

CITY COUNCIL VIRTUAL MEETING

Regular Meeting

March 23, 2021

The one-hundred and sixteenth meeting of the City Council of Charleston was held this date convening at 5:03 p.m. over video conference call (Zoom).

A notice of this meeting and an agenda were made available on the City's website March 18, 2021 and appeared in the Post and Courier on March 22, 2021.

PRESENT (13)

The Honorable John J. Tecklenburg, Mayor (*excused at 8:37 p.m.*)

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

(*excused at 5:23 p.m.*)

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

The Clerk called the roll.

Mayor Tecklenburg said, "Now if you would like to join us, Councilmember Gregorie, would you please lead us in an invocation?"

Councilmember Gregorie opened the meeting with an invocation.

Mayor Tecklenburg said, "Now if you would like to join me, to my right is our American Flag. Join me, please, in our Pledge of Allegiance to the flag."

Councilmember Gregorie then led City Council in the [Pledge](#) of Allegiance.

Mayor Tecklenburg said, "Thank you. I have a [resolution](#) in remembrance of one of our colleagues who somewhat unexpectedly passed away last Friday night, the Honorable former Councilmember Brenda Scott. My colleagues, Councilmembers Gregorie and Mitchell, joined me yesterday at her Memorial Service, but I wanted to share this resolution with Council this evening."

Mayor Tecklenburg read the resolution.

---INSERT RESOLUTION---

Mayor Tecklenburg said, "On behalf of the citizens, we extended to the members of her family yesterday this expression of sincere loss, regret for their loss, and a consolation by the

memories of her fine life and achievements, particularly to the City of Charleston. Councilmember Gregorie was a classmate of hers in the Burke High School Class of 1967 who honored her yesterday, as well. Councilmember Gregorie, would you like to add any remarks about your friend and colleague?"

Councilmember Gregorie said, "I really appreciate the opportunity, Mayor. Again, it goes to the contribution of women to this City. For those who may not know Brenda or even the time in our City when Brenda became a Councilperson, you would not recognize this City after Brenda worked hand-in-hand with Mayor Riley and the other Councilmembers to really change this City. That was during the time when our Mayor was the Director of Economic Development, and during that time, guys, those of you who don't know, if you had seen this City back in '71, '73, '74, it's nothing like it. So, it's women and people like Brenda who have helped us to get where we are. Mayor, if you would indulge me for just one more second. Brenda was also a neighbor. Brenda lived on Maranda Holmes/Court Street. We grew up together. We played together. Brenda is one of the last persons from the original families of Court Street that was left. The street is totally different, like most streets in our City. But, I would also like to take a shout-out, Mayor, to another Court Street woman, Miranda Holmes, who was also a teacher of Councilwoman Scott."

Mayor Tecklenburg said, "That's right."

Councilmember Gregorie continued, "She would sit us on her porch, and she would teach us the art of politics. That's why you've got two Councilmembers from the same block representing the same district, District #6. I would be remiss, Mayor, if I don't shout-out to the most wonderful woman in the world. I would like to shout-out to my mother, who is a 100 years old today--"

Mayor Tecklenburg said, "Happy Birthday, Mrs. Gregorie."

Councilmember Gregorie continued, "--of sound mind, who was also a Court Street mother, who raised four children and other children on ten cents an hour, and was able to maintain and keep her property on Court Street. I have no understanding of how women, and I'm not just talking about my mother, pull it off in terms of raising four children, washing their clothes. When my mom washed clothes on the washboard, and she had to hang them on the line, sometimes they froze. So, I'm saying all of that to say, as we honor women, I honor and I thank my mother for making the kinds of contributions, not just to her family, but many families in this City whom she raised and were of a different hue than her own. So, I salute my mother and her contributions to her church, Mother Emanuel, and all of the kinds of things that she has done for our community. Mom, I love you. Thank you for your indulgence."

Mayor Tecklenburg said, "Absolutely. I think, Councilmember Gregorie, if I may say, that's the first time I've heard you ever get really choked up. So, you're a good son. Good job. I hope your Mom was able to get signed on and be with us this evening."

Councilmember Gregorie said, "We're hoping, Mayor, that at some point we'll do something formal with a proclamation so that she can come in City Hall in person and accept it."

Mayor Tecklenburg said, "Great. Terrific."

Councilmember Gregorie said, "Thank you."

Mayor Tecklenburg said, "So, not to get carried away, but speaking of moms and women on Council, that's how I got to personally know Councilmember Scott because I made a point to introduce myself to all of the Councilmembers after my mom got elected. So, my mom and Brenda served together for six or seven years on Council. Back then, there were four women, Mrs. Scott, Mrs. Jefferson, my mom, and Mrs. Ader, on Council at the same time. So, they did a remarkable job. So, thank you for all of that. Next, I'm going to call on Councilmember Shahid in order to recognize the recent success of one of our [youth swim teams](#). Councilmember Shahid."

Councilmember Shahid said, "Thank you, Mr. Mayor, and ladies and gentlemen of Council, and Madam Clerk. Over here, if you can see under the heading of J.J. Ayers, several young people who have been waiting patiently. These are wonderful athletes. They are members of the Southern Marlins Racing Team, the SMRT. They are the City of Charleston's year-round swim team led by Coach Michael Stewart. Michael, I see your name, but you may want to show your video with us, as well. I hope Laurie Yarbrough, our wonderful Director of Recreation, is with us. Coach Stewart sent 27 athletes to the State Championship Meet, held earlier this year in Greenville, and I wanted to recognize their achievements and offer some gratitude for the excellent way in which the SMRT youth athletes represented our City. As everybody knows, this past year was difficult, but for those who were in sports, particularly youth sports, they were vulnerable to all kind of disruptions and challenges that come with this global pandemic. In particular, the swim world has not been immune from the trials of COVID-19. The athletes on our City swim team accepted those challenges and excelled in the face of all of the adversity thrown in their way. Their practices had to be socially distanced in a swim lane, they had to be engaged in dry land workouts in masks, and competing in day-long meets with no parents allowed inside to help the coaches or the swimmers remain organized or just simply what parents do in offering words of encouragement and cheering on. The opening of the North Charleston Aquatics Facility also drew significant numbers of the swimmers away from our City's SMRT team, so it clearly had a definite impact on all of that. Also, the W.L. Stephens Pool was shut down to them, and the MLK Pool downtown was not always available. Thus, they were practicing outdoors, even through the month of November.

The State Meet had the following results: the City of Charleston team came home with a 5th place finish including 15 State titles. The athletes who came in with State titles are as follows: Wells Cloud. Wells competed as a 14-year old and won a State title in the 50 free, the 100 free, the 200 free, the 100 back, and the 200 back; Daniyal Eldridge, 12-year old, he won a State title in the 50 fly, the 100 fly, 50 breast, 200 breast, and 100 1M; Sean Groeber, I see Sean, he's one of my constituents, there's Sean, he's a 12-year old who won a State title in the 100 breast, and Phoebe Hayes, a ten-year old and she won a State title in the 100 fly. In addition to the 11- and 12-year old boys, the relay team won Gold Medals in the 200 medley relay, the 200 free, and in Coach Stewart's words, the highlight of the meet was saved for the final day when the 11- and 12-year old boys won and crushed a State record in the 400 medley relay by more than four to five seconds. That team consisted of Daniyal, Sean, Jake, and Parker. If those guys are there, raise your hands to be recognized. So, I just want the City Council and our community to be aware of the wonderful work that these young people dedicated themselves to under adverse conditions. We are really proud of them. We encourage them, and we applaud them for their hard work considering all of the adversity they went through. I see Laurie. If you want to add a few words or Coach Stewart, please do so."

Laurie Yarbrough said, "Councilmember Shahid, thank you for the opportunity to bring this group before you. These young folks are faces you don't get to see every day, but Coach Michael and his coaching staff work with them regularly. The parents are wonderful to support their actions and their efforts, so the City is very lucky to have a group like this, especially during

tough budget times. These faces are the kids that are out there swimming in the pools and doing those things, and we're just so thankful that City Council and the Mayor are able to support them and our coaching staff. Coach Michael does a great job, and I want to make sure we recognize him because he's the one that leads them all."

Councilmember Shahid said, "Mr. Stewart, are you with us? I'd love to hear from you."

Coach Michael Stewart said, "I am. I'm just proud of these kids, as well as the kids in the water behind us right now training for a meet this weekend. I just want to thank all of City Council, and of course, Laurie, Stella, and J.J. for all of your support for our program."

Mayor Tecklenburg said, "Well, terrific. Thank you, Coach, and, Marlins, way to go, way to swim, and thank you to your coaches and your families that help make all this possible."

There was applause.

Mayor Tecklenburg said, "Congratulations."

Councilmember Shahid said, "You all keep it up."

Councilmember Gregorie was excused from the meeting at 5:23 p.m.

Mayor Tecklenburg said, "Alright. Thank you for being with us this evening. Now, not on the agenda, but I just want to slip in a quick announcement from Chief Curia with our Fire Department and a [milestone](#) that the team with the Charleston Fire Department has achieved. Chief."

Chief Dan Curia said, "Good evening, everybody. I just wanted to pass on that, effective yesterday, the Fire Department completed its bid for reaccreditation with the Center for Public Safety Excellence. That comes up once every five years, and it's the measuring standard for fire departments in the country. One thing to note is that we retained our accreditation status, which was started under Chief Brack, but we are also an ISO Class 1 Fire Department. So, there are only 102 fire departments in the country that have achieved that. I thought that was important for you to know, and I think it goes without saying that I didn't do this. This was the fire department team, and you are fortunate enough to have a fantastic fire department working for you. So, I just wanted to pass that on."

There was applause.

Mayor Tecklenburg said, "Great. Thank you, Chief. Congratulations for that, and we recognize it's a team effort, but we thank you for your leadership of that team. Appreciate it."

Councilmember Shahid said, "Mr. Mayor."

Mayor Tecklenburg recognized Councilmember Shahid.

Councilmember Shahid said, "I talked to Chief Curia after I saw his e-mail yesterday, and he's so modest about his role in all of this. He is the leader of that department, and they have their own adversity there they have to go through with our stations being, some of them, under construction or remodeling. But, it's such a big deal that only 102 fire departments, now think about this for a second, 102 fire departments in the entire United States have achieved both of

these certifications, and that really is a testament to our men and women who are so dedicated to their work and the leadership that we have in order to have that kind of accomplishment. I don't want to guess how many fire departments are out there, but only 102 throughout our country have this dual recognition. It really is a big deal and something for our Fire Department to be proud of. So, thank you, Chief, and thanks for all of your leadership and all of the men and women who work to protect our City and serve our community. We salute you."

Chief Curia said, "Thank you, and just for the record, there are 29,705 fire departments in the country."

There was laughter.

Mayor Tecklenburg said, "Thank you, Chief, and, Councilmembers, I guess I can't proceed without also recognizing today the sorrow over the tragedy and senseless killings out in Boulder, Colorado. I didn't know anybody out there until our former Planning Director, Jacob Lindsey, moved there recently. We reached out to Jacob last night. He and his family are fine but, again, such a senseless and tragic waste. Insanity, really. So, keep Boulder and those affected in our prayers. We've already placed our flag at half-staff in their honor. Next on the agenda is our [public hearings](#), we have quite a few of those."

Councilmember Waring said, "Mr. Mayor."

Mayor Tecklenburg recognized Councilmember Waring.

Councilmember Waring said, "Before moving on, and I agree with you on Boulder, Colorado, it's tragic, but I would hope that some of us would reach out to those in our Asian community on the incident that happened in Atlanta, the tragedy that happened in Atlanta with the killings there. Many of us know people in this Charleston community who happen to be Asian. Think about it. Just give them a call. We've done that, and you would be surprised of the relief, quite frankly, in the good feeling of being thought of when something like that happens in any community much less if it's perpetrated upon a people. So, you're spot on with Boulder, Colorado, but also don't forget about those in our Asian community, to reach out to them during this time of, frankly, hardship. Thank you, Mr. Mayor."

Mayor Tecklenburg said, "Thank you. Point well taken, and I hate to admit that it seems like in the last week it's become almost like an everyday occurrence, some tragedy happening like this in our country, and it just furthers our resolve. I know Chief Reynolds is on the line, and I spoke with him last night about this, as well. Our commitment to keep our community safe, it's our number one priority, but when you just have craziness like this occur, you have to be prepared to respond. At the same time, we're doing everything that we can to be watchful and prevent everything that we possibly can. Thank you, Chief, for those ongoing efforts. Alright. Next we have [public hearings](#) up, quite a few of those, and I will turn over to Christopher Morgan to introduce those one at a time, and then we will see if anybody has a comment. Christopher."

Christopher Morgan said, "Mayor and members of Council, I believe Mr. O'Brien has this first one, which is the closing and abandoning of a portion of Floyd Drive."

Tom O'Brien said, "Yes, sir. Mr. Mayor and members of Council, this is a portion of Floyd Drive which is in West Ashley and, Chip McQueeney, if you're on, Chip, do you have anything

you want to say on this one? I know this is in conjunction with a little bit of a property swap and realignment of that road, but Chip's got the main information on this."

Mayor Tecklenburg said, "Chip, you out there? You want to share anything?"

No one asked to speak.

Mayor Tecklenburg said, "I think this matter has come to Council already adequately. The purpose here right now is to see if there was any public comment that needed to be made, which it was duly advertised. Madam Clerk, do we have anyone from the public that wants to be recognized?"

The Clerk said, "No one has signed up for this item."

Mayor Tecklenburg said, "Alright."

Councilmember Griffin said, "I move for approval."

Councilmember Shahid said, "Second."

Mayor Tecklenburg said, "We have a motion to approve and a second. Is there any further discussion from Council?"

No one asked to speak.

On a motion of Councilmember Griffin, seconded by Councilmember Shahid, City Council voted unanimously to approve the following item:

Request to close and abandon a portion of Floyd Drive described as "PORTION OF FLOYD DRIVE HEREBY ABANDONED 0.22 ACRES (TO PARCEL A-2)" on that certain plat entitled "FINAL PLAT OF THE SUBDIVISION AND ADJUSTMENT OF PROPERTY LINES BETWEEN PARCEL A-2 (10.65 Ac.) & FLOYD DRIVE TO CREATE PARCEL A-2 (10.11 AC.), FLOYD DRIVE, A NEW CPW PUMP STATION & NEW CPW UTILITY EASEMENT"

Mayor Tecklenburg said, "Councilwoman Delcioppo, you had me at a disadvantage because I'm not at home with my new puppy, but you've got a beautiful puppy there. Number two, Mr. Morgan."

Mr. Morgan said, "This is Item E-2. This is 569 - 571 King Street. It's the corner of Cannon Street and King Street. It's 0.12 of an acre. It is a rezoning for the property from General Business to Mixed-Use Workforce Housing, that's our MU-2/WH. It's owned by the Jenkins family, a group of family members. It was before Planning Commission last month, and they recommended approval 7 to 0. I'll show you some images of the property and, of course, it is in our Urban Core area in our current Comprehensive Plan, so that is an appropriate zoning in the Urban Core area. Here is an aerial view of the property at the corner of Cannon and King. Here is an oblique view, and you can see the structures. These structures are going to get renovated as part of this rezoning. It's not a condition of the rezoning, but the family is working to renovate the structures, and that's part of the reason they are pursuing the rezoning. Here is the street view of the structures. There is a corner store there at Cannon and King, other retail space, and then residential space on the second floor. Here is a view from King Street looking north, King

Street looking south with the structure on the right, across the street, and the applicant has provided a couple of slides. This is a survey of the property showing the buildings that are on the site, and then this is the renovations that they will be undertaking, again, to have residential units, and they do plan to have affordable units as part of these upstairs units. That's a big, important item for the family, and this renovation is a huge boost to King Street, as well. So, overall, it's looking like a really good project for the area. Staff and Planning Commission have recommended approval on this one. I'll go back to our cover map just in case you've got any questions about where the map is."

The Clerk said, "No one has signed up to speak on this matter."

Councilmember Shealy said, "Move for approval."

Councilmember Griffin said, "Second."

Elaine Jenkins said, "I did. I'm sorry. This is Elaine Jenkins. I did sign up to speak."

The Clerk said, "Okay."

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

1. Elaine Jenkins said she was sorry it did not come through. She was a member of the Jenkins family, as well as the attorney for the family. Several years ago, the Jenkins family decided they wanted to redevelop the property so they didn't renew any of the leases on the property. It was vacant except for the King Street Market, which leased the ground level of 571 King. The owners of the mart, had been tenants for 30 years and were well-known, well-liked and supported by the community. The family retained a structural engineering company to do an in-depth evaluation of the three buildings to assess their structural integrity. They wanted to repair and strengthen the foundation of each of the buildings by gutting the interior of the buildings and rebuild better by bringing all of the mechanical systems up to code, wiring the building to accommodate the new technology, utilizing green building practices and materials so as to reduce the carbon footprints of the buildings. There were four commercial units on the lower level, and after the renovation they would remain the same with their size and configuration. The major changes would occur on the second level of the buildings. There was an unused attic in each of the two-story buildings and the family proposed to make two apartments on the second floor of each of those two-story buildings. One efficiency apartment and a one-, two-, or three-bedroom apartment by expanding into the attic. The third building was a one-story building, and they proposed to create an efficiency apartment above the one-story building so that the second floor of those buildings would have five residential units in total instead of two as there were now. The family's wishes for the five residential units was to designate two or more of them for affordable housing in keeping with the vision of their late parents for the property. They had assembled a good team to assist with the redevelopment project, and they were prepared to move forward, if approved.

Mayor Tecklenburg said, "Thank you, Ms. Jenkins."

Ms. Jenkins said, "Thank you."

Mayor Tecklenburg said, "It looks like a wonderful project. It really does. Thank you for sharing with us. Are there any questions or comments from Council?"

No one asked to speak.

On a motion of Councilmember Shealy, seconded by Councilmember Griffin, City Council voted unanimously to give first reading to the following bill:

An ordinance to amend the Zoning Ordinance of the City of Charleston by changing the Zone Map, which is a part thereof, so that 569-571 King Street (Peninsula) (approximately 0.12 acre) (TMS #460-12-02-070) (Council District 4), be rezoned from General Business (GB) classification to Mixed-Use/Workforce Housing (MU-2/WH) classification. The property is owned by Jasega, LLC.

Mayor Tecklenburg said, "Thank you, Mrs. Jenkins."

Ms. Jenkins said, "Thank you."

Mayor Tecklenburg said, "Alright. Mr. Morgan."

