordinance providing for the issuance and sale of Waterworks and Sewer System Refunding Revenue Bonds of the City of Charleston in one or more series in the aggregate principal amount of not exceeding \$50,000,000 and other matters relating thereto. (Series Ordinance)

13. RESOLUTION IN SUPPORT OF THE ISSUANCE BY THE SOUTH CAROLINA JOBS-ECONOMIC DEVELOPMENT AUTHORITY OF ITS ECONOMIC DEVELOPMENT REVENUE BONDS (THE CITADEL REAL ESTATE FOUNDATION PROJECT), PURSUANT TO THE PROVISIONS OF TITLE 41, CHAPTER 43, OF THE CODE OF LAWS OF SOUTH CAROLINA 1976, AS AMENDED, IN THE AGGREGATE PRINCIPAL AMOUNT OF NOT EXCEEDING \$17,500,000.

On a motion of Councilmember Mitchell, seconded by Councilmember Lewis, the Committee on Ways and Means voted unanimously to approve a Resolution in support of the issuance by the South Carolina Jobs-Economic Development Authority of its Economic Development Revenue Bonds (the Citadel Real Estate Foundation project), pursuant to the provisions of Title 41, Chapter 43, of the Code of Laws of South Carolina 1976, as amended, in the aggregate principal amount of not exceeding \$17,500,000.

14. BUDGET FINANCE AND REVENUE COLLECTIONS: REQUEST APPROVAL OF AN ADDITIONAL \$150,000 CONTRIBUTION TO GAILLARD MANAGEMENT CORPORATION FROM THE 2016 HOSPITALITY FEE FUND. THIS WILL BE INCLUDED IN A FUTURE 2016 HOSPITALITY FEE FUND BUDGET AMENDMENT.

On a motion of Councilmember Gregorie, seconded by Councilmember Mitchell, the Committee on Ways and Means voted unanimously to approve an additional \$150,000 contribution to Gaillard Management Corporation from the 2016 Hospitality Fee Fund.

15. THE COMMITTEE ON REAL ESTATE: (MEETING WAS HELD JULY 19, 2016 AT 3:30 P.M., GAILLARD CENTER, 95 CALHOUN STREET)

- a. Authorize the Mayor to execute the Amended and Restated Transfer & Development Agreement, previously referred to as Transfer & Development Agreement I, including Exhibits B & D, the Affordable Rental Housing Restrictive Covenant Agreement and the Development Agreement between the City of Charleston, as Owner and the Housing Authority of the City of Charleston as Developer. The Agreements set forth the expectation of the parties regarding the conveyance and development of the parcels or tracts of land (or portion thereof) for development of 60 affordable homes; fifty-five (55) of which would serve as rental apartments for persons earning thirty (30%) percent to one hundred and fifty percent (150%) of the Area Median Income and five (5) homes would serve as for-sale housing for persons earning no more than one hundred and twenty percent (120%) of the Area Median Income. (TMS: 459-05-04-207 and 459-05-04-216; Parcel A and Parcel J within the Cooper River Bridge Development Area bound by Meeting, Lee, Hanover, & Cooper Streets in the City of Charleston) [Ordinance] The property is owned by the City of Charleston.
- b. (i) Request approval for the Mayor to execute the attached Lease Amendment between the City and Tour Management Services, Inc. whereby the terms of the leased premises in the Charleston Maritime Center will be modified in regards to days and hours of operation, rent and permitted equipment

(ii) Request approval for the Mayor to execute the attached License Agreement between the City and Tour Management Services, Inc. whereby the City grants a license to Tour Management Services to use an area of slip space at the Charleston Maritime Center for the sole use of the vessel, Carolina Belle. (TMS: 459-00-00-169; 10 Wharfside Street) [Ordinance] The property is owned by the City of Charleston.
- c. Request approval for the Mayor to execute the attached Memorandum of Understanding between First Baptist Church Foundation and the City whereby First Baptist will construct a road on a portion of the City's property at no cost to the City. (TMS: 428-00-00-013, 428-00-00-040; Fort Johnson Road.) The property is owned by the City of Charleston.
- d. Request authorization for the Mayor to sign the Fourth Amendment to Development Agreement (Daniel Island, Berkeley County) [Ordinance]. This property is owned by the City of Charleston and Daniel Island Associates, LLC and its affiliates.