Mr. Morgan said, "Okay. Thank you, Mayor. The next two items can be taken together. One is a rezoning, and then the other is a zoning of newly annexed property. These are properties that are on Maybank Hwy. The parcels for E-3 are 279-00-00-056 and 057, and then the parcels for E-4 are 279-00-00-055. That one is a 9.62 acre parcel, and the previous two comprise 37.29 acres. For the rezoning, it's a rezoning from Single-Family (SR-1) and (SR-4) to DR-6, and for the zoning it is taking property that was in Charleston County and zoning it as DR-6. So, it would all become DR-6, and this is recommended for approval by the Planning Commission. I'm going to show you some images of the property. Of course, it's in our Century V Plan. It's in our Suburban designation, so this is in line with Suburban designations along Maybank Hwy. It's also in line with the new County overlays that call for up to eight units an acre in these areas of Maybank Hwy., as well. Here is an aerial image of the properties. They are undeveloped at present. They were immediately adjacent to the Hayes Park Development, which is here. Further to the east is additional land that the City is working to acquire through greenspace programs that are adjacent to our City park. There would be connectivity from these parcels, so people could be at these properties and go all the way over to the new park area without even having to get on Maybank Hwy. They would also potentially be able to connect to other streets to the rear depending on where wetlands are and things like that, so it's part of the whole connected system of Maybank Hwy. as called for in the Johns Island Plan. Here is an image from the street view of the undeveloped property at present, property across the street, a church, up and down Maybank Hwy. to the east, and to the southwest.

Then, the applicant has provided some slides. What they are proposing is a series of Single-Family structures, as well as some attached Single-Family that would be rental. This is a new trend in the real estate world, and the applicants can explain it a little bit better, but we're seeing a lot of folks in the real estate world who would rather rent than own their own houses. So, these will be houses that will be hopeful for that, and it leads to a kind of unified development pattern on the site. There is, as I mentioned earlier, connectivity to the north and potential for connectivity to the rear, and they are staying out of the wetlands with the exception of a crossing here that I believe is in the neighborhood of an existing crossing. The land is pretty high and good, as most areas along Maybank Hwy. are. These are some images that the

applicant has provided, the types of housing they will build on it. Two-story housing with one-, two-, and three-bedrooms with lots of common greenspace, sidewalks, of course, as required by our codes. Again, this just shows the relationship of this development to the already approved and under construction Hayes Park Development to the southwest, as well, and the types of housing again showing in these images here from Hayes Park. So, there is also a little bit of information from the applicant about how the current SR-4 zoning is 14.36 acres, and it allows 10.9 units an acre, and then the SR-1 is on 9 acres, and it allows 4.8 units an acre. When you factor all of that in with the 6 units an acre under DR-6, it actually is slightly lower density on the site from 262 units to about 207 units. So, that is something that I think a lot of people who have looked at this issue have felt good about and Planning Commission did, as well. So, that's the end of those slides and, again, staff and Planning Commission recommend approval of this request."

Mayor Tecklenburg said, "Alright. Thank you. Madam Clerk, did anyone sign up?"

The Clerk said, "Yes, sir. We have four people signed up to speak, and did you want to set a time limit?"

Mayor Tecklenburg said, "Two minutes, please."

The Clerk said, "Alright. The first person is Jason Pfister, if you're on the line or on Zoom."

1. Jason Pfister with Middleburg Communities said they were the developer pursuing the project. John Dangerfield, their engineer, was also on the call. They were excited about the project and were happy to answer any questions.

Mayor Tecklenburg said, "Terrific. Thank you, sir. Appreciate it."

Councilmember Waring said, "Mr. Mayor, I'd like to ask a question. How many affordable units would be part of this development?"

Mr. Pfister said, "Right now we don't have any designated affordable units. We do have two programs that we use in our communities throughout the country. One is our Local Heroes Program where we designate a certain number of units for a reduced rent, and those units will go to local heroes, first responders, teachers that live within a designated radius of the community. We also have another program, Shelters to Shutters, where we attack homelessness with employment and also with job training through our Property Management Division."

Councilmember Waring said, "Alright. Thank you."

Mayor Tecklenburg said, "Thank you, sir."

2. John Dangerfield with Dangerfield Engineering and Surveying said they were the civil engineering firm working with Middleburg Communities on the project. He said some of the concerns brought up at community and neighborhood meetings were preserving the existing wetlands. They were utilizing an upland crossing that crossed from the one upland to the next to the rear of the site. They utilized existing upland to make that crossing. Another concern was the traffic, and they had hired Bihl Engineering who was doing the Traffic Impact Analysis for the

adjacent site, Hayes Park. He said she was doing their Traffic Impact Analysis now, and they would address any concerns that came up in the Traffic Impact Analysis. He said the other concern was the stormwater. As Council was aware, the City had adopted new stormwater regulations in July. This was in a special protection area, and they were adhering to all of those requirements. There would be a lot of stormwater improvements on the site that would actually enhance the stormwater coming off of the site and reduce the flow from the site. He thought it was a good point that the density they sought did reduce the number of units on the site. He was happy to answer any questions.

Mayor Tecklenburg said, "Thank you, sir."

The Clerk said, "Those are all of the comments that we have."

Mayor Tecklenburg said, "Great. The matter comes to Council."

Councilmember Shealy said, "Move for approval of three and four."

Councilmember Waring said, "Second."

Mayor Tecklenburg said, "Is there any discussion?"

Mayor Tecklenburg recognized Councilmember Brady followed by Councilmember Griffin.

Councilmember Brady said, "Yes, thank you, Mr. Mayor. I just wanted to say briefly and thank Middleburg for including me on their kind of initial conversations around this site and also just engaging the community. It's one of the first development projects I've seen where the developer actually reached out to the neighbors to talk about what their vision was for the site and how they were going to be developing it, and I think that that practice answered a lot of community questions up front before the matter had even gone before Planning Commission. I want to thank Middleburg for being involved, involving those in the community, and it looks like a great project going forward."

Mayor Tecklenburg said, "Thank you."

Mayor Tecklenburg recognized Councilmember Griffin.

Councilmember Griffin said, "Yes, sir. Thank you, Mr. Mayor. You know, fundamentally, this is something that has come up previously that concerns me, that we rezone these properties before the traffic studies are completed. We just heard from the developer saying, 'Yes, we're in the process of doing a traffic study, and those results will be out soon.' So, basically, we're going to rezone this property so that they can continue forward on a large scale development on Johns Island, and we still have yet to see what the traffic study looks like. That concerns me, and fundamentally that's something that's come up several times since I've been on Council. That we've rezoned these properties because they can have these properties without giving us a traffic study. I'm always hesitant to rezone a property, especially a large scale, and this is going to be a huge development on Johns Island on Maybank Hwy. We have very limited amounts of infrastructure on Johns Island. They've got one way on and one way off pretty much. Well, two ways, Maybank and Main. I'm concerned about that. So, my question is, when will this traffic study be ready? Because I think that that would be something that all of us

would be interested in seeing, as well as definitely the people in the community. Because as soon as we approve this, then it's going to be a big headline that the City of Charleston just rezoned a significant portion of land on Johns Island for a major development. When will your traffic study be ready to go for us to take a peek at it?"

Mayor Tecklenburg said, "Mr. Pfister, you want to respond to that?"

Mr. Pfister said, "Yes, and, John, correct me if I'm wrong. I think, Councilmember Griffin, I appreciate your question, and I certainly understand your concern. I believe it is pretty close to being ready, but it will certainly be ready by the time of the third reading. What I can do is follow up either with Mr. Morgan or you directly when I get a better sense. I just don't want to kind of guess because I'm not exactly 100 percent certain, but I know it's pretty close."

Councilmember Griffin said, "This is at the first reading, correct?"

Mr. Pfister said, "That is correct, sir."

Mr. Dangerfield said, "If you don't mind, just to add to that. What this property is currently zoned, it will allow 268 Single-Family residences. So, if this project is developed under current zoning, the traffic impact will be much greater than the rezoning. So, I know there are concerns about the rezoning of this parcel to go to Multi-Family. By rezoning it, you're actually going to reduce the potential traffic impacts. So, what we're doing is we're actually reducing this to a maximum of 210 units when 210 Multi-Family units are going to generate less traffic than if you compare it to 210 Single-Family residences just because of the number of vehicles per residence. So, not only from just a product, the site itself is going to reduce the traffic, but also from the number of units that's going to get reduced. So, by rezoning it, you actually will reduce the traffic impact just by product-type."

Mayor Tecklenburg said, "Thank you, sir."

Mayor Tecklenburg recognized Councilwoman Jackson.

Councilwoman Jackson said, "Thank you, and I do appreciate Councilmember Griffin's overall sentiments about when we're considering rezoning that we do need to begin to take into consideration to a greater extent and as much as we're able to during a rezoning the infrastructure, impact, and especially traffic in a place like Johns Island. I think we've all figured out that this particular site is going to reduce the potential number of units compared to what the current zoning allows, but I do think that's a principle we should continue to watch. I want to support this conceptually in the way that it has been presented, and I know that we can't hold them to the concept and the layout and anything during a rezoning, but I do feel like this company, from what I understand, has a track record now of doing these kinds of housing communities that are meeting a need around the nation, especially in areas like ours that have sort of gone in directions of creating commuting nightmares and lifestyle challenges for people by allowing a lot of redevelopment in areas that are hard to reach and increasingly vulnerable to their protective devices that we know we need for flooding controls. So, this kind of development is generically now called Missing Middle Housing. It's the type of footprint and lifestyle that a lot of people are saying either in their empty nest retirement years or their start-up years of smaller families where they want to be connected to cool stuff where they can live and work. I love the idea that this is connected to Boyd Hayes and potentially our park. I watched Boyd Hayes be reviewed over and over and over again by the Design Review Board and the community there, and they've done an excellent job also of respecting the land, the topography, the elements of

climate impacts that we know we need to be preserving, especially our trees and our natural vegetation. So, I do hope that the company takes our early approval of the zoning and goes forward and makes it into the kind of development concept that you're showing us right now. I don't know if this needs to have a subdivision. Will that be true, Mr. Morgan?"

Mr. Morgan said, "It depends on how the final configuration of the property is done. I think, in general, these developments are all one parcel because they are all commonly maintained and all. There may be because of the need to have some public rights-of-way here that there are a few lots that are created, but we're still working through that process."

Councilwoman Jackson said, "That's the distinction between a property that's going to be subdivided for individual deeds and homeownership, right, compared to an all-inclusive rental property."

Mr. Morgan said, "Right."

Councilwoman Jackson said, "So, I think we have a lot to learn about this. I'm happy for Councilmember Brady and people on Johns Island, and I do think we should be learning as much as we possibly can for future locations as we look at our Comp Plan and keep going on improving our options for people to live. Thank you."

Mayor Tecklenburg said, "So, I had one question myself, if I may, and, Mr. Morgan, you mentioned, I think, a couple of times the potential for the connectivity from what I would call the rear of the property, and as noted in our Johns Island Plan, connectivity is so important for traffic and mobility. So, what changes that from the potential to a reality? Is that something that the developers are working on or committed to or hadn't worked out yet? What is the status on that?"

Mr. Morgan said, "Well, Mayor, I put up a slide here that shows their concept so far for the property which has a key connection that lines up with the connection that was here in Boyd Hayes, which also connects to the rear, as well. They have roadways at the rear. Whether these are public or not has not been fully determined, but there would be the potential to allow for future connectivity to the rear, assuming that that is not a wetland area or like a grove of grand oaks or something like that. We look to create those connections where there is a logical location, but that would be part of a larger system, and given how they've gotten an access road across the back of the property here, there probably are a number of different locations that we could have that connectivity happen."

Mayor Tecklenburg said, "So, could I ask Mr. Pfister and Mr. Dangerfield to respond? Have you all looked into this? Are you all planning on trying to make that happen?"

Mr. Dangerfield said, "The actual connectivity to Southwick Drive, which will be on the plan you're looking at, the plan on the right. There have been surveys done on that. I think there is a considerable wetland that separates that site from Southwick. I think the owner of Middleburg is willing to provide connectivity, but as far as us completing that, there is a large privately owned tract between us and the areas to the right. We are making connectivity to Hayes Park, and that's what we're in the process of looking at with the City of Charleston."

Mr. Pfister said, "That is correct. We would certainly be willing to connect, but we don't own or control that land and are not in any negotiations to do so. I think, like John said, I think we would certainly be happy to connect, but I don't think it's a feasible connection just from

topographic and environmental standards, but if someone wants to do it, we're happy to plan to connect at a later date. We've planned for that."

Mayor Tecklenburg said, "Alright, sir. Thank you for that response. Are there any other questions or comments?"

No one else asked to speak.

On a motion of Councilmember Shealy, seconded by Councilmember Waring, City Council voted unanimously to give first reading to the following bills:

An ordinance to amend the Zoning Ordinance of the City of Charleston by changing the Zone Map, which is a part thereof, so that properties on Maybank Highway (Johns Island) (approximately 37.29 acres) (TMS #279-00-00-056 and 057) (Council District 5), be rezoned from Single-Family Residential (SR-1 and SR-4) classifications to Diverse Residential (DR-6) classification. The properties are owned by St Johns Center LLC and 4 S Maybank LLC.

An ordinance to amend the Zoning Ordinance of the City of Charleston by changing the Zone Map, which is a part thereof, so that 3486 Maybank Highway (Johns Island) (approximately 9.62 acres) (TMS #279-00-00-055) (Council District 5), pending annexation into the City of Charleston, be zoned Diverse Residential (DR-6) classification. The property is owned by St. Johns Center, LLC and Charles P. Youmans, Jr.

Mayor Tecklenburg said, "Thank you very much, gentlemen, for being with us."

Mr. Pfister said, "Thanks for your time."

Mr. Dangerfield said, "Thank you very much."

Mayor Tecklenburg said, "Mr. Morgan."

Mr. Morgan said, "Now we'll move to number E-5, which is a portion of properties on St. Philip, Line Street, King Street, and Ackermans Court. There is also a corresponding rezoning that I'll show on the next slide. These are Height District changes. This is the Courier Square property. It's owned by Evening Post Industries. This request for E-5 is a change from the 2.5-3 story Height District to the 3.5 story Height District, and you will notice there is a setback. I believe it's about a 30-foot setback from St. Philip Street. We'll show some images in a minute that kind of point to why there is that setback, and this is all to make sure that the height is conducive to the traditional view of the neighborhood along St. Philip Street, but E-5 is for a change for this area from 2.5-3 story to 3.5 story. Then, E-6 is the adjoining piece of land that would go from six stories to seven stories in the area that is showing crosshatched. So, again, you're 2.5-3 moving 3.5 is in here, then there is a jump up to 6 that already exists in this area here, and then the area that's crosshatched would potentially go to seven. Both of these were heard by Planning Commission a month ago and were recommended for approval. There is a corresponding change to the basic zoning on some of the property that was held up for a month at Planning Commission and will be coming to you all next month, but this is just for the heights on these properties.

I'll show you some slides that help explain this further. This, of course, is in the Century V Plan as our Urban Core, so that is the area that we do say that the greatest level of heights in

the City are appropriate. Here is an outline of the overall project site here. Of course, there and parking lots for the Post and Courier and other undeveloped lots or previously developed lots that they own. Here is an aerial view looking from the St. Philip Street side towards King Street. There is the Post and Courier's printing plant. Here is a view from King Street of the property, another view from King Street of the property, a view at the corner of Line and St. Philip, then from St. Philip on the southwest side, and residential on the corner of Ackermans Court, and then residential on Line Street to give you a context of what's up on the street frontage in these areas. Here is King Street looking south and Line Street looking west, that's St. Philip and Ackermans, and St. Philip and Bogard. So, the applicant has also given some slides that help to explain the Height District change. Again, you've got the 30-foot setback from St. Philip Street, so the front 30-feet is just 2.5 or 3 stories. Then, the change that they are requesting would go to 3.5 stories 30-feet back. Then, there would be a further break here in an area that's only allowed to go to six stories at present, and then there would be a change to seven stories for this middle portion, and that is required to be 25-feet back from King Street in line with all of the Height Districts that were recommended. It's also 133-feet back from Line Street, and this all helps to make that height less visible to the surrounding area. I know that the applicants have worked very extensively with the surrounding neighborhood, and I think you will hear from the neighborhood tonight about their work with the neighborhood on this.

So, the current allowable zoning envelope is for six stories in the center and 3 stories here, but that's the maximum envelope that could be there. Their proposed mass with the current allowable zoning envelope is here with the three stories at the rear or 3.5 and then 4 stories here and six stories to the middle of the project and a 4-story building at the corner of Line Street. What they would do with this rezoning is to go up for that extra floor. They would have alleys that would be on the northern and western sides, and then they would have the 30-foot setbacks with courtyards along St. Philip Street, so, again, the feel would be very much in keeping with the neighborhood. This is the final kind of image of what the height request goes to. The 3.5 behind the 3-story buildings, the step to four rather than the six that is currently allowed, and then you would have seven in this kind of H form here. They would stay at four stories for their development on the corner and three stories for the development at the corner of Line Street. This is an overall broader image of some of the other projects that are nearby. There is the Liberty Senior Housing that is going through BAR review starting soon that would be proposed at seven floors in this location. There is the existing student housing that goes up to seven floors at the corner of Spring and King. There is the Courier Square Phase 1 that goes up to eight floors on the other side of the Post and Courier printing plant. Then, there is the Line Street development that is approved already through BAR for 9 stories over here. So, again, pretty much in keeping with some of the buildings that are in this Urban Core area of the City. There is also a new 5-story office building under construction right here in this location of King Street. This is a very important slide. It shows the view an average person would have from St. Philip Street looking back towards this development if these heights were approved. It shows how the 3-story buildings on St. Philip Street fronting would help to block the taller buildings to the rear so that the perception as you're on St. Philip Street is that you're still in a 2- or 3-story type of zone that is very traditional to St. Philip St. Here is the overall development plan, again, with the buildings that front on St. Philip, the larger building in the middle, the office up at the corner of Line and King, and other residential for three stories at Line and St. Philip Street. That's the end of the applicant's slides, and both staff and Planning Commission recommended approval of these height changes for these two cases."

Mayor Tecklenburg said, "Great. Madam Clerk, did anyone sign up?"

The Clerk said, "Yes, sir. We have four citizens who would like to speak. The first one is Ben Liebetrau, if you're on the line, or if you're on Zoom."

1. Ben Liebetrau represented Greystar, who was partnering with Evening Post Industries on the project, and it was the same partnership and structure as the Courier 1 Phase 1 project. They were proud of staff's support on the project. They had worked hand-in-hand with them to craft a unique height and a unique building strategy focused on respecting their surroundings, creating great pedestrian urban spaces, and following the City's design principles. They essentially placed a lot of allowable perimeter height towards the interior of the site in less visible areas. They had received no major comments or concerns on the height from the Planning Commission, and they were unanimously recommended. Greystar and EPI had extensive and ongoing dialogue over the past five to six months with the City, as well as surrounding neighborhoods and neighbors, and those had been very positive. They were extremely proud of the support they had been able to garner from the Cannonborough/Elliottborough neighborhood and proud of the City's support. He said Cannonborough/Elliottborough was a very smart and engaged neighborhood. He said they were requesting additional height next to a very dynamic group, and they had gained their support, which was hard to come by these days on sensitive issues. He thought by working hand-in-hand with them they had addressed a number of their concerns, such as livability issues, that had come about in a rapidly developing part of town which had resulted in strong support. Their approach had been unique, healthy, transparent, and open. While not directly related to the height request, they had uniquely addressed a number of their livability concerns by going above and beyond to meet a number of their requests and concerns. He said they greatly appreciated Council's consideration.
2. Justin Schwebler represented Historic Charleston Foundation (HCF), and they had had the opportunity to meet with the Courier Square team and review the project proposal. They had been in ongoing discussions with them and were appreciative of the ability to weigh in on this project. They applauded the team for their recent announcement at Planning Commission that they intended to incorporate permanent Workforce Housing on the site, in addition to paying the entire fee-in-lieu. This level of commitment to affordable housing was unprecedented and highly commendable, but HCF did believe that the current allowable Height Districts were appropriate for the site and opposed the rezoning to allow for additional height. For the portion of the site fronting St. Philip Street, the proposal increased from 2.5- to 3.5-stories with the stated intention to request four stories from BAR for architectural merit which was not appropriate for this historic neighborhood. The houses in the surrounding neighborhoods to the west and the north were predominantly 2- and 2.5-story houses, and there were historic properties located on the Courier Square Phase 2 site, and it was important that the height scale be sensitive to those houses. Three of the properties on St. Philip were protected by HCF easements and covenants, and in order to properly scale to the neighborhood and relate to existing historic homes, that section of the property was appropriately zoned in the current 2.5-3 Height District and should remain as such. The rezoning request and classification from six to seven stories for the central portion of the site with the stated intention to request eight stories from BAR for architectural merit was not appropriate for the site either. While the property was located within the Urban Core and within the area of the Peninsula deemed to be the spine, the peak of the spine's height was actually located at the block spanning between King and Meeting

Streets. The spine should then taper downward in height into the blocks to the east and west because the site was west of King Street and adjacent to the Cannonborough/Elliottborough Neighborhood, it was appropriately zoned at its current Height District of six stories.

3. Marion Hawkins, President of the Cannonborough/Elliottborough Neighborhood Association, echoed Mr. Liebetrau's comments in that they had been very impressed by the transparency and engagement from Greystar and Evening Post Industries with the neighborhood. It had been an ongoing discussion for several months, which started with initial meetings with directly adjacent residents to the property and the project area. After several meetings with adjacent neighbors and property owners, as well as with the neighborhood, and also after a presentation at their neighborhood meeting, they voted unanimously to approve the project. He said they did have major concerns regarding the entire project area which was zoned GB, and if approved, would be MU-1/MU-2 which would allow for STR use. The MU-2 along King Street would allow for late night overlay use. He said they also had the same concerns with having more affordable housing for their neighborhood and for the City. With all three requests, Greystar and EPI had met them and reached out, which they appreciated. They decided to not allow any late night operations from 12:00 a.m. to 5:00 a.m. in the MU-2 area, and regarding the STR, they had agreed to put in a deed restriction for a 20-year moratorium for STR use.
4. Brian Turner, Preservation Society of Charleston, commended the applicants, as they had reached out to them early and committed to ensuring great public benefit and the compatibility of uses, in addition to the City's Workforce Housing. Permanent additions were really commendable. He said the height and mass would be highly impactful to the neighborhood as rezoning to seven stories across the street from the 2- to 3-story context of the neighborhood was cause for concern, particularly because they expected the applicant to seek an eighth floor for architectural merit at the BAR. He said the parcel was recently rezoned from 55-foot up to six stories, that determination was based on extensive study and community input, and this would be further deviation from that decision. The City's approach to height in the Urban Core had thus far been to locate the tallest buildings between King and Meeting and taper down height east and west in areas adjacent to 2- and 3-story historic buildings. He said also Council recently gave first reading to add language to Sec. 54-306 of the Zoning Code to clarify the compatibility with surrounding properties, which was a key focal point when evaluating Height District rezoning requests. He said with sincere respect to the applicant, they asked Council to deny the request given that the heights proposed would be out of scale with the context of the site.

Mayor Tecklenburg said, "Thank you, sir."

The Clerk said, "Those were all of the speakers that we had."

Mayor Tecklenburg said, "Great. It comes to Council."

Mayor Tecklenburg recognized Councilmember Mitchell followed by Councilmembers Shahid and Griffin.

Councilmember Mitchell said, "I was at the various neighborhood meetings. Well, a couple of times when the developer came and explained what they're planning on doing they had a lot of discussion back and forth with the Neighborhood Association and with the residents in that area. There was a long dialogue, and they went along with the neighborhood in doing certain things and not having certain things that the neighborhood wanted, insofar as late night establishments between Line and Spring Streets and not having bars that stay open until 2:00 p.m. and all of this. So, they came up with this agreement, and they came up with the understanding that these things are going to be put in place. The Neighborhood Association was satisfied with it, and that's why they went wholeheartedly to support it. I was there. So, when I met with them more than one time pertaining to it, I went strictly along with the neighborhood to make sure that the neighborhood agreed with it, and the community around agreed with it. They all agreed. We didn't have anyone speaking against it. So, I said, 'well, since you're doing that and you all are satisfied, then I'm satisfied, and I'm going to vote to approve it,' and that's what I'm saying, that I'm going to vote to approve it because they did their due diligence by going to the neighborhood more than one time and addressing the issues that the neighborhood had and went along with the neighborhood with compromising, and they did a good job on it. Mr. Hawkins, who is the neighborhood President, as he alluded to, they have things in place that they promised to do, and I think it's already in writing that they're going to do these things. So, I'll vote to approve it."

Mayor Tecklenburg said, "Great. Thank you."

Mayor Tecklenburg recognized Councilmember Shahid.

Councilmember Shahid said, "Thank you, Mayor. Mr. Morgan, would you mind going back to that slide that sort of showed that sliding height differential? So, we're talking about approving item five and number six from going from a 2.5-3 story to another 3.5 story. So, we're talking about a half story and that would be facing the, I'm going to show it on here, that would be where in this particular slide?"

Mr. Morgan said, "Right in this area here."

Mayor Tecklenburg said, "In the green area."

Councilmember Shahid said, "The green area right there, and then the same thing with the six to seven would be in this area and, I think, your comment earlier was, being in this core area of the City, this is where the planners have decided it's okay to have this higher height for these developers. Did I hear you correctly on that?"

Mr. Morgan said, "That's correct. There were some statements about the greater heights being between King and Meeting, and there is more allowance for height between King and Meeting, but the feeling in this area has been that if it could be of a scale that is not duly perceived from the street like St. Philip Street, to passersbys on St. Philip Street, or on King and, again, on King you've got the setback here of the 25 feet that helps to shroud the taller building, as well. So, that's why we were comfortable with this and, again, the heights they are talking about here are not as great as the heights between King and Meeting."

Councilmember Shahid said, "That's why I just wanted to make sure if I heard that correctly. So, it seems like this is a good compromise and what Councilmember Mitchell had just relayed to us, and the community has been engaged with this process, and they have received certain concessions based upon their support as Councilmember Mitchell has sort of

spearheaded. So, I mean, this sounds like a good result when you look at it from a birds-eye view, that's why I looked at this slide. We can give it a birds-eye view of what this is going to look like. This seems like a good result for the community and for the folks who got this plan. So, I appreciate those comments that I heard earlier about that. Thank you."

The Clerk said, "Mr. Mayor, we don't have a motion or a second on the floor right now."

Councilmember Mitchell said, "I make a motion."

Councilmember Shahid said, "Second."

Mayor Tecklenburg said, "We have a motion to approve and a second. Thank you."

Mayor Tecklenburg recognized Councilmember Griffin followed by Councilwoman Jackson.

Councilmember Griffin said, "Thank you, Mr. Mayor, and, Councilmember Mitchell, let me start off by saying I never ever like to vote against you because you have the best perspective. You get down and meet with your constituents, and nobody does that better than you, sir. I have a little different reason why I have some reservations here tonight. Number one, I look at who the applicant is, the Evening Post Industries. One of the big community partners throughout this City, the Post and Courier, their parent company, and I have to think back to Courier Square, and one thing that really disappoints me about Courier Square is the lack of affordable housing. They are a fee-in-lieu kind of partner. They would rather pay the fee, and I just want to give you an example of what's happened. To prepare for this meeting tonight and this rezoning, I looked at the Guild, which is a Greystar development, which was the first phase of Courier Square. Let me just explain to you what a two-bedroom, two-bath is. It's 1,495sf, and it's being marketed for \$8,520 per month in rent. That is ridiculous, the fact that we have units like that that are that expensive. We are setting a precedent here that developers can come in, pay a fee-in-lieu, not make affordable housing, and then spike our rents up to the point where who on earth can pay \$8,000 a month in rent? For that reason, I hold our community partners to a higher standard and, you know, we're talking about raising the fee-in-lieu, we're talking about a lot of other things right now. I feel like the only person that gains from this is the applicant. We gain nothing as a City from this, and I expect more out of our community partners. So, for that reason tonight, I'm voting against it."

Mayor Tecklenburg said, "Thank you, sir."

Mayor Tecklenburg recognized Councilwoman Jackson.

Councilwoman Jackson said, "Thank you, Mayor, and thank you everyone who has offered your opinions about this. I do join Councilmember Griffin in my concern. I watched the Planning Commission. I watched, I think, both Planning Commissions. The first one when they asked to defer this issue for another explanation about the Workforce Housing changes to the fee-in-lieu structure that we are going to be considering very soon. Then, I watched this past week when the Planning Commission gave 100 percent approval to both the height and the rezoning. So, when I saw that only the height was coming through for rezoning this evening, I asked Mr. Morgan to explain to me how that could be possible first of all, and then why would the developer want to do it in two parts like this. He said it is possible because it's basically the option of the owner to ask for when their rezoning is heard once it's gone past the Planning Commission, and he didn't know how to answer the question. No one had been able to tell him

why it's being separated into two different votes by our Council. I mean, I agree with Councilmember Griffin and everybody who has said that this partnership between the Evening Post and Greystar couldn't be more favorable for a City that's come to rely on those kinds of local property owners combined with people who have established themselves with their headquarters here in Charleston and, obviously, love to bring new products to their own community. So, on that theoretical basis, we have two great applicants that are asking for these rezoning decisions, but until we have an actual site plan and going through that, this is a trusting relationship, and I think we should be willing to trust the word of these partners. On the other hand, I don't understand why they feel like they need the height right now. What if, worst case, for some reason, we decided not to award the MU-2 designation, then they would have the height for GB product, and I don't know what that would mean in terms of the owners willing to develop under a GB designation or if they would look around for new buyers. So, to me, these have been delivered together, these two different types of rezonings to the height and to the MU. I don't really see what the rush is. I would hope that maybe we could defer this vote tonight as a first reading or at least agree that we're not going to give second and third reading to this request until we've been able to deliberate on the MU-2 zoning.

I also was very careful to pay attention to the answer that the developer gave the Planning Commission last week about their new offer to pay 100 percent of the fee-in-lieu, essentially under the old price that we currently have on our Zoning Code, and then set aside Workforce units that would be permanently affordable at a Workforce income range. But, they would not designate how many units they plan to do, and the answer that they gave to two or three different questions about that was they're working it through with the Housing Department and our planners, and I think that's fair. They don't have to know right away. But, again, why would we want to give away opportunities to developers who haven't really been able to put all of their cards on the table in giving us the best deal to say yes to? So, those are my two reasons. I would love to see a deferral tonight of these two particular votes. If we can't do that, then I think I'm going to have to join Councilmember Griffin and reluctantly vote no because I know this has been properly vetted throughout the neighborhood. I agree that Cannonborough/Elliottborough are sets of citizens who do their homework and don't say their support easily without that kind of consensus building, and certainly Councilmember Mitchell has followed along with this from the point of his constituents and our own responsibility as Council people. Thank you."

Mayor Tecklenburg said, "Thank you."

Mayor Tecklenburg recognized Councilmember Appel followed by Councilmember Mitchell.

Councilmember Appel said, "Thank you, Mr. Mayor. When we talk about affordable housing, you all are going to get sick of me saying this, but it's just the truth, price is a product of supply and demand. We've got high prices right now because we don't have enough supply. We have to find a way to get more housing of all types built in the City. In my opinion, I like seeing this a lot more than I like seeing dense developments on Johns Island or James Island or West Ashley. This is exactly where you want to go high, and you want to go tall, and you want to go dense in a City. It makes perfect sense for a development of this kind in this place. I do see the logic in trying to have a better understanding of what's coming in here and not rezoning piecemeal. I would just say to that, we have a tool in the City for us to have a much better, clearer, more defined understanding of what we're getting when we do a rezoning, and it's a PUD. A PUD presents all kinds of benefits for developers and also the City to get a much clearer understanding of not only what the uses are going to be, how high they're going to be, but what

they're going to look like, what the layout is going to be. I just throw that out there as a tool. I mean, there is no reason that I know why affordable housing and workforce housing can't be negotiated and built into that PUD framework, as well. I'm not suggesting we need to do that here. I mean, it sounds like these folks have been working very hard on this for a long period of time, but that's something for us to keep in mind as we move forward. I think that what I've been hearing from my colleagues today, whether it be on this matter or the one that we just looked at on Johns Island, is when you're just rezoning to base zoning districts and very broad zoning categories, we do have no idea what's going to come in there at this stage. That's not how the system is set up. The PUD is the only method that we have currently on the books under South Carolina law for us to have a much clearer understanding of what we're getting in exchange for the rezoning, and I just throw that out there for consideration. But, if we're going to ever make serious headway on affordable housing in this City, if we're ever going to make serious headway on the traffic nightmares we used to experience coming on and off the Peninsula every morning whether it be on Johns Island, James Island, or West Ashley, we are going to have to start getting very comfortable with tall buildings, dense developments on the Peninsula, and at the end of the day, guys, we are not Soviet Union central planning what people's prices can be on units. At some point, the market is going to have to dictate what the cost of housing is. Right now we have a market problem caused by, in a lot of ways, the not intentional, but the negative consequences of our zoning policies that has made it difficult to build on the Peninsula, and we're stuck with situations where we have an affordable housing crisis where we need, what, 20,000 more units to start making progress on this issue. It's very simple. It's either we grow out or we grow up, and I would take the latter every day in that equation."

Mayor Tecklenburg said, "Thank you, sir."

Mayor Tecklenburg recognized Councilmember Mitchell.

Councilmember Mitchell said, "Yes, Mr. Mayor. I understand my colleagues, and I heard what they were saying, but like I said, I have met with the developers on various occasions, more than one occasion. Even at the neighborhood association, if you know the Elliotborough Cannonborough Neighborhood Association, they don't just let anything pass. They have people there in that neighborhood association that really, really go through everything before things are passed, approved there, in that particular area, and all of that area we are talking about right on St. Philip Street, Line Street, and King Street, that's where I grew up. I know the area. It has changed. My ex-father-in-law had owned everything on St. Philip Street there and, I think, the Mayor might know about it. Pete's Grill, Pete's El Dorado Room, and all of the houses and all along in that area where they are planning on building. But, the developer, we are working with them with the affordable housing piece. We just have not brought that back up today because this is only dealing with the rezoning. There will be housing in there, and there will be a part of the fee-in-lieu along with it. There will be affordable units that are going to be placed in there, and they will be placed in there in perpetuity for 100 years. Today we are just dealing with the part of the rezoning. You will hear more about that. They are working with Geona's office, and they are working with me insofar as the affordable housing piece is concerned. That's why I came on wholeheartedly in supporting them because otherwise I wouldn't have supported it either. But, that's why I'm supporting them because I know what's coming forth insofar as the affordable housing piece and the deed-in-lieu restriction that's going to be there, and this is what they are planning on doing, and we are putting those things in writing. But, right now, today we are dealing with only the height, and that's why the neighborhood association along with the community, they were satisfied with the height the way it's going through and how it was presented more than one time at the neighborhood association, so that's why I'm going along with it. So, I understand what my colleagues are saying, and it's their choice, but this is why I'm

saying it. This is an area that I represent. This is an area I'll be down right there with my neighborhood association. If anybody knows me, I am always there at my neighborhood association meetings. I am always there to make sure that things are going to be done properly and be done correctly, and that's what I do. Everyone has their own opinion, but this is what I do for my community. If they said 'no,' and I'm hearing things, and if I don't understand and I'm not satisfied with it, I'll tell them 'no,' and that's why I say this is why it is coming the way it is now with a separate piece. Thank you."

Mayor Tecklenburg said, "Thank you."

Mayor Tecklenburg recognized Councilmember Waring followed by Councilmember Griffin.

Councilmember Waring said, "Thank you, Mr. Mayor. Listen, I think this is a fabulous conversation. Everybody is rolling up their sleeves and bringing their best game to the table. If our Planning Commission had voted 4 to 3 on this one, I'd probably have a little bit more of a question mark, but it was a unanimous vote, and we know the due diligence that they do when it comes to planning in this City. A couple of years ago before the prior election, the City changed the parking requirement from one-and-a-half per unit to one because that would get, frankly, more dense units in line with where mass transit would be in the City. In the day of Uber and alternative transportation certainly, I go to church on St. Philip Street, and I think that's Grand Central for bike traffic while going to or fro from the College of Charleston. I'm going to support Councilmember Mitchell on this one.

I think Councilmember Appel is right when it comes to a PUD. We need to re-look and re-think because some of the information we want, Planned Unit Developments require all of that information to be provided by the developer upfront prior to inventory being taken place. Short of bringing that through in pieces, frankly, I think, provides more due diligence on behalf of the Planning Commission, our staff, the community, as well as this Council. We don't have to deal with the zoning, the height, and all of that at the same time. It is odd to do it that way. I think this is one of the first times I've ever seen it done that way but, frankly, it will enable us to ratchet down on the decision making a whole lot better.