Councilmember White, Chair of the Committee on Real Estate, reported that the Committee

had met earlier in the day and reviewed a number of items. Item 'a' was the authorization to amend and restate the Transfer and Development Agreement associated with the City and the Charleston Housing Authority regarding the Cooper River Bridge Development Area. Item 'b' was a request for the Mayor to execute a Lease Amendment between the City and Tour Management Services for the Maritime Center and a separate lease agreement with the Carolina Belle for the same site. Item 'c' was a request for the Mayor to execute a Memorandum of Understanding between First Baptist Church and the City. Item 'd' was to request authorization for the Mayor to sign the Fourth Amendment to Development Agreement for Daniel Island Associates and the City of Charleston. All items were approved unanimously.

Mayor Tecklenburg said he wanted to thank Councilmember White for his leadership and work on the Fourth Amendment to Development Agreement on Daniel Island. He said there had been some unresolved issues with this agreement for a good ten or more years, and the City was happy to come to an agreement.

Councilmember Mitchell said he wanted to thank staff for working with Councilmembers on Item 'a.' He said he had been fighting for that for a couple of years, and finally, they were about to move forward with that to create affordable housing, which people had been asking him for, for a long time. This was on the East Side of the City of Charleston. He said that when the bridge came down, the City lost a lot of homes there, and he had promised the people living there that they would work hard to put some affordable housing back there. He said that they had a little delay, but now they were moving forward.

Mayor Tecklenburg asked the Committee on Ways and Means if they would allow adding to the agenda an item regarding protective equipment for their Police Department because of what they had seen over the past few weeks with the killing of police officers. He said they had looked at the City's protective equipment, and Chief Mullen wanted to present an emergency request for funding for some additional equipment for the City's Police Department.

Chairman Moody announced they had an addition to the agenda, which required a 2/3 vote.

On a motion of Councilmember Gregorie, seconded by Councilmember Waring, the Committee on Ways and Means voted unanimously to add the approval of emergency funding for the Police Department to the Ways and Means agenda.

Councilmember White asked the Chairman to carry the vote on Item 15.

On a motion of Councilmember White, seconded by Councilmember Seekings, the Committee on Ways and Means voted to adopt the report of the Committee on Real Estate and recommended giving first reading to the following bills:

An ordinance authorizing the Mayor to execute on behalf of the City an Amended and Restated Transfer and Development Agreement between the City and the City of Charleston Housing Authority.

An ordinance authorizing the Mayor to execute the necessary documents to enter into that certain License Agreement and Lease Amendment between the City of Charleston and Tour Management Services, Inc. in order to allow Tour Management Services, Inc. to operate its vessel, the Carolina Belle, at a slip at the Charleston Maritime Center and to sell admissions tickets to the Carolina Belle and related merchandise out of a 375 square foot space in the Charleston Maritime Center upon the terms and conditions more fully set forth in the License Agreement marked as Exhibit A, attached hereto and incorporated by reference herein and the Lease Amendment marked as Exhibit B, attached hereto and incorporated by reference herein.

An ordinance authorizing the Mayor to execute on behalf of the City of Charleston a Fourth Amendment to the Development Agreement between the City and the Daniel Island Company, Inc., Daniel Island Investments, LLC and Daniel Island Associates, LLC, as assignors of the Harry Frank Guggenheim Foundation and Daniel Island Development Company, Inc.