So, I'm going to support this because if density is going to go on the Peninsula, King Street, Meeting Street, certainly, two of the main corridors that run from one length of the Peninsula all of the way to the interstate, this is the place for it to go. So, I hear you, Councilmember Griffin, \$8,000 a unit. There's no doubt about it, I won't be leasing that unit, but maybe somebody from Connecticut will. So, my one question is, why is it that the, and I hope this isn't correct, well, the new fee-in-lieu that we voted on, why would that not be applicable to this development? Because the zoning isn't in place yet, it isn't finalized. Can anybody tell me if the new fee-in-lieu would be applicable to this development?"

Mayor Tecklenburg said, "I'm going to let Mr. McQueeney respond to that."

Chip McQueeney said, "Councilmember Waring, that depends on what City Council wants to do. If they want a final reading of the ordinance to ensure that it applies to applications that are pending, they can do so. If they want to have it apply to rezonings, as of March 9th they can do so, but I think that's in the discretion of City Council, and it's also in your discretion. I will note we had that earlier rezoning tonight that was after March 9th, so the final version of the ordinance may change may you decide whether or not that is included under the new or the old ordinance, but, I think, it's still in the discretion of Council until the ordinance is stopped, and you

don't have a vested right to rezone. So, Courier Square is not in the situation where they have a vested right to continue under the current version of the ordinance."

Councilmember Waring said, "Thank you, Mr. McQueeney. So, if we wanted to be inclusive with the previous project as well as this one, what would be the action step?"

Mr. McQueeney said, "At second reading, you would ensure that the ordinance is effective as to all applications or excuse me, I think, right now it uses a March 9th date, but you could change that if you wanted to so that it applies to all projects except zonings, projects that have rezoned prior to second reading. So, that if this project is at second reading and is still being rezoned, then the new ordinance would apply and, I think, the developer sort of came with the idea that they wanted to do number one, permanent affordable housing onsite. Well, number one, permanent affordable housing and number two, affordable housing onsite. That's what they represented at the Planning Commission they wanted to do but, I think, that was under the understanding that the old ordinance would apply, and the Planning Commission was comfortable with that. But, I've been pretty consistent in talking with them and anybody else who has asked me that it's up to Council and that there is no vested right to rezone our ordinance."

Councilmember Waring said, "Okay. Is that second reading in front of us tonight?"

Mr. McQueeney said, "I think there will be a public hearing on that the first meeting in April or maybe the second meeting in April."

Councilmember Waring said, "That's great. We have time to circle back on that."

Mr. McQueeney said, "Yes, sir."

Councilmember Waring said, "Thank you so much for that information. I'm going to support this moving forward and circle back with Mr. McQueeney on that second reading. Thank you, Mr. Mayor."

Mayor Tecklenburg said, "Yes, sir. Is there anybody else with a first comment? If not, we'll go back to Councilmember Griffin."

Mayor Tecklenburg recognized Councilmember Griffin.

Councilmember Griffin said, "Yes, sir. I am compelled from Councilmember Mitchell's comments to follow his lead on this, and I think Councilmember Appel had some great points as well about we're kind of dealing with the lesser of two evils here. But, at the end of the day, if we're willing to give up some height, then we need Evening Post Industries to be willing to pay the new fee-in-lieu. So, we all have to give a little bit if we want to take a little bit, and I think that would be the right thing to do. I'm going to follow your lead, Councilmember Mitchell, and I hope in these next couple of weeks, maybe you can get some more information to me about what they're looking to do affordable housing-wise. I'd love to hear what their plan is in terms of affordable housing."

Mayor Tecklenburg said, "Well, thank you, Councilmember Griffin. Are there any other questions or comments?"

No one else asked to speak.

Mayor Tecklenburg said, "I'll just add that I want to thank Ben with Greystar and Evening Post Industries for working with us on that issue, and as mentioned, there is more discussion to come along on the affordability for this project at our next meeting when we consider the MU zoning. I hear Councilmembers Appel and Waring about the PUD. I do think, in this case, they are proposing a Mixed-Use development that includes retail, office, and residential. So, the MU zoning was what that was tailored for, as well, so this has moved far along with their plans that I think it fits the MU zoning, which we'll talk more about that next time. Regarding the height, even though it is not the block between King and Meeting, the highest part of the proposed development is closer to the King Street side and, as the drawing shows, from St. Philip Street the angle of it is not obtrusive. I guess the three-story buildings along St. Philip Street kind of hide the building. So, I think it's appropriate for this location and plan to support it, and we'll continue the conversation, but I want to thank them for working with Geona and our Housing Department on an affordable proposal that I think will be positive. So, hearing no other comments or questions, I'll call the question."

On a motion of Councilmember Mitchell, seconded by Councilmember Shahid, City Council voted unanimously to give first reading to the following bills:

An ordinance to amend the Zoning Ordinance of the City of Charleston by changing the Zone Map, which is a part thereof, so that portions of subject properties on St. Philip Street, Line Street, King Street and Ackermans Court (Peninsula) (approximately 0.32 acre) (portion of TMS #460-08-02-015, 109, 110, 111 and 112) (Council District 4), be rezoned from 2.5-3 Story Old City Height District Classification to 3.5 Story Old City Height District Classification. The properties are owned by Evening Post Industries.

An ordinance to amend the zoning ordinance of the City of Charleston by changing the Zone Map, which is a part thereof, so that portions of subject properties on St. Philip Street, Line Street, King Street and Ackermans Court (Peninsula) (approximately 1.5 acre) (TMS #460-08-02-010 through 013, 015, 109, 110, 112, 113 and 117) (Council District 4), be rezoned from 6 Story Old City Height District Classification to 7 Story Old City Height District Classification. The properties are owned by Evening Post Industries.

Mayor Tecklenburg said, "Thank you very much, everyone, and back to Mr. Morgan."

Mr. Morgan said, "Thank you, Mr. Mayor. Now, this is Item E-7. This is a code amendment for the zoning ordinance to add to the Table of Permitted Uses Utility-Scale Battery Storage Facilities as a principal use and allow this to be a permitted use within Light Industrial and Heavy Industrial Zoning Districts. It did get recommended for approval by staff and Planning Commission. I know, Mayor, you had had some questions, and we heard through the folks that were interested in pursuing this that they were not moving as fast as they thought they would be. So, if Council wanted more discussion, they could come to a future meeting with this item and give more background on this if Council is interested in that."

Mayor Tecklenburg said, "Alright. Madam Clerk, did anyone sign up to be heard on this?"

The Clerk said, "No, sir. No one has signed up for this matter."

Mayor Tecklenburg said, "Alright. Then, the matter comes before Council. Correct, I had asked for a little more explanation about the intended use that this would permit. I really didn't get any definitive answers back other than what Mr. Morgan just shared. So, if no one minds, I would like to entertain a motion to defer to allow them to bring us back some more information

about what the intended use is. I didn't want to have a blanket approval and not know what kinds of batteries. I know for sustainability purposes we're going to have to allow more types of batteries in facilities and charging stations and all like that, but I just thought it would be--"

Councilmember Waring said, "I second your motion, Mr. Mayor."

Mayor Tecklenburg said, "Thank you."

Councilwoman Jackson said, "I'll make the motion."

Mayor Tecklenburg said, "Thank you. Are there any other questions or comments from Council? We have a motion to defer."

No one else asked to speak.

On a motion of Councilwoman Jackson, seconded by Councilmember Waring, City Council voted unanimously to defer the following bill:

An ordinance to amend Chapter 54 of the Code of the City of Charleston (Zoning Ordinance) by amending Article 2, Part 3, Table of Permitted Uses to add Utility-Scale Battery Storage Facilities as a principal use category and make this use a permitted use within the Light Industrial and Heavy Industrial Zoning Districts. (DEFERRED)

Mayor Tecklenburg said, "Mr. Morgan."

Mr. Morgan said, "E-8 is a recent annexation in Riverland Terrace. It's at 2181 Wappoo Hall Road on James Island. It's a third of an acre lot. It would come into the City as SR-1."

The Clerk said, "No one has signed up to speak on this matter."

Councilmember Shahid said, "Move for approval."

Councilmember Shealy said, "Second."

Mayor Tecklenburg said, "Is there any discussion or questions?"

No one asked to speak.

On a motion of Councilmember Shahid, seconded by Councilmember Shealy, City Council voted unanimously to give first reading to the following bill:

An ordinance to amend the Zoning Ordinance of the City of Charleston by changing the Zone Map, which is a part thereof, so that 2181 Wappoo Hall Road (James Island) (approximately 0.37 acre) (TMS #343-01-00-032) (Council District 11), annexed into the City of Charleston February 23, 2021 (#2021-019), be zoned Single-Family Residential (SR-1) classification. The property is owned by Hurley Living Trust.

Mayor Tecklenburg said, "Mr. Morgan."

Mr. Morgan said, "E-9 is adjacent to the previous one. It's at 2182 Parkway Drive in Riverland Terrace, and it is a request for SR-2 because it's a smaller lot and couldn't meet the

SR-1 standards. There is already a house on the property. I can show you an image of the property. So, the house fills up most of that area on the property, and that's why it wouldn't have worked for SR-1, and it needs to be SR-2."

The Clerk said, "No one has signed up to speak on this matter."

Councilmember Shahid said, "Move for approval."

Councilmember Mitchell said, "Second."

Mayor Tecklenburg said, "Are there any questions?"

Mayor Tecklenburg recognized Councilmember Appel.

Councilmember Appel said, "Thank you, Mr. Mayor, and the rush to join Council District #11 continues the pace here. I just wanted to mention this is in Riverland Terrace, which is obviously an iconic neighborhood in the City and James Island. One of things that we talked about at our Ways and Means Committee, and we're going to be talking about again during full Council, is this revised non-standard service agreement with Dominion a/k/a burying power lines. The people in Riverland Terrace love their trees. If you've ever been through Riverland Terrace, you know what I'm talking about. Unfortunately, and this blows most people's minds, the vast majority of the properties in Riverland Terrace are in the County. They're not in the City of Charleston. Long story short, it is complicated to do these undergrounding projects in the donut hole scenario because I learned today that Charleston County doesn't have a non-standard service agreement and, in fact, State law prohibits them from having one. So, if there weren't already a plethora of reasons to join the City, lower tax bills, lower rates at the Municipal Golf Course, among many other reasons, the more homes and more properties we can get annexed into the City of Charleston in Riverland Terrace will make it easier for us to greenlight some of these small scale non-standard service projects in Riverland Terrace. So, I just want to point that out there because we're going to be talking about that today, and it's very exciting to see us ever so slowly, but in a determined manner, begin to bring Riverland Terrace into the City. Thanks."

Mayor Tecklenburg recognized Councilmember Shahid followed by Councilwoman Jackson.

Councilmember Shahid said, "Yes, sir. Mr. Mayor, I just want to thank Councilmember Appel for my ongoing argument as to why we need to be more aggressive in closing these donut holes in these subdivisions, these neighborhoods. This is a classic example of inefficient government management when we have to fuss with the County on these inconsistent rules and ordinances. So, here is a perfect example that Councilmember Appel just relayed to us to getting all of these communities into the City and why we need to be pushing a little bit harder on it. So, thanks for bringing that back up, Councilmember Appel. I appreciate the comments."

Mayor Tecklenburg said, "Thank you."

Mayor Tecklenburg recognized Councilwoman Jackson.

Councilwoman Jackson said, "Thanks. I just want to give a shout-out to the two property owners that we've now just given the rezoning to. I think we sort of missed the boat when they were annexed. They weren't told that they would have been annexed in, and so they were

looking forward to having reasons to celebrate coming into the City. I'm privileged to know the owners of the Hurley Living Trust. They're some of my best friends from my college years, and the owner of the house is the owner of Jack's Cosmic Dogs over on Hwy. 17. We lost him from Folly Road some years ago, and his partners bought out and created the Beer Hall which is also very popular. Anyway, I know that they sold a little bit of subdivision to the owners on Parkway who built the brand new house, and together, they're already organizing their community to do great things with Troy Miller's leadership for Riverland Terrace. So, I think, Councilmember Appel has gotten two great brand new constituents. They love to hold neighborhood parades and serve hot dogs. So, let's go for it. Thanks."

Mayor Tecklenburg said, "I'm going to pile on with another factoid about coming into the City. So, you save on your taxes, you get a better rate at the Muni, you save on your water bill, we all knew that, as well. But, here is a new one I found out, that many people now work out of their homes, and if you have a business that you operate out of your home, and you do business in the City of Charleston, you need a City of Charleston business license. You will save substantially on your business license if you bring your residence into the City of Charleston, as well. So, there is another way to save money. Alright. Are there any other comments or questions?"

No one else asked to speak.

On a motion of Councilmember Shahid, seconded by Councilmember Mitchell, City Council voted unanimously to give first reading to the following bill:

An ordinance to amend the Zoning Ordinance of the City of Charleston by changing the Zone Map, which is a part thereof, so that 2182 Parkway Drive (James Island) (approximately 0.20 acre) (TMS #343-01-00-144) (Council District 11), annexed into the City of Charleston February 23, 2021 (#2021-022), be zoned Single-Family Residential (SR-2) classification. The property is owned by Peter Deen Wey and Leigh Mendelsohn Wey.

Mayor Tecklenburg said, "So, Mr. Morgan, one more."

Mr. Morgan said, "E-10 is also on James Island in Riverland Terrace on Golfview Drive, and that is a property coming in as SR-1."

Mayor Tecklenburg said, "Great. Fantastic. Are there any comments or questions from citizens?"

The Clerk said, "No, sir. No one has signed up to speak on this matter."

Councilmember Shealy said, "Move for approval."

Councilmember Shahid said, "Second."

Mayor Tecklenburg said, "Is there any discussion?"

No one asked to speak.

On a motion of Councilmember Shealy, seconded by Councilmember Shahid, City Council voted unanimously to give first reading to the following bill:

An ordinance to amend the Zoning Ordinance of the City of Charleston by changing the Zone Map, which is a part thereof, so that 2138 Golfview Drive (James Island) (approximately 0.22 acre) (TMS #343-06-00-013) (Council District 11), pending annexation into the City of Charleston, be zoned Single-family Residential (SR-1) classification. The property is owned by Greg White.

Mayor Tecklenburg said, "Thank you, Mr. Morgan, for walking us through all of those tonight. Thank you. Appreciate it. Next up is our [approval of City Council minutes.](#)"

Councilwoman Jackson said, "Move for approval."

Councilmember Appel said, "Second."

Mayor Tecklenburg recognized Councilmember Griffin.

Councilmember Griffin said, "Yes, sir. Mr. Mayor, I just wanted to let the record reflect that the item that I asked to be put on the agenda for tonight is reflected in the minutes correctly, and I wanted to go back and make sure that was the case. I had asked for an up or down vote in regards to the Federal stimulus money. I see here that it's listed as a discussion item which is not what I asked for. So, I just want that to be clear as we vote on the minutes, the minutes are correct, the agenda for tonight is not. Thank you."

Mayor Tecklenburg said, "Thank you, sir."

On a motion of Councilwoman Jackson, seconded by Councilmember Appel, City Council voted unanimously to approve the minutes of the March 9, 2021 City Council meeting.

Mayor Tecklenburg said, "Next is our [Citizens Participation Period](#). Madam Clerk, will you please lead us through that?"

The Clerk said, "Yes, sir, and, Mr. Mayor, if I could just go back to 114 Magnolia Road. It is deferred on your agenda, but it was advertised, and we did not have anyone sign up to speak on that public hearing. That was item 11, but it was deferred."

Mayor Tecklenburg said, "Correct. No one signed up to speak on it, correct?"

The Clerk said, "No, sir."

Mayor Tecklenburg said, "We would have been glad to have them speak if they had. Thank you."

The Clerk said, "We have seven people signed up to speak tonight. Do you want to have a time limit?"

Mayor Tecklenburg said, "Yes. Let's maintain the two minutes we've been working on this evening. Thank you."

The Clerk said, "The first speaker is Tony Daniell, and if you're on the line, you can press *6. Tony Daniell."

1. Tony Daniell said he was excited to hear all of the questions about connectivity. When they were looking at developing neighborhoods, there were multiple ways in and out until they decided in the neighborhood to close two-thirds of the ways in and out. He said what made it worse was they went before City Council to close the roads, and City Council said no because they didn't meet the requirements of the two court cases that closed the roads he had listed in the comments. Councilmember Stevens in the 1976 meeting said they would not close or abandon the road, but instead would barricade the road. He said roads were closed, and trees were planted. With regard to the traffic flow plans, the school across the street expanded in 2014. A traffic flow plan was submitted which failed. Then, their part of James Island was not in the City, and they entered the City excited because they expected the traffic codes and laws to be enforced, and they were not being enforced. He said people were parking in the crosswalks, and people were jamming private driveways. His neighbor across the street couldn't get his work truck out. He asked Council to take a serious look at what was happening in his neighborhood. His father had a stroke, and the EMS was impeded. He asked Council to do something and enforce the codes on the books as well as remove the trees and put up a barricade, and then they could talk about removing the barricade. He asked Council to come up with some different options. He had four different ways of fixing the problem.
2. Miguel Torres said he also lived in Country Club II, and his concern was similar to Mr. Daniell's. He was also impacted by the traffic on Burning Tree Road, which actually blocked his driveway twice a day and on the weekend. There was speeding, and people used the one avenue in and out, which was Frampton and Burning Tree. There were no police enforcement whatsoever. People were driving down the road going anywhere from 30 to 35 mph. He said Councilmember Appel stated he would do a traffic study for them four months ago, and they were still waiting on that, but they knew he was busy. He also said the noise was a problem, and no signage had been placed. He wanted to know why they couldn't have the same signage that was in the other portion of their neighborhood. All they were asking for was for fair and equitable treatment. He said they paid the same taxes and should be treated the same.
3. Greta Anderson asked if Council had decided to do anything about the hate group that assembled at The Battery every weekend. She said they had asked multiple times for the City to stop issuing permits to the group or to possibly change the park to make it a 'no protest zone' or to even ban the flagpoles. The good news was they made it through last weekend's protests without anyone getting assaulted. The invitation still stood for Council to join them at The Battery anytime on Sunday from 9:30 a.m. to noon to see for themselves the hate and division the group causes with tourists and locals. She asked Council to please look into it and join them on the weekend.
4. Mohammed Idris asked when Council was going to come back to meeting in person on a regular basis.

Mayor Tecklenburg said, "Well, thank you. Mohammed, as you know, this isn't really a question and answer period. We're just glad to be hearing from you, but Council hasn't decided that for sure yet, and I'll think we'll take it up again at our next meeting in April."

Mr. Idris said if the letter 'm' was taken from 'Zoom,' they had 'Zoo', and they didn't want to be in a zoo. They all wanted to be in the City of Charleston and go to the zoo. He said they were told years ago the buildings going up wouldn't go any higher than three stories. He said they were told that over and over again, and the record would show that some citizens told the City Council that Charleston was becoming a 'little New York.' They knew why someone said 'better to go up than to go out,' and the people wanted to take control of their own area. They fought against being annexed into the City of Charleston. He agreed with what Councilmember Griffin had said. He prayed that he would be able to speak with Council more, and he told Council may God continue to bless them all.

5. Justin Schwebler, Historic Charleston Foundation (HCF), spoke in support of the renewal of the Emergency Ordinance relaxing any off-street parking requirements in the Central Business District along King Street. HCF believed the ordinance had already been an important catalyst in attracting retail and commercial tenants to vacant street-level spaces along King Street and was reported to the Central Business District Improvement Commission at their Friday meeting. He said there was still need for the ordinance as there were a number of vacant spaces yet to be activated. He said renewal of the Emergency Ordinance was also important as the City evaluated a possible permanent relaxation of parking requirements as so many cities across the country had done. Respectfully, HCF encouraged Council to vote in favor of the renewal of the ordinance.
6. Rita Kazirskis said asked how many on Council were aware that the City of Charleston permitted a group to gather the prior weekend with the express purpose of publicly breaking the law by refusing to wear face masks. She asked Council why they were issuing permits to a group that announced they would break the law. She said to the half-a-million people who were dead, the City's response to COVID would be laughable, and Council needed to do better. She said a few days ago eight people were murdered in Atlanta, Georgia and the day before ten were murdered in Boulder, Colorado. She saw a news story that Facebook closed those accounts to limit their reach because sometimes when people saw others glorifying the horrific actions, they became encouraged to do the same. She was sure many of them were reminded of June 17, 2015. Reverend Clementa Pinckney was 41, Reverend Sharonda Coleman Singleton was 45, Reverend Daniel Simmons was 74, Cynthia Hurd was 54, DePayne Middleton-Doctor was 49, Myra Thompson was 59, Susie Jackson was 87, her cousin, Ethel Lance was 70, and Tywanza Sanders was only 26. She said Facebook at least closed the accounts to try to reduce the spread of dangerous hate. In Charleston, white terror was the heritage that literally ran in blood lines. She said every single week at The Battery the City continued to turn a blind eye and issue permits to a group that already attacked a man with a flagpole just so they could continue waving their flag of Dylann Roof. Fans of the awful weekly display had not only decided it was okay to lay their hands on women on multiple occasions, but they regularly threatened to shoot, run over, and hang those who didn't support them. She said to be clear threats against safety were not one sided. There were plenty of people who came down speaking of doing harm to the old and waving their evil flags. She said to please stop the City-sponsored celebration of white supremacy before someone else got hurt. In the interest of public safety, please utilize the passive park classification and make the highly

trafficked area a protest free zone. She said if anything happened to her, she promised she would haunt Council.

7. Marcus McDonald thanked Councilmember Sakran for the signage placed outside of the Recovery Room as they had lost one of their really good friends, Hannah Carpenter. He said it shouldn't take tragedies like this, as the community had been asking for the signage to happen for a long time, but they were glad the signage was in place. He also said that the egregious attacks that had been made by Councilmember Griffin on a sitting County Councilmember were disgusting, especially for Black History Month and for someone who marched with the Proud Boys and tried to compare his march with MLK's march in Washington. He told Councilmember Griffin he was nothing like MLK as MLK would have voted and signed the petition for Councilmember Griffin's immediate resignation. He said MLK was killed by white supremacists out of the same strain that Councilmember Griffin marched with and that Greta and Rita marched in front of today at The Battery. He said for Councilmember Griffin to not only have expected to go with them, but also say he agreed with everything they said, he was complicit in what they stood for. He told Councilmember Griffin that as he continued to campaign and do a lot of feel good stuff, he should not speak on MLK's name because he did not represent MLK's ideals and was the immediate opposite of what MLK believed in. He told Council if they had to make a whole Code of Conduct for somebody's misconduct, he believed they realized there was a problem, and their petition was still up to sign. He thanked Councilmember Sakran and any Councilmembers who had signed it.

Mayor Tecklenburg said, "Thank you, sir."

The Clerk said, "Then, we did receive a few comments. One person said they opposed the Confederate flaggers who meet at White Point Garden and found it offensive that the City was approving permits for the group. One person was concerned by the amount of garbage that filled the entry way near the Charleston Arts Center on Market Street. One person would like City Council to vote 'no' to the extension of the mask ordinance in the City. One person said the Hate Resolution needed to be amended and asked that Councilmember Griffin resign. One person, I believe this was Tony Daniell who already spoke earlier, said that EMS was blocked from reaching his home during an emergency and asked Council to open Frampton Street, Fairway Drive, and Harborview Road. Those were all of the comments that we received."

Mayor Tecklenburg said, "Thank you very much, Madam Clerk. I appreciate that, and I want to thank everybody who participated and shared your views with us this evening. So, next up is our [Petitions and Communications](#), and, first, is reappointments and a couple of new appointments of these wonderful women who serve on our Commission on Women."

Councilmember Waring said, "Move for approval."

Councilmember Mitchell said, "Second."

Mayor Tecklenburg said, "We have a motion to approve."

Mayor Tecklenburg recognized Councilmember Griffin.

Councilmember Griffin said, “Yes, sir. I’m just wondering, you know, we talk about how important women are, and I didn’t know that we had four women on Council at one time. That’s amazing. I’m just wondering, we’ve got two wonderful leaders on our City Council here, why aren’t both of them able to serve on the Commission for Women? I know Councilwoman Jackson’s had that opportunity for the last couple of years, but Councilwoman Delcioppo is one heck of a leader, as well, and I know that the Commission would love to have her insight, as well. I would love to see her on there.”

Mayor Tecklenburg said, “Consider that a nomination. Tonight, though, we have these ladies that are listed for your consideration. Are there any other comments or questions?”

No one else asked to speak.

On a motion of Councilmember Waring, seconded by Councilmember Mitchell, City Council voted unanimously to approve the Appointments and Reappointments to the Commission on Women:

Carol Jackson – Reappointment
Jennet Robinson Alterman – Reappointment
Lydia Cotton – Reappointment
Monique Hill – Reappointment
Julia Moore – New Appointment
Hilda Gadsden – New Appointment

Mayor Tecklenburg said, “I would like to recognize Jennet Robinson Alterman who has been serving as Chair of the Commission on Women. Thank you for your service, and please share any remarks that you would like at this time.”

Jennet Robinson Alterman said, “Thank you, and thank you for reappointing me. I’d first like to welcome our new Commission members, Ms. Moore and Ms. Gadsden. Councilmember Griffin, we do have a process that when we have a vacancy, people are encouraged to apply for those vacancies. Today, I’m really here to share with you some of the things we’ve been able to do together, and I mean the Commission and City Council. As you probably know, we’re the only municipal commission in South Carolina. The State has a Commission on Women, but it has not been active for over a decade. Now, if you remember, our first official act together was when we brought a Resolution to you to support the UN Commission to Eliminate Discrimination against Women, which you unanimously adopted. The second Resolution that we brought to your attention was to support the efforts to ratify the ERA in the South Carolina Legislature. Again, you stepped up to the plate, and you unanimously supported that Resolution.

A lot of the discussions we’ve been having over the last several years is getting to know the services the City government provides and also looking at City personnel policies. As I’m sure you’re aware, there’s been a lot of discussion, particularly during COVID, to look at increasing benefits for employees, and in the case of the City, the cost of turnover can be very, very high. One of the things we brought you very early on was to allow a benefit, which was short-term disability insurance, which could be used for maternity leave or a long-term illness. Thanks to Kay Cross and her amazing staff, they were able to work that out, so now all City employees are covered by short-term disability. Then, of course, just a year ago last month we brought to you a recommendation for an extensive, comprehensive paid family leave program, which you were enthusiastic about and asked us to come back in July with the Department of Human Resources with a plan to do that. Of course, as everyone knows, due to the budget

restrictions that have kicked in because of COVID, the policy was adopted, but remains unfunded for this current year. We hope that in 2022 we'll be able to see that paid family leave funded on a staggered basis, which means that it would be completely in place by the end of 2024.

The thing we're doing right now that I think is particularly exciting, and I hope you will agree with me, we're working very closely with Wendy Stiver, the Director of Research and Procedural Justice with the Charleston Police Department, to explore a collaborative structure in support of broadening the prevention and intervention services involving the Charleston Police Department in response to mental health, domestic violence, and other issues of that nature. We are hoping, and we are serving as an advisory and networking group, to better connect the Charleston Police Department goals and strategies to other organizations and programs to enhance the City's crisis response best practices in support of women and their families. That's a very brief summary. You have the complete report in your Council agenda packets. I would like to also thank Councilmember Gregorie for the beautiful invocation, and I would like to wish your mother a happy birthday."

Mayor Tecklenburg said, "Thank you so much, Madam Chair. You all have done some remarkable work. We are honored to have the only active Women's Commission in South Carolina, and you all are really making a difference. Thank you again for your work. Keep it up."

Ms. Robinson Alterman said, "Thank you for your support."

Mayor Tecklenburg said, "Absolutely."

The Clerk said, "Mr. Mayor, I think Councilmember Waring had his hand up earlier."

Mayor Tecklenburg said, "Okay, I'm sorry I missed that. Councilmember Waring?"

Councilmember Waring said, "No, sir. I had a question, but I could ask it outside of the meeting. No problem."

Mayor Tecklenburg said, "Okay."

Councilmember Waring said, "Thank you."

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

No one asked to speak.

Mayor Tecklenburg said, "So, thank you all very much. We'll move forward. We have one [new appointment to the Bike and Pedestrian Advisory Committee](#): Mr. Jeff Adkins."

Councilwoman Jackson said, "Move for approval."

Councilmember Brady said, "Second."

On a motion of Councilwoman Jackson, seconded by Councilmember Brady, City Council voted unanimously to approve the appointment of Jeff Adkins to the Bike and Pedestrian Advisory Committee.

Mayor Tecklenburg said, "Oh, I guess I jumped the gun on the report. That was third on the agenda. Thank you, Madam Chair. So, next is our [Stormwater Management project highlight](#). We had resolved to come back to you from time to time and rather than having the long, lengthy report with a little snippet on each of the many projects, that we get a little more focus on one project at a time so, Matt Fountain, take it away."

Mr. Fountain said, "Thank you, Mayor. So this one will be an update on the Spring/Fishburne project, which we typically refer to as the Spring/Fishburne project, but its formal name is the U.S. 17 Septima P. Clark Drainage Improvement Project. So, hopefully you're seeing the presentation at this point. We show our partners on the bottom left: Davis & Floyd, Black & Veatch are our professional services team on the project, and Conti Enterprises, Jay Dee, Crowder, and Oil Thompson have been our contractors on the different phases of the project to date. So, just briefly, the project origin, this relates to the flooding in the Spring Basin and the Fishburne Basin of the 1984 study, hence the reference to the Spring/Fishburne project. This includes the U.S. 17 corridor, where flooding significantly impacts the function of that corridor. It provides one of main routes to medical district access in the Peninsula. It serves to connect, hence the name Crosstown, West Ashley, Mt. Pleasant, downtown, and North Charleston to I-26. It serves as a hurricane evacuation route. We see over 63,000 vehicles per day traveling on that 17 corridor. It experiences over 250 accidents per year, many of which are rear-end collisions due to flood impacts and related events.

Another part of this project that doesn't get talked about a lot was the reconnection of communities. That was actually the foundation of the TIGER Grant that was awarded to the project, and some of the DOT involvement. Obviously, when U.S. 17 was built and expanded through the Peninsula, it separated existing communities and caused a lot of harm to the area. So, there was also, we don't think about it as much on this project as we talk about flooding so much from a Stormwater Department, a conscious effort to kind of re-knit those communities through multi-modal transportation, providing safe pedestrian access, bike access, and mass transit access between those different neighborhoods. So, the impact area, we would call it, is about 500 acres. The diagram on the upper right, the yellow boundary is sort of an impact area. It's not the exact drainage basin for the project, there's some of West Edges included, and there's a function of that which interacts with the project, but it's areas that receive benefit or improvement in their situation due to the project with a slightly tighter corridor within the exact drainage basin. This is a five phase approach project. There are five primary phases. Ehrhardt has sort of been added on, we'll talk about that at the very end, very recently as a Medical District tunnel extension, was actually part of the original thought of the project when it was first conceptualized, but was taken out due to constructability issues. That has been added back in with support for the Medical District recently. Funding on this project, not counting the Ehrhardt sections, is approximately \$197 million through a combination of State Infrastructure Bank funding, the Federal TIGER Grant, SCDOT contributions, and City contributions.

I think it's worth noting because I know what I mean, typically I'm talking about this project, but I think it's always worth kind of resetting expectations. It's a confusing project. It's different than a lot of the other drainage work we see in the Peninsula, outside of the Calhoun/East project. It's a deep tunnel component project, so what that means is shown in this diagram at the bottom of the page, and what you see are our surface level improvements. We'll go through some slides showing those, but you see these surface level improvements, trees and landscaping, but also new surface drainage collection systems, these shallow pipes that basically bring the water to these vertical drop shafts, we call them vortex structures, at the top. Those vertical drop shafts basically let the water go down into a deep tunnel system that's dug beneath the Peninsula. Those tunnels then flow down to the outfall, which is what you see going

on construction-wise between the 17 bridges to West Ashley right now. Then, they will flow out through a combination of gravity flow, at lower tide events especially and then, as the pump station is constructed, be pumped out at all tide situations. The purpose for that is that Charleston is very flat, so when you're trying to convey water from the center of the Peninsula out to the edges of the Peninsula you really can't get the water to move very efficiently, so instead we take it down into this deep tunnel system and use a pump to be able to basically push the water out or pull the water out.

Phase 1 was completed in 2013. This was focused on the neighborhood reconnection portion of the project and included an intelligent transportation system installation, basically putting in traffic control, putting in traffic lights, pedestrian access. It also included the first parts of the surface drainage system installation. Over a mile of pipe was installed, 175 structures for stormwater, upgrading the water and sewer infrastructure through the corridor, and then you can see in the pictures, kind of from the top right to the bottom right, the streetscaping component that we're familiar with today is how the road corridor looks.

Phase 2 was completed in 2017. This is the rest of the surface drainage installation going in. A little bit more than two miles of pipe installed, almost two miles of pipe cleaned, 300 more stormwater structures installed, more streetscaping, and then the first portion of the deep tunnel component. The eight vertical drop shafts and vortex boxes were installed to basically be able to bring that water from the surface down to what will be the deep tunnels, which is Phase 3 of the project. This was completed last year. There are four equipment access shafts. We talked about this a lot. The closure at the King Street off ramp from the U.S. 17 was actually where we were installing one of those. You see one on Harmon Field, if you go out on Harmon Field. It's now been primarily restored, as well as two other locations. This is where we lowered a tunnel boring machine and equipment down into the tunnels to be able to actually dig out and create this tunnel approach. We did install 8,200 feet of 8 and 12 foot diameter tunnels. These are really large tunnels, think two people standing on top of each other, in the primary tunnels. Another 800 feet of 6 foot diameter tunnels, which would be called adits in mining parlance, basically smaller tunnels that serve into those drop shafts and connect a larger drainage basin into the major project. We also performed environmental mitigation as part of our phase 3 work for disturbance we'd be doing in Phase 4.

Phase 4 is our current project phase, what you see between the bridges heading out towards West Ashley. We'll be installing three 8ft x 10ft box culverts, so you can imagine how big that set of piping is going out into the marsh. In fact, you don't have to imagine it because you can actually see it in the existing excavation pathway out there. We'll also be putting in the pump station wetwell. It's basically a really large concrete box that holds a lot of water to allow the pumps to cycle enough for the pumps to cool down between start and stop cycles, so that they can work in a variety of different sized rainstorms. Completion of Phase 4, before the pumps go in, we'll still see about a 500% increase in the amount of water we're able to convey out of the corridor just from that gravity flow, which does vary depending on tide. At king tide, we'll see more like a 200% increase. In a low tide we might see more like a 600-700% increase, so it's still a substantial improvement.

Just to run through a little bit of the construction, I don't want to take too much time, but it's a pretty interesting project. This is what we looked like when we started Phase 4. Phase 3 basically had, that's the access shaft they're seeing between the bridges where we lower equipment down into the deep tunnels. First step was kind of installing this trestle out into the marshes. It is not the first component of the West Ashley bike bridge project, which is my most commonly asked question from friends and family members, if that's what I'm building here. But

it is about a million pounds of steel supporting the cranes that go in to install the project work. Here you can see the coffer dams, these are actually very tall metal sheets, which we'll see in a second, installed down to protect the excavation work where we'll be building the next phases of the project. So, here you can see the excavation progressing. Now, there's a little bit of vertical distortion here with the camera shot, but you can see the struts and bracing going in, the piles have been installed, and we're actually starting forming for concrete at this point in the project. We've now started our mass pour concrete work and basically are filling back in this large excavation and all the piling we put in with a concrete shell. It will be starting soon on the actual construction of the case in place outfall culverts as well.

The next phase will be Phase 5. This is expected to complete very late 2023, early 2024. This is the pump station component of the project. Obviously, here is our architect's rendering of what the pump station will look like rather than an in-construction photo as the rest of them were. We have not built it since last week. This is where we'll be housing three 120,000 gallon per minute pumps. That will provide an over 1,000% increase from what we see in today's flow, so that will take us to a major design scale storm event with functionality, even in high tide conditions. Medical District, the tunnel extension, the Ehrhardt project, this has been added back into the project. We'd also expect this to complete in 2024. This one is design and permit ready. We're just finalizing easements, which we had at Council tonight with MUSC. Then we'll be accepting the recently announced award of the HUD CDBG MIT funding of \$10 million from the Federal source through the State. That will allow us to provide drainage in the 27 acres of the Ehrhardt basin, which is basin two in this upper right corner. It's the easternmost basin there and the medical district side. The bottom picture shows the flooding in a one-year storm event that that basin experiences, so it's a very flood-prone area. It's the service route for many of the emergency rooms in the area, so it's kind of a nice, critical corridor to be able to meet with this project with a very quick implementation date.