16. POLICE DEPARTMENT: APPROVAL OF EMERGENCY FUNDING OF CROWD MANAGEMENT EQUIPMENT IN THE AMOUNT OF \$50,000 AND RIFLE GRADE BALLISTICS UP TO \$250,000

Chief Mullen thanked the Mayor for allowing him to speak to the Committee regarding this issue. He said that in the last two weeks, they had experienced some very significant changes in the way law enforcement and their communities faced tragedy, as well as serious threats. He said over the past two years, they had been implementing a process to outfit all of their officers with what they considered to be crowd management equipment, which was basically gas masks, batons, and helmets. He said they were able to administer the program to the point where all of their uniformed officers were equipped. Now, they wanted to outfit the remaining 100 officers, basically detectives and administrative positions, simply because at this point, they did not know that the necessity of utilizing all of their officers would be in some type of crowd management situation. This is why they were asking for an emergency expenditure of \$50,000 to move forward with the purchase of this equipment. Chief Mullen stated they had this money in their budget, which was designated for other items. However, at this time, this was a priority for him and for the Department, so they wanted to seek permission to do this now.

He said that, additionally, they were also facing a threat in the community and communities across the country that they had not faced before with their officers facing offensive threats with high power rifles. Officers needed to be provided with equipment that would protect them from these types of weapons. Each day, they saw individuals who they faced with higher caliber and more powerful weapons than at any other time in his career. He said they thought they should be proactive based on what had happened in Dallas and Baton Rouge and provide officers with the protection that they would need in the event that they encountered any of these threats. He said that based on the research they were able to do in the last 48 hours, they had defined the need of some ballistic vests for patrol officers. Currently, they wore protective vests, but based on the caliber and the power of the weapons they had seen fellow officers in other states face, they felt like it was prudent at this point to provide the utmost protection for their officers. He asked for permission to explore a range of purchases up to \$250,000 for the purchase of rifle grade ballistic protection. He said the next time the Committee would meet

would be August, which means that officers would be going 30 days without this equipment or without the opportunity for them to get this equipment on the street. He summarized that at this point, he asked them for approval of \$50,000 for crowd management equipment and to explore and begin to make purchases of the rifle grade ballistics up to \$250,000.

Councilmember Shahid referenced the incident that occurred two years ago at an apartment complex when a Sheriff's Deputy was killed. He asked if this had been the result of a high powered rifle and the lack of an adequate vest. Chief Mullen responded that type of rifle had been used, and the officer who was killed had been wearing a vest, but the rifle round went right through it. Councilmember Shahid asked if Chief Mullen was asking for this to address that type of assault, and Chief Mullen confirmed.

Chairman Moody asked if there was a source for the use of this money before the Committee authorized it, and if the money would be taken out of reserves. Chief Mullen said he worked with the budget office today, and he was confident they could find the funding based on some savings in their budget.

Councilmember Wagner asked what the vest would stop, and Chief Mullen said it would be rated up to a 7.62 (NIJ Level 3).

Councilmember Lewis asked when the Chief anticipated receiving the equipment after they placed the order. Chief Mullen said they would place the order, and they would ask them to expedite the shipping. He said if they did not have the full order, they would get as much as they could, and they would put that out in priority in terms of the patrol teams. He said they would get the equipment out to the patrol officers first, and then they would give it to the detectives and others who may not be facing the same threat on a regular basis. The reason they want to do this is because they never know when a detective might be the first person on a scene, and if they had this equipment, they could utilize it to protect themselves, as well as to engage and protect the community. He said they wanted to make sure their officers all had the same level of protection. He anticipated there would be departments across the country that would be doing the same thing they were doing tonight, and they wanted to make sure they got the order in as quickly as possible, so they would be able to get a good number of these in very quickly.

On a motion of Councilmember Gregorie, seconded by Councilmember Waring, the Committee on Ways and Means voted unanimously to approve emergency funding of crowd management equipment in the amount of \$50,000 and rifle grade ballistics not to exceed \$250,000.

Chairman Moody thanked Chief Mullen for bringing this item to the Committee, and Chief Mullen thanked the Committee for their support.

Chairman Moody said he wanted to take a moment to recognize Ron Brinson from the City of North Charleston who was in attendance at the meeting.

There being no further business presented, the Committee on Ways and Means adjourned at 5:04 p.m.

Jennifer Cook
Assistant Clerk of Council