So, I do want to note our website because, while I tried to give you a quick presentation, we actually have a really nice, updated website that we put together for Spring/Fishburne in case you're trying to remember everything I said without my presentation to run through. If you go to www.springfishburnedrainage.com you'll see this come up as animation that shows some traffic moving and things, but as you jump down here, this is where the core of the project is. This shows the project area. On the right is a map with basically a rendering of what the project will look like. This is kind of all phases, and it has a description of what we're talking about. You can actually nicely go through the phases and see what happened in Phase 1, and you know, Phase 1 was from 2009 to 2012 and installed streetscaping. It kind of gives you a nice little summary and shows location-wise where that was on the map. You can work your way through the phases and see how the drop shafts go in, where those locations are. You can go in and see where the tunnels come in, and the blue lines are the deep tunnel routes on the project. The wetwall now being constructed out between the bridges and then with Phase 5 building in the pump station on top of it. Then, as you scroll down, you can see some interesting facts about the project, lots of interesting information, how much pump volume we remove, and then you get down into images. This is regularly updated. You can also see sign up at the stop to stay connected to the project and get email updates about progress on the project, if you're interested. This is kind of where we're moving to, as a department, for project updates and website information, trying to provide more story maps, more information. Easier to understand documents are a little more useful for the general public. So, I appreciate your time, and if anyone has any questions I'm happy to address them."

Councilmember Waring said, "This is very good."

Mayor Tecklenburg recognized Councilmember Shahid.

Councilmember Shahid said, "Thank you. Matt, would you mind going back to, I think it was, one of the very early illustrations that showed the tunnel heading to the pump station?"

Mr. Fountain said, "In the PowerPoint presentation, Councilmember?"

Councilmember Shahid said, "Yes, sir. Well, even the one on the website. It was one of the earlier points that you had in it. It showed the illustration of the pipe, the tunnel going towards the....Right there. That one right there. So, I noticed that the tunnel is lower than the pump station, and we had a lot of discussion about, pre-pump station, this water flowing out, so the water level is lower here, and then the pump station is higher up. How is that water exiting out of the tunnel before the pump is functional?"

Mr. Fountain said, "Yeah, so in engineering terms we'd call this a hydraulic grade line or a head pressure situation, but you're right, so what happens is the water pressure is not from the tunnel. The tunnel is at depth because we're trying to stay out of the way of building foundations and be deep enough down that we're not impacting anyone's ability to pile foundation their building or have other impacts like that. What happens is those vertical drop shafts, those will fill with water up to a level, and you can kind of see it in this picture, where as you track across, is actually equal to the level in the pump station and then into the outfall. So, the column of water pressure is equal to the height of the water in kind of the highest place, right, water will push its way flat, so the water in the tunnel will not drain out on its own without pumps kicking on, but the water on the surface is at a higher level than the outfall, so the water pressure will push the water down through the tunnel and out."

Councilmember Shahid said, "It works like a flushing system?"

Mr. Fountain said, "Kind of. It's like if you had a hose and you hold up two ends of the hose and it makes a 'u' at the bottom and you lift up one side of the hose, the water will come pouring out of the other side of the hose because water will always seek a flat level."

Councilmember Shahid said, "See, Matt? You've learned to explain things to me in its simplest terms."

Mr. Fountain said, "This is one of the most complicated things to describe, this idea of hydraulic grade line, of how does the weight of water move water around."

Councilmember Shahid said, "Right. Well, it's fascinating because I think people were concerned that as we were approving the financing for this, and we knew there was going to be a ways down the road before the pump stations were installed and functional, but we were getting the benefit of the tunnel system into relieving the flooding, and I think that's shown already. I mean, we've seen some of this benefit already. It was just interesting to me the different levels of the pump station versus the tunnel, so your explanation is helpful. Thank you for doing that."

Mr. Fountain said, "Yeah. I appreciate it. At the end of Phase 4 we should see some significant improvements to drainage in the corridor."

Mayor Tecklenburg said, "Terrific."

Mayor Tecklenburg recognized Councilmember Sakran.

Councilmember Sakran said, "Thank you, Mayor. Matt, I just wanted to say that the website is awesome. It's something that I think all of our departments should think about. It's very easy to see, and I can just tell it's really well laid out, so thanks for doing that. The second question, which I get a lot about this project, is, if you could describe in broad terms, what parts of the Peninsula are going to benefit from this? I get questions like, you know, I'm up in Hampton Park Terrace, Wagener Terrace, but are folks going to see any tangible benefit in that neck of the woods?"

Mr. Fountain said, "Yes, absolutely. So, the website is great for that. On the website you can see the drop shaft locations that come in, so those are going to be your major impact points. That's where we tie the surface drainage in, so you're going to see the most impact running north/south here on President Street, this is the President Street's tunnel, up to Fishburne. Then, you're going to see major impacts on the 17 corridor. We're also tying in all the surface drainage. You'll see improvement through this whole orange coated area here, and this is Hampton Park here. So, basically coming all the way up to Hampton Park, all the way over to where I-17 and I-26 come in, King Street is basically this section here, so you're going to see pretty significant improvement all along the corridor from King Street almost as high as Hampton Park over and down. The area that doesn't show on this map is some of the West Edge because it's not directly served by the project. It's an interesting combination there with what the West Edge drainage improvements are doing and what the tunnel improvements are doing, so you'll see improvement in this whole area, it's just a component of two different projects working together drainage-wise. Then you'll see some southern additions here as you come down President to the bottom side of Septima Clark, and some of the worst flooded areas are this core corridor here, which is why you see so many drainage inlets. Then, we have extended down with Ehrhardt to go actually below Bee Street here a little bit into the Ehrhardt Basin, as well, which is not shown on this one. It wasn't part of the original project layout. Is that helpful, Councilmember? It's a big area, so it's sometimes hard to describe very quickly, but it's a pretty substantial drainage basin."

Councilmember Sakran said, "Thank you."

Mayor Tecklenburg said, "And that map doesn't indicate the little area that will be added when West Edge does their connection to the shaft."

Mr. Fountain said, "Correct."

Mayor Tecklenburg said, "And also to the hospital district, but it seems to me the biggest benefit to our citizens everywhere, if you think about 63,000 cars a day that traverse the Septima Clark Parkway, just the mobility factor for everybody to get around will be a huge benefit."

Mr. Fountain said, "That's a very good point, Mayor. I think the traffic impacts along Septima Clark will be incredibly important, and I mean, honestly, the President Street corridor is one of those corridors that we constantly have to tell people we can't do much for you, from a flooding perspective, because you're in a bowl. Many of these little side streets that come off here are some of the worst impacted flooding areas in the City, so these are areas that will see an immediate relief on that project, and Bee Street kind of falls into it. We won't serve all of it, but we'll serve a good chunk of it."

Mayor Tecklenburg said, "Alright. Any more questions or comments for Mr. Fountain?"

Mayor Tecklenburg recognized Councilmember Waring.

Councilmember Waring said, "I just want to point out the talent and skill sets that our Stormwater Department team has. I mean, this is a project that will span the better part of a decade, and this is so interesting. We can do like Disney and livestream this thing. After a while we'll charge admission to be a member of the Public Works Committee."

Mayor Tecklenburg said, "Thank you."

Mayor Tecklenburg recognized Councilwoman Delcioppo.

Councilwoman Delcioppo said, "I just wanted to continue Councilmember Sakran's first point, which was, a little marketer's tear comes to my eye at the beauty of this website, and this is exactly what we want, what our citizens want. It's easy. It's simple. Everybody knows what's going on. It's updated in real time. I cannot encourage more of this across departments throughout the City to happen. I think it makes everyone's lives easier. Most importantly, it makes those people we represent, it makes their lives easier to know what's going on and to get a lot of their questions answered instead of not knowing who to call and what to do, and they just get frustrated. So, whoever put this together, I tip my hat to you. It's amazing. Let's work on more of this style of communication."

Mayor Tecklenburg said, "Thank you very much. Any other questions or comments?"

Mayor Tecklenburg recognized Councilmember Shahid.

Councilmember Shahid said, "Just a quick comment, Mayor. We had a tour of this tunnel about maybe two years or so ago. Matt, is that available for us, as a group, to go down into this existing work? Is that feasible?"

Mr. Fountain said, "Councilmember, we can certainly take you to the outfall that's currently being constructed, wetwell and the outfall. Going down into the tunnels, we don't have any contractors working in the tunnels at this point. It's a pretty substantial lift. They have to bring in cranes and ventilation systems and safety crews to get into the tunnels, but the wetwell outfall is certainly something that's worth going to take a look at. Yes, that's a great idea. We can certainly take you out there and show you around that. You may or may not want to climb down into the concrete work. I think its worth like 60 feet of ladder climbing at this point in time to get down into the system, but we can certainly do a top down view for the project."

Councilmember Shahid said, "I'll follow Councilmember Mitchell and do that. Those of us who had the opportunity to go into the tunnels, and if we have an opportunity to go into this pump station construction area, it gives you a feel of the magnificence of this project and, as Councilmember Waring was alluding to, the talent and the sheer engineering feat that this is accomplishing. So, if that can be arranged as a group opportunity for Council, I would encourage you to set that up for us."

Mr. Fountain said, "Absolutely. It's very hard to get a good grasp of the scale of project from the pictures. It's very large, and that hole in the ground that the wetwell is about 45,000 tons of material that was removed to create that, so I think you're right that it's very helpful to see that in person."

Councilmember Shahid said, "It was so successful when the Mayor took the Governor down. We came out, he went down with no money, he came back up with a pocket full of money, I think. Right, Mr. Mayor?"

Mayor Tecklenburg said, "I still am so thankful to Governor McMaster for coming through on his commitment to help us with this project. I mentioned that a couple of weeks ago when we first announced it, but he really followed this all the way through. It didn't work out with his regular general fund budget last year because of COVID, but he didn't forget, and he brought it back with approval of our grant application to the mitigation funds that he had available, so thank you, Governor McMaster. One more time."

Mayor Tecklenburg said, "Alright. So, let's move on. Thank you, Matt, for that presentation. Excellent. Our update on the [City's response to COVID-19](#). Shannon Scaff and his incident team have been doing a great job in helping, despite the lack of doses out there, of doing everything we can to facilitate vaccinations and vaccination locations. Tracy has some news for us also about our latest statistics."

Tracy McKee said, "Thank you, Mayor. Good evening, everybody. Brief update for you tonight. So, after being able to report a steady decline in cases over the past couple of months, we are unfortunately beginning to see an increase in the trend in new cases. So, although our total numbers still are moderately low, the recent uptick in cases has really put two of our indicators in that red zone. Additionally, the number of new cases per thousand residents is approaching that yellow zone, and that indicator is what we believe to be manageable by our medical community for hospitalizations, as well as contact tracing. That's something that we want to really keep a close eye on. Looking at hospitalizations because that really is an important factor to consider, you can see that the hospitalizations for COVID-19 patients has been stable, so we haven't seen an uptick in that, but we do know that that has a slight delay, so this is definitely something we want to keep our eye on over the coming weeks.

Vaccine distribution, you can see that we're getting some increases in Pfizer, moderate increases, kind of week by week, Moderna is kind of holding at the same level, and then we're starting to see just a trickle of the Janssen, or the J&J actually coming into this State. I think we saw about 120,000 doses come into the State this week. You all probably saw that we've actually reached over a million South Carolinians in the State that have started the vaccine process, and we actually have 1.7 million doses administered in the State, as well. So, the progress is slow, but it continues. We're now up to 21% of the population of South Carolina that has at least started the process. I believe Charleston County, we're somewhat closer to 25%, so that's very, very encouraging.

I know that you all are interested in the demographics, so just a little tidbit about that. We are seeing an increase in the percentage of black citizens taking the vaccine, so that's slowly increasing, which is really great to see. As far as Hispanic and Latinos, that's still very lagging. It's only 1.6% of that population that is getting vaccinated compared to 6% of the population in the State that are Hispanic or Latino. So, that's something that is an area of concern, if you will. The gender gap is actually starting to close though on vaccinations. So, there's some good things happening, but we still have a little ways to go.

I thought you guys would be interested in knowing about a survey that was done by DHEC. So, they did a receptivity survey kind of at the end of January, early February. They surveyed over 30,000 South Carolinians. They had a good representation of citizens from all of

the regions of the State. However, it is important to note that in the survey citizens that are 18-30, racial minorities, and men were actually pretty underrepresented. I thought you guys might find just a snapshot of one of the charts that they have in their report of interest. So, the good thing is that over 80% actually felt like they were going to get the vaccine once they were eligible, so that's really, really encouraging. I think the place that has some opportunity from their report is you can see that second question is 'I am confident that the COVID-19 vaccine is safe.' Less than 30% strongly agreed with that, so I think that there's some work to do there to really let people know and to educate people that the vaccine is safe, so that people are comfortable taking that vaccine. That's all I really have for you tonight. I want to turn it over to Shannon to talk about the great work that he and his team are doing around vaccinations, but I'm happy to answer any questions anyone might have."

Mayor Tecklenburg said, "Thank you, Tracy. Shannon."

Shannon Scaff said, "Thank you, Tracy. Good evening, Mr. Mayor and members of Council. A lot of work being done for vaccinations. We're definitely pushing them through the City here. You'll recall we teamed up with Harris Teeter and the Gaillard Center. Harris Teeter administered second doses at the Gaillard Center last week. The event was a success. All vaccines on hand were administered, and between Pfizer and Moderna, over 3,500 vaccines were administered out of that effort. MUSC opened up the location where the old DMV was at 180 Lockwood on March 15th. The hours of operation for that: Monday-Saturday, 8:00am-5:00pm. Those hours of operation will fluctuate with vaccine availability. Right now, as I understand it, there is availability, and they've opened that up to the public in terms of being able to make appointments.

Fetter Healthcare will be operating a vaccine clinic out of the Arthur Christopher Community Center beginning tomorrow from 9:00am-2:00pm. Johnson & Johnson vaccines will be administered there. No appointments will be scheduled for those Fetter Healthcare's vaccine models. First come, first serve, for that. Vaccines will be administered for five hours tomorrow. Fetter said they have enough vaccines to administer during that entire five-hour period, and they'll go as long as time allows for them to. This week, Emergency Management contacted ten congregations within the City of Charleston with large parking areas about the potential for hosting vaccination sites. I had a conversation with one of my DHEC leads in the area this weekend on Sunday, working with him directly to connect providers to area clergy. So, that's kind of our next effort now that we've got 180 Lockwood up and running. They're doing very well, several hundred a day, as I understand it, are being administered. We're definitely pushing vaccines throughout the City, which is great news. Happy to take your questions."

Mayor Tecklenburg recognized Councilmember Shealy followed by Councilmember Griffin.

Councilmember Shealy said, "Thank you, Mr. Mayor. Shannon or Tracy, I don't know if you all would even know the answer to this question, but I know MUSC did trials on both Janssen and AstraZeneca. Do we know how many people may be vaccinated from that? I'm assuming that's not in these numbers of vaccinated, but do we have any idea how many people were vaccinated through the trials?"

Mr. Scaff said, "Tracy, any idea?"

Ms. McKee said, "I used to know the number that were in the first trial, but I'm not sure what it is, so I hate to give that number when I'm not positive."

Councilmember Shealy said, "Well, thank you."

Ms. McKee said, "Sorry."

Councilmember Griffin said, "Yes, sir. Thank you, Mr. Mayor. I don't say this enough, but thank you, Shannon and Tracy, for all you do putting this data out and the fact that we, as a City, have opened up all of our resources to get people vaccinated. It's really great. Last but not least, Shannon, congratulations on becoming a grandfather."

Mr. Scaff said, "Thank you, sir, appreciate that."

Mayor Tecklenburg said, "Terrific."

Mayor Tecklenburg recognized Councilmember Shahid.

Councilmember Shahid said, "Yes, Mr. Mayor. Shannon and Tracy, I just want to let you know that I got my vaccination. My second shot was last Thursday at the Gaillard, and the level of efficiency and level of care, too, I mean, the folks were not just running us in and out as cattle. They were very patient with the folks who were there. They were very compassionate with the folks who were there. It was just a smooth operation and a pleasant experience. So, all those who were involved in the management of that and the organization of that need to tip your hat for the work that you all did with all of that. So, thank you. I had a small little reaction to the second shot. It was more of an upset stomach than anything else, but felt great and hopefully we can continue that kind of work. I did hear there was some concern with the Municipal Court kicking back into gear and maybe some parking issues or traffic issues being at the old DMV. Have you all addressed that, yet? Have you heard some issues about the old DMV location?"

Mr. Scaff said, "Yes, sir, we did have some initial concerns with it. I believe that's been worked through now. You know, it's a day-to-day thing, and some of that's weather dependent, as well, but it's sort of a moving target. Our logistics folks, Chelsea Taylor out of the Police Department has done a phenomenal job using some of our resources organically within the City to help make that happen. I feel like we're in a good place with that, sir, and appreciate your comment about that. You know, a shout out to the Rotary Club for their help with it, obviously, Gaillard Center, and the management staff there has done a phenomenal job. Mr. Mike Tito and Daniel Flessas in Emergency Management did a lot of work with that, and obviously, the Harris Teeter folks who came in from Raleigh, North Carolina to help did a phenomenal job. Glad we got you in there."

Mayor Tecklenburg recognized Councilmember Mitchell.

Councilmember Mitchell said, "I had my second injection also at the Gaillard and didn't have any problem, didn't have any symptoms, nothing. When I spoke with them, they said 'Mr. Mitchell, are you taking any medication?' I said, 'I'm not on any medication.' I don't take any medication at all. I have never been on any medication. So, he said 'well, you might be alright.' So, I didn't have any reaction, nothing at all. My sister had some, but I didn't have any reaction. So, I was good all the time. This arm has been sore a little bit, but nothing else. Everything was fine."

Mayor Tecklenburg said, "Awesome. So, I had my second shot, as well, Friday. I'm a member of the herd immunity. I do want to share that even though something like a million

doses have now been distributed in South Carolina, there are millions more that will need to be distributed. The doses are just really coming forward now and will be over the next couple of months, so we can still see the clearing ahead, but we're not all clear yet. As Tracy reported, some of our case numbers locally are creeping back up, so we have to stick with this for a little bit longer and keep preaching the message, asking everybody when they can to get vaccinated. As you've heard, we're doing everything we can. Staff are working with our healthcare partners to make sure that availability is there. Thank you for that, Shannon and team and Tracy, as well. Alright, next we do have a [renewal of one emergency ordinance](#). It's been mentioned earlier this evening. Susan, you want to explain that to us? Or Chip?"

Susan Herdina said, "I can, Mayor."

Mayor Tecklenburg said, "That would be great."

Ms. Herdina said, "Okay. Chip, you can jump in if I describe it inaccurately, but this is an extension of an emergency ordinance that Council previously passed. It's part of a recovery effort in the City. It creates a special parking district, which allows the suspension of on-street parking requirements. We understand it's working well, and we're requesting that it be extended for an additional 60 days. It would expire on May 23rd. Chip, feel free to add anything at this point."

Chip McQueeney said, "I just wanted to mention that I tried to track the language of the outdoor dining ordinances that I prepared. I'm trying to avoid any issues related to emergency ordinances dealing with COVID directly. This is more of a recovery. It's an emergency ordinance to help economic recovery, not something to deal directly with COVID. So, for those of you who are concerned, I don't think it's inconsistent if you disagree with extending emergency ordinances related directly to COVID to agree with an emergency ordinance related to economic recovery from COVID, if you would like to take that position. I've tried to draft it that way."

Mayor Tecklenburg said, "Any questions or discussion? Can we entertain a motion to approve?"

Councilmember Griffin said, "So moved."

Mayor Tecklenburg recognized Councilmember Appel.

Councilwoman Jackson said, "Second."

Councilmember Appel said, "Thank you, Mr. Mayor. I just want to thank everybody who had a hand in this. Again, Councilwoman Delcioppo, Councilmember Seekings, the Central Business District, historic groups, Lowcountry Local First, Charleston Moves, I'm probably missing out on others, but this was a real good, collaborative effort, and it's working well. I have to say, I have to give a shout out. The City of Charleston was featured in a national publication, Wired Magazine. They highlighted this ordinance as an example of a City leading the way on innovative mobility related regulations coming out of COVID. I'm so excited to hear that it's already caused, I believe, three businesses to get permitted. Those are going to be three vacancies that we've turned around. I think with another 60 days, as the COVID recovery and vaccinations come out, who knows what we can get from this. I do think that, moving forward, we need to keep our eye on making this permanent and also responsibly extending the geographical boundaries of this on the City, and we're going to do that in a deliberative way. We're going to talk to all the Councilmembers whose districts are implicated, the neighborhood

groups, but this is a great test program. It's worked. The sky is not falling. Cats are not sleeping with dogs. It's okay. We can let businesses open without this red tape, and we can allow Charleston to be really well poised for a very strong economic recovery coming out of COVID because people are coming here. They're leaving up north. They're leaving out west. Let's let them bring their businesses with them, and let's put this City on rocket fuel. Thanks."

Mayor Tecklenburg recognized Councilwoman Jackson.

Councilwoman Jackson said, "Thank you, Mr. Mayor. I really appreciate the differential that Mr. McQueeney was able to educate us about. I do feel like this ordinance deserves to stand on its own as a rescue for an economic deficiency emergency, but I also support my colleague, Councilmember Appel, who basically began the drum beat that I now think is very strong for why we should be making a district like this permanent on our zoning code books. I know you all are tired of me talking about where I came from, but my little community in northern Virginia suffered the same types of growing pains between two large, expanding metro area counties of northern Virginia. They tried their hardest to make parking as onerous as possible and basically dried up their own business district in the process. So, maybe it's counterintuitive, but it definitely is not the onerous burden to residential neighborhoods that are literally on the backside of a commercial block. I've seen it work, and I've seen it, well of course we don't want an extra parking burden on our commercial district that everybody loves to walk to and be part of. So, I think that's the prize that we should keep our eyes on, and anything that I can do to bring that kind of thinking to Folly Road, I would love to see that. Thank you very much."

Mayor Tecklenburg said, "Thank you. Any further comments, questions?"

No one asked to speak.

On a motion of Councilmember Griffin, seconded by Councilwoman Jackson, City Council voted unanimously to ratify the following Emergency Ordinance:

2021 – 032 - AN EMERGENCY ORDINANCE TO AMEND CHAPTER 54 OF THE CODE OF THE CITY OF CHARLESTON (ZONING ORDINANCE) TO CREATE A SPECIAL PARKING DISTRICT OVERLAY ZONE FOR THE PURPOSE OF ELIMINATING MINIMUM OFF-STREET PARKING REQUIREMENTS APPLICABLE TO CERTAIN USES WITHIN THE DISTRICT AND BY CHANGING THE ZONE MAP, WHICH IS A PART THEREOF, SO THAT PROPERTIES DESIGNATED AS CHARLESTON COUNTY TMS NOS. 457-04-02-007 TO 012, 457-04-02-014 TO 033, 457-04-02035 TO 041, 457-04-02-081, 457-04-02-111, 457-04-02-113 TO 134, 457-04-02-157 TO 172, 457-04-02-175 TO 182, 457-04-02-184 TO 191, 457-04-02-193 TO 194, 457-04-04-009 TO 023, 457-04-04-039, 457-04-04-041 TO 047, 457-04-04-092, 457-04-04-094 TO 105, 457-04-04107 TO 111, 457-04-04-117, 457-04-04-129 TO 130, 457-04-04-150 TO 154, 457-04-04-157 TO 160, 457-04-04-163, 457-04-04-167 TO 201, 457-04-04-258 TO 269, 457-04-04-271 TO 277, 457-04-04-307 TO 320, 457-04-04-322, 457-08-01-039 TO 044, 457-08-01-046, 457-08-01048 TO 064, 457-08-01-072, 457-08-01-078, 457-08-01-080, 457-08-01-088 TO 090, 457-0801-095 TO 117, 457-08-01-125 TO 127, 457-08-01-141 TO 156, 457-08-01-163, 457-08-02-020 TO 026, 457-08-02-032 TO 038, 457-08-02-135, 457-08-02-159 TO 161, 457-08-04-003, 457-08-04-015 TO 017, 457-08-04-019, 457-08-04-0191, 457-08-04-020 TO 032, 457-08-04035 TO 040, 457-08-04-042, 457-08-04-088, 457-08-04-091, 457-08-04-131, 457-08-04-133

TO 134, 457-08-04-137 TO 143, 457-08-04-148 TO 149, 457-08-04-154 TO 156, 457-08-04-184 TO 188, 457-12-02-009 TO 010, 457-12-02-041, 457-12-02-046 TO 049 AND 457-12-04-015 BE INCLUDED WITHIN THE SPECIAL PARKING DISTRICT OVERLAY ZONE.

Mayor Tecklenburg said, "So, next up is our [discussion regarding Federal stimulus](#) and relief in relation to the City Budget. Councilmember Griffin, thank you for bringing this forward, and it just passed, I think, at the time of our last meeting. I assure you, at the right time and after our presentation tonight, if Council decided to take some action on this matter, it's certainly fine. I certainly felt like it was a work in progress, that we didn't have all the information. We'll get a report for you right now from Amy Wharton and Susan Herdina about what we know about the stimulus package and what's allowed and what's not. It's kind of like a grant, so some expenses are allowed and some aren't. So, I want to assure you, Councilmember Griffin, on my part, and I was one who voted in favor of this year's challenging budget, I think it was communicated by most of the Councilmembers who voted in favor of this year's budget that if we have the opportunity to defray those two mills that were a part of this year's budget that we would utilize any available funding to defray those two mills. That's still our intention. I just feel like we need to make sure that it's an allowable expense by the Federal law. So, with that being said, I'd like to call on Amy to give us an update on what we know about the stimulus bill and the facts thereof."

Councilmember Waring said, "Mr. Mayor, I'm going to say a point of order on this one. As I understood Councilmember Griffin, he didn't ask for a discussion, he asked for a motion to be put on the floor. Now, one thing you said in the last meeting, which I think we all agree with, I know I do, is that we were going to have meetings with the Budget Ad Hoc Committee, which I would hope we would get once all the information comes in from the Feds. We could have all that roll up your sleeve, we have to go back to work to see how all of this works. As I understand, all that information and then from the Feds, just for the sake of time, we're already almost three hours into this meeting and still have an executive session to go. Could we dispense that presentation until the Ad Hoc Committee has a chance to really vet this thing out?"

I mean, you made mention about the Ad Hoc Committee needing to work on this last meeting, and I think you're 100% right on that. As I said, I agree with that, but instead of going through discussions tonight, having the Ad Hoc Committee meetings, vetting out the facts of this, and then, obviously, bringing it back to Council again, I would hope that we could defray the discussion and kind of move through this meeting tonight because I know the Ad Hoc Committee was a good process. You and, I think, Councilmember Shahid came up with the Ad Hoc Budget Committee years ago, and it has been proven to be very effective. I look forward to getting to work on that with this stimulus piece, but to have a discussion, and we know we're going to have to have further discussion, I would hope that we could defer that discussion for the Ad Hoc Committee meeting and maybe get through this meeting tonight."

Mayor Tecklenburg said, "Well, I will say, in a nutshell, that we are awaiting Federal guidance from the Treasury Department on the details of what's allowable under this bill. There are questions about it. Our own Attorney General Wilson has questioned what's allowable, as have other attorney generals around the Country. So, we feel like we must resolve those issues, and Amy and Susan are prepared to explain all of that in detail and what we know now and what we're kind of waiting to figure out. So, Councilmember Griffin, this was requested by you, so I'll put it back to you, Councilmember, if you'd like to proceed with this information. We can vote on something tonight. Maybe it's fine to present it after you make a motion, but we're prepared to share everything we know."

Mayor Tecklenburg recognized Councilmember Griffin.

Councilmember Griffin said, "Did you call me, sir?"

Mayor Tecklenburg said, "Yes, sir. Would you like to speak?"

Councilmember Griffin said, "Yes, sir. The fact of the matter is when a Councilmember asks for something to be put on the agenda, to be voted on, theoretically and in actuality, it should be put on the agenda for a vote. I mean, that's parliamentary procedure and Robert's Rules of Order. I asked for something to be put on there. It could have been put on there just as I asked it to be put on there, but it wasn't. I don't know who made that decision, maybe it was you, sir. Maybe you have a better way to do it, but I wanted it put on there for an up or down vote. I didn't ask for it to be put on for a presentation or anything like that. That's where I'm getting at with that. I can understand there needs to be a lot more discussion done with the Ad Hoc Committee, but the fact of the matter is we said that we were going to, if we got Federal funding, we didn't have a bunch of stipulations about 'well, if this happens or that happens.' We said if we got Federal funding that we would roll back the tax increase. I'm sure I understand that we can't apply the Federal funding to a tax increase. I understand that, but I'm certain that we could find 3.2 million in expenses and apply that Federal funding to and not have to raise taxes. I just wanted to make sure that it was the pleasure of Council to still do that because we talked about it back in December, but a lot of time has passed by. I don't think there would be any harm to take an up or down vote to make sure that our Council was still feeling that way, that they wanted to try to find that money to roll back the taxes. That's what I asked for, sir, and I hope that can be put on the agenda. There's going to be no harm to do that."

Mayor Tecklenburg said, "No harm whatsoever, and as I mentioned just a few moments ago, we wanted to share complete information on what we know and then, in all prudence, ask Council, if you would like to make a motion, which would be fine to do tonight. We're prepared to share with you everything and leave it up to your good judgement if you want to make a motion and take a vote on it tonight."

Mayor Tecklenburg recognized Councilmember Shahid.

Councilmember Shahid said, "I just want to echo what Councilmember Waring was alluding to. We can't vote on something we don't have all the information on. That would be imprudent on our part. For us to address budget issues and fiscal responsibility on matters we don't have full answers on would be irresponsible. Councilmember Waring hit the nail on the head with us early on in the discussion. I've talked to Ms. Wharton, I've talked to Ms. Herdina, and, as you summarized, Mayor, we don't have all the answers out there yet. There are lawsuits pending, and there are rulings we're getting from the United States Treasury Department on how this money may or may not be applied. For us to make any decisions on that, we're not being good stewards of our public funds. So, we need to wait, and Councilmember Waring said it, let's bring it, let's get the answers that we need to receive. I'm not wavering from my commitment on this, but I want to make sure, as I'm treading through this monetary issues, that we've got everything on the table, and we understand what we're doing."

Mayor Tecklenburg said, "So, full transparency, I'd like to proceed with our presentation, so you know what we know. Amy, could I ask you to proceed with the presentation? Thank you."

Amy Wharton said, "Sure. Hello, everybody. So, I'm starting out with important definitions because some of this is a little confusing when it comes to what we can use the money for. So, they have a metropolitan city defined, which is what the City of Charleston is. Those are the definitions there. It's based on the Housing and Community Development Act of 1974, and it's basically a metropolitan area, which is the central city of such an area, or a metropolitan area that has a population of 50,000 or more. A nonentitlement unit of government is just not a metropolitan city. I'm telling you all this because I did have some phone calls today because of the article in the paper about how much the City of Charleston was receiving versus other cities around us. I just wanted to explain because we're a metropolitan city, so our formula is different than nonentitlement cities.

The eligible worker, those are workers needed to maintain operations of essential critical infrastructure sectors. That is determined by the Chief Executive Officer of the metropolitan city. So, the Mayor could say that all City employees are eligible workers. Premium pay is an amount up to \$13/hour that is paid to an eligible worker, and that's in addition to wages or remuneration the eligible worker otherwise receives. Tranche is a division or portion of a pool or whole.

So, the allocation of payment, metropolitan cities were allocated this fund based on the formula under the Housing and Community Development Act of 1974, which is the same way that we receive our CDBG funding. Nonentitlement units, because they don't have that same formula, it was based on population and some other things and as to how they are within the State that they reside. Then, we will get payment in two separate tranches. The first tranche should come 60 days after the date of the enactment of the bill, and then the second tranche will not be earlier than 12 months after the date of when the first tranche amount was paid.

Our allocation is \$20.7 million. We will get our allocation directly from the Federal government. Nonentitlement cities will get it surpassed through the State, so that's one distinction between the two. We'll get 50% in the first tranche and then the remaining 50% in the second tranche. We must use the funds by December 31, 2024. This isn't as bad as me reading the whole entire bill to you like they did in the Federal Government. I'm trying to paraphrase as much as possible. This is what the funds can be used for. Response to the public health emergency with respect to COVID-19, including assistance to households, small businesses, and nonprofits, or aid to impacted industries such as tourism, travel, and hospitality. Response to workers performing essential work during the COVID-19 public health emergency by providing grants to eligible employers that have eligible workers who perform essential work and providing premium pay to eligible workers. So, that's why I had those two definitions for you at the beginning. For revenue losses due to COVID-19 collected in the most recent full fiscal year, so it's limited to revenue loss due to pandemic relative to the fiscal year prior to the emergency, so based on our 2020 revenue losses, if that makes sense. Then, to make necessary investments in water, sewer, or broadband infrastructure. Transfer funds to a private nonprofit organizations, public benefit corporations involved in the transportation of passengers or cargo, or a special-purpose unit of State or local government. Then, the last one is we could also transfer this money back to the State. But, I had some special comments about that.

Our reporting requirements, we'll be required to periodically report a detailed accounting of the uses of these funds, and if we use those funds for unallowable purposes, then we will have to pay the funds back. So, it's just like any grant that we have. Basically, we are going to have some reporting requirements. This is the property tax portion of this. So, there's some confusion on the ability to use the funds for property tax purposes. The verbiage is silent for metropolitan cities, but it expressly prohibits a State or Territory to use the funds to either directly or indirectly offset a reduction in that tax revenue or reduction in the rate, a deduction of credit

or otherwise delay the imposition of any tax or tax increase. So, this is what we were talking about and, Susan maybe would want to talk about this a little bit with our attorney general, some of the lawsuits that are coming in because the States and the nonentitlement cities are not happy that metropolitan cities were also not included in that restriction. Does anybody have any questions about that for Susan?"

Mayor Tecklenburg said, "Amy, go back to the prior slide. That was the right hand side. Did you cover that? 'If funds are used for unallowable purposes, we will be required to pay the funds back.' I met with Mayor Summey on another matter yesterday, and this was his top concern, as well. If we were to spend funds on something that then was later determined to be not unallowable that you'd literally have to cough the money back up and return it to the Federal government. We just need to be prudent and careful about that before we make any firm decisions, in my opinion."

Councilwoman Jackson said, "Ms. Wharton asked if there was a question about this project slide. Can I just ask a quick question?"

Mayor Tecklenburg said, "Sure."

Councilwoman Jackson said, "Thank you. Are we saying that because the verbiage is silent for metropolitan cities that we are, is the decision already made that we're allowed to do what the entitled cities are not, whatever you're calling them, the other recipients of funds, is that an assumption already, or do we still have to research that first statement?"

Ms. Wharton said, "That's what we need to research and make sure, based on the lawsuits that are being filed because when I was looking at this, too, I'll just say this that the Governmental Finance Officers Association, they had some guidance on this, and they mentioned that the way that they had put out the restriction was for everybody. It wasn't just for State and Territories. So, I think –"

Councilwoman Jackson said, "I personally would be very concerned that we would make a wrong assumption on that before we actually know some more official answers."

Ms. Wharton said, "So, we just don't know. That's why they had filed some lawsuits and things like that because of it, and we just need to hang back and make sure before we make those decisions. Just to see what they actually meant by that, and maybe they did mean that it was okay for metropolitan cities and not for others. I don't know. We just need to get better guidance."

Councilwoman Jackson said, "Great. Thank you."

Mayor Tecklenburg said, "Susan, did you want to add anything? I saw you."

Ms. Herdina said, "Yeah, just to reiterate that point that we can't say at this point whether the City can use the funds to offset a tax increase. We're waiting for some guidance from the Treasury Department. As Amy said, the act forbids from using the funds either directly or indirectly to give tax relief. It's very, very strong language, but that language is not expressly in the bill restricting cities, so there's much confusion on that point right now, which is understandable. The bill was just passed. The Attorney General of Ohio has filed a lawsuit asking for an injunction claiming that the provision restricting the State is unconstitutional. Twenty attorney generals, including, I guess it's 21 attorney generals, including Attorney

General Wilson, have basically requested guidance from the Treasury Department on exactly this issue. They're asking for an answer by today. I think if they don't get an answer today, they're probably going to be joining the lawsuit that's already been filed. So, I think we do have to be very careful here, but I also think the matter is going to be resolved, hopefully soon, because the distribution is supposed to occur relatively soon of the money. I'm happy, if anybody wants to see, the language in the act, I'm happy to send it to you. Just let me know. Also happy to send you the letter that Attorney General Wilson signed onto a few days ago. Thank you."

Mayor Tecklenburg recognized Councilmember Appel.

Councilmember Appel said, "Councilwoman Jackson actually covered my question, and it just sounds like this is something that's in the process of getting worked out. We're getting close."

Mayor Tecklenburg said, "We're getting close."

Mayor Tecklenburg recognized Councilwoman Delcioppo.

Councilwoman Delcioppo said, "So, essentially, let's say that money that we get, we use it toward approved uses, and it balances out your budget. As a result, you don't need to then incur a property tax increase, which isn't due until later in the year. So, I guess I'm somehow missing a link as to how 'a' leads to 'b.' If you're granted this money, and you use it as you're allowed, couldn't you then, when you submit your millage, when do we submit it, Amy, the end of September, something around there?"

Ms. Wharton said, "End of August."

Councilwoman Delcioppo said, "End of August. It could reflect that, or is that what they're potentially trying to avoid here? I guess I don't understand. I'm not understanding how this flows together."

Ms. Wharton said, "Well, that's why we need additional guidance. We have a balanced budget right now, Councilwoman Delcioppo, and it includes the millage. So, they're saying directly or indirectly. We have a balanced budget, so if we were to use that they could consider that supplanting. Now I'm getting into grant terms a little bit, so that's why we need to just get better clarification from them to see what their intent is. Because we have a balanced budget right now that includes the tax increase."

Councilwoman Delcioppo said, "Right, that includes the millage increase. I guess, would you run the risk of having a surplus? So, I guess I'm just not seeing how the dots connect so clearly. If you wind up with this money and you're able to use it and you can then relieve your taxpayers."

Ms. Herdina said, "Councilwoman Delcioppo, I don't know if this helped enough, but I kind of dug into the history of the bill because I had the same question about how to connect 'a' to 'b.' What I found was the indirect language included in there by the Senate, I think, primarily because they wanted to make sure that at least the States were going to use the money on programs that the bill was intended to fund and not to be used for tax relief."

Councilwoman Delcioppo said, "Not done solely for the intent of relieving taxes?"

Ms. Herdina said, "Right, but that's a question that is burning, and I think we're going to get some good direction on it hopefully soon."

Mayor Tecklenburg recognized Councilwoman Jackson.

Councilwoman Jackson said, "Thanks, Mr. Mayor. I have one thought for you, Councilwoman Delcioppo. I think I'm following your logic. I think what we need to do, and I'm sure Ms. Wharton is doing this, but once we get the actual apples to apples comparison of what is allowed, which sounds like we are going to be able to figure that out pretty easily, then we need to match that to what have we budgeted. So, if allowed expenses are actually in our budget then I think your logic is correct that we would be able to say we're substituting new money for budgeted money, and then that will impact the overall need for raising the millage."

Councilwoman Delcioppo said, "Right."

Councilwoman Jackson said, "You know, the worst case, downside, not getting that money that we can put to good use is a worse case, but in terms of trying to match our budget expenses there might be a lot of allowable funds that are coming to us from this \$20 million that don't really replace the money that we budgeted for other purposes, so that's sort of my thought. That we need to do that cross matching to make sure that what we get is something that we can substitute for what we know we are going to spend out of our General Fund budget."

Mayor Tecklenburg said, "Right."

Ms. Wharton said, "Typically, with appropriations or grants you don't use it for the items that are already budgeted for, it's for those things above and beyond. So, we had a lot of budget cuts, things that we took out of the budget because we didn't have the revenue to support it. That would be more what you would use those funds for, which I have some examples if you want me to go forward."

Mayor Tecklenburg said, "Yes. I think Amy's just got two or three more slides."

Ms. Wharton said, "So, these were our 2021 budget reductions. The departments went through and cut \$1.8 million, and a lot of that \$1.8 million was a carry forward from 2020 cuts that they had done when we had to reduce our budget for 2020. They just said, 'okay, we're going to cut that same amount again in 2021.' Then, we cut \$1.1 million. We had the hiring freeze for \$3.5 million and then the Mayor's Amendment, right before we approved the final budget, of \$2.9 million. So, some of those things, like potential uses based on our previous budget cuts, depending on the guidance that we get from the Federal government, are some of these things that we have taken out of the budget, like overtime reductions. Overtime reductions for our departments right now is incredibly difficult because we have a hiring freeze, less employees, and then we will cut their overtime, as well. We took the two transfers to the Drainage Fund and Affordable Housing. We didn't do those transfers in 2021. Those are other things, and again, we need to get good, detailed guidance from the Federal government, but these are just some of the items. There was the 10% discretionary operating cuts that we did, which has also been very difficult for our departments, as well. Those are just some examples. There's a lot of equipment and things like that for the Fire Department and some for the Police Department that we could add back. So, those things that we cut would be more of what, I think, they would be looking for us to utilize those funds for. We also have continuing expenses for COVID-19, as well, including our vaccination cost for the satellite facilities that we have with

MUSC. We're using our Arthur Christopher Gym, Gaillard, and things like that. We have some expenses related to that that we didn't budget for that we could also utilize those funds for, as well. So, its great news, but we just need some further guidance. We're scheduling a meeting for the Ad Hoc Budget Committee in April. Hopefully, we'll have some good information from the Federal government by then. Then, maybe we can come back with some recommendations to Council by May. So, that's kind of the plan for right now."

Mayor Tecklenburg said, "Thank you, Amy. Anybody else have questions or comments?"

Mayor Tecklenburg recognized Councilmember Waring.

Councilmember Waring said, "Just one question. The language is so explicit for State and Territories. You all just think they made a mistake by being vague on municipalities? What's the legal thinking on that? They're so explicit on States not being able to utilize the dollars that way. I don't think it was accidentally left out, municipalities. I think it was on purpose. So, where is the thinking on our behalf that they must have meant to include cities along with States?"

Ms. Herdina said, "That's the debate that's been going on because it's not specifically listed in a restriction with respect to the metropolitan cities, but it's not expressly exempted either. So, there's this gray area, and I think that the concern is that we want to be cautious because, again, as the Mayor said, if we go ahead and use the money for a not allowable expense then it's got to be paid back. So, I think it's a statutory construction issue, which either the Treasury Department or the courts will straighten out hopefully very soon."

Rick Jerue said, "Councilmember Waring, to comment on your question, my fear is that this effort by the attorney generals to get it clarified may result in the Treasury Department applying that prohibition to everyone."

Councilmember Waring said, "Well, it's just that cities had so much difficulty through the additional expenses. I actually think cities, it may work the other way, cities get granted the right to more flexibility to use it, but anyway, we'll see."

Mayor Tecklenburg recognized Councilmember Griffin.

Councilmember Griffin said, "Yes, sir. I just felt like we owed it to our constituents to reiterate to them that, if it's allowable, that our Council still has that thought process. That we want to reimburse our citizens or balance the budget without even raising taxes due to the fact that the millage increase wouldn't be due until the end of August or September. My heart was just in a good place on this. I was not trying to put the cart before the horse. I just wanted our constituents to know that we still have the commitment, if allowable, that we're still going to make sure that we remedy that situation. That's all I was trying to do."

Mayor Tecklenburg said, "Thank you, Councilmember. I agree with that. As I said in the opening, that's my commitment, as well. I just want to be careful that we don't put ourselves in a situation we regret. I want to make sure that we're fully informed as best we can before making those kind of decisions."

Mayor Tecklenburg recognized Councilmember Mitchell.

Councilmember Mitchell said, "Yes, sir. I agree with that and even with Councilmember Griffin. I understand fully what you're saying, and I agree with that, too. All I'm saying is let's best

make sure that the money is allowable when we use it. We don't have money to pay back because I know I don't have any. I agree 100% with you because I voted also that if we receive this money, we'll give it back to the taxpayers. I don't want to see the taxes go up. Let's make sure that this money is allowable first. That's all I'm saying."

Mayor Tecklenburg said, "Yes, sir."

Mayor Tecklenburg recognized Councilmember Shahid.

Councilmember Shahid said, "Yes, sir. So, Ms. Herdina and Ms. Wharton, would you mind emailing me the PowerPoint presentation that you just put up for us and the letter that Attorney General Wilson sent out for that? Amy, a more specific question, on one of those slides you showed that a million dollars, I think, had been deferred for overtime. I see our two Chiefs are on this meeting. Where are we getting if we know, with our overtime expenditures, are we starting to hit a ceiling with that on our expenditures? That would normally count for both the Fire Department and Police Department, sort of our greatest expense on overtime for those two departments."

Mayor Tecklenburg said, "Well, I would say we're concerned about it. Councilmember, I don't believe we've hit the ceiling yet, as you say. I think the timing of this will be such that we can restore that before it would 'hit the ceiling.'"

Councilmember Shahid said, "I was just a little concerned about whether or not we're getting closer. There are some issues along those lines."

Ms. Wharton said, "I'm working with all the departments and have come up with some creative solutions, but especially with Police and Fire you just never know. You can talk to Chief Reynolds about it. I mean, they keep having certain events and things like that, and there's really nothing they can do, but everybody's trying to manage it as well as they can. It's just incredibly more difficult for Police and Fire to do that. They're doing the best they can."

Councilmember Shahid said, "I know they are. They're doing the best they can."

Mayor Tecklenburg recognized Councilmember Appel.

Councilmember Appel said, "Thank you, Mr. Mayor. Councilmember Waring, if you can believe this, when there's a dispute over statutory interpretation, there are rules in Latin, you know, rules of construction that would allow lawyers to argue. Just try to believe this. Opposite sides of the same argument, they could be looking at the same thing. There's a statutory rule of construction that can say it's allowed, and there's one that can say it's not. So, I think that's what's in the process of being worked out.

My comment is that it occurs to me that if you've been out downtown over the weekends, and even most nights, over the last several months, there are a lot of people eating out at restaurants. There are a lot of people staying at hotels. Maybe our A-Tax revenue may be looking a little better than we feared last year, so I think that as we continue this discussion, as we continue to get more clarity on the legal use of these Federal funds, I mean, maybe there's some green shoots elsewhere in our financial picture that can allow us to get to the end result that everybody on this Zoom call agrees on. Nobody wanted to raise taxes on anybody. We all share that goal, Councilmember Griffin, of course. To the extent there's anybody out in the public that's worried about the two mill increase, we are here and are going to work as hard as

possible to eliminate that. We just have to do it the legal way. I just want to point out that perhaps the Federal stimulus money is not the only show in town. Perhaps, there's some other opportunities, maybe some things we could have cut last year that we hadn't looked at, so let's put everything on the table and try to figure out a way we can avoid this tax increase this September. Thanks."

Mayor Tecklenburg said, "Thank you. Alright. We're going to do that. Any other points or discussion? So, we're going to follow up, we're going to learn everything we can, we're going to keep you informed, and we're going to come to the Ad Hoc Budget Committee at which all Councilmembers are welcome to come and participate when we put that notice out. Then, we'll bring a full recommendation to Ways and Means and City Council. Councilmember Griffin, thank you again for bringing it up. I mean, we needed to have this information and discussion. Very helpful, I think. Thank you. So, next is our Council Committee Reports. First is the Committee on [Community Development](#)."

Mayor Tecklenburg recognized Councilmember Mitchell.

Councilmember Mitchell said, "Yes. I'm going to try to make this very quick. We had a special Community Development meeting that was on Thursday, March 11th at 4:30pm. Under public participation, we had Mr. Bradford and Megan (Mills) give us a little update on the Lowline. We moved on down to new business. Number 1 was approved by the Committee. That was a Community Development Block Grant, HOME funds, and HOPWA funds. Number 2 was only for information, talking about the equity in the Lowline. Numbers 3 and 4 were considering a resolution certifying property at 221 Saint Philip and 223 Saint Philip Street as abandoned buildings. So, all those were approved by the Committee. I would like a motion on those, and I'll go back to whatever I have next."

Councilmember Brady said, "So moved."

Councilwoman Jackson said, "Second."

Mayor Tecklenburg said, "Any discussion on any of those items?"

No one asked to speak.

On a motion of Councilmember Brady, seconded by Councilwoman Jackson, City Council voted unanimously to adopt Items a (i), (ii), (iii), and (iv) from the Committee on Community Development Report:

a. New Business:

- (i). Request for approval of the 2021-2022 Community Development Block Grant (CDBG), HOME Investment Partnerships Program (HOME) and Housing Opportunities for Persons with Aids (HOPWA) budget
- (ii). "Draft" Plan of Action for Equity in the Lowcountry Lowline (Information Only)
- (iii). Consider a Resolution certifying property located at 221 Saint Philip Street (Charleston County TMS No. 460-08-02-095) as an abandoned building site under section 12-67-160 of the South Carolina Code. (Memorandum and Draft Resolution attached).
- (iv). Consider a Resolution certifying property located at 223 Saint Philip Street (Charleston Count TMS No. 460-08-02-094) as an abandoned building site under

section 12-67-160 of the South Carolina Code. (Memorandum and Draft Resolution attached).

Councilmember Mitchell said, "Okay, then we had a discussion about the James Lewis complex. They are thinking about doing an incubator there, and I'm going to ask Ms. Jordan, our MBE manager, to come forward and explain it to us. We also voted for that resolution with the MBE. The incubator is for people to learn business and go out and be able to open their own businesses and things like that. Is Ms. Jordan on the line?"

Ms. Jordan said, "Yes, sir. Thank you, Councilmember Mitchell. Here in the City of Charleston, we have lost a number of African-American businesses over the past several years. When we looked at where we can possibly create an incubator, the developer over at the James Lewis' building had about 7,600 square feet on the first floor. When we had entered into discussions about being intentional and creating a business incubator to provide retail space, office space, common space, we were also looking at a restaurant, but we were finding that we may not be able to do that, also a data center there. The developer offered us, with a letter of intent, that they will lease us that 7,600 square feet for \$1/year to run concurrent to the lease of 99 years. We're in the process of continuing that conversation of creating this incubator space there at the James Lewis building. Again, it would be intentional in reaching out to African-American businesses, women-owned businesses, as well as other minority-owned businesses, to bring those businesses back to the Peninsula, but more importantly, help them to recover from the pandemic. We feel like this is a great opportunity that we can take advantage of, particularly with the developer offering us that space currently in a dark shell. We'll continue to have a conversation about that 7,600 square feet, and I'll take any questions and bring you back further information, as well."

Mayor Tecklenburg said, "I would just like to add that that definition of 'dark shell' means basically unimproved, so even though we get the space for \$1/year, we would have to pay for all the upfit or the improvements to the space, including the basics of putting the walls and lights and all like that in. We'll get the space basically for free, but we'll have to pay for the upfit."

Councilmember Mitchell said, "The Community Development Committee, I think, we voted for the resolution to go forward with that, so I'm asking Council to amend to approve that also, if I can get a motion."

Councilmember Brady said, "So moved."

Councilmember Shahid said, "Second."

Mayor Tecklenburg said, "Any questions or discussion on that?"

No one asked to speak.

On a motion of Councilmember Brady, seconded by Councilmember Shahid, City Council voted unanimously to move forward with the MWBE incubator in the James Lewis, Jr. building.

Mayor Tecklenburg said, "Thank you, Ruth."

Ms. Jordan said, "Thank you."

Councilmember Mitchell said, "Thank you, Ms. Jordan, for that. We need to give her a hand and Ms. Johnson a hand because they work together hand in hand on that development. That's something good that is not going to cost us a bunch of money, but it will be there for 100 years."

Mayor Tecklenburg said, "That's right. It will be terrific. Was that the end of your report?"

Councilmember Mitchell said, "That's the end of my report. I'm done. The old business, we didn't take that up because that will be coming before Council."

Mayor Tecklenburg said, "Okay. Great. Thank you. Next up is our [Committee on Public Works](#)."

Mayor Tecklenburg recognized Councilmember Waring.

Councilmember Waring said, "Thank you, Mr. Mayor. After that wonderful presentation by Mr. Fountain earlier, all items that you see on your agenda were voted on unanimously, and I so move."

Councilmember Griffin said, "Second."

Mayor Tecklenburg said, "Any discussion on any of those items? You're also including the ordinance on this business, the non-standard services, correct?"

Councilmember Waring said, "Yes."

Mayor Tecklenburg said, "Okay. Would you permit me to recognize a couple of people who are on the call who participated in that?"

Councilmember Waring said, "Of course."

Mayor Tecklenburg said, "So, I believe that Troy Miller is on the line. Troy served as chairman. I believe Susan Pearlstine might be with us, as well, who helped generate this whole notion of taking this action. Troy and Susan, let me just say, I've already thanked you publically twice, but you weren't there, so I'll just update you later. Big thanks go out to the two of you. Troy and Susan, do you want to make brief remarks?"

Mr. Miller said, "Yes, sure. Thank you, Mr. Mayor. I think this is a good step forward for what we're trying to do in trying to make better aesthetics and continue to provide the service that we have to with the utilities. I hope this is going to give you, as Councilmembers, great opportunities to look in your own districts and try to find these smaller projects that we can tackle quicker and be able to actually accomplish some of this, as opposed to it kind of getting clogged up in the system. I hope this ordinance kind of greases the wheels a little bit and allows you a little more freedom to get things moving, and I think each of you, if you look in your district, will find these small projects. I know, Councilmember Appel, we've talked about Maybank Highway. I spoke to some of your residents today, Councilmember Seekings, about Broad Street and some of the ongoing things there. Certainly, in other districts I'm sure you guys can all point to spots that could use this. I hope you will use it well, and we'll certainly continue to bring options and ideas to you on how to do that. Thank you."

Mayor Tecklenburg said, "Great. Thank you so much."

Susan Pearlstine said, "Again, Mayor, thank you very much for agreeing to form this task force. It is very nice to be part of a task force that we actually started and completed a project that worked out so well. I really thank the City staff that worked with me, Troy, and all the City Councilmembers that helped make this possible. I agree with Troy, it's time for us to do smaller, less cumbersome projects, and I think once we get a few things in the ground Charlestonians will recognize what we did here and will appreciate it. So, thank you all."

Mayor Tecklenburg said, "Great. Thank you again."

Councilmember Waring said, "Thank you, Mr. Mayor, for recognizing those. I didn't know they were online. So, thank you for that recognition of them. Two great public servants. I remember Susan going all the way back to Give Me Shelter, the first bus shelters around. She was the first person who came up with that program. So, thank you so much, Susan. Obviously, Troy with the Municipal Golf Course. So, thank you, Mr. Mayor. I didn't realize they were on."

Mayor Tecklenburg said, "Absolutely."

Councilmember Waring said, "That's the end of my report."

Mayor Tecklenburg said, "Great. We'll vote on the issue in just a minute."

Mayor Tecklenburg recognized Councilmember Griffin.

Councilmember Griffin said, "Yes, sir. I just want to make sure everybody on Council sees that we took up the small project allocation, that \$1 million that is in the budget every year. We were dealing with a little overage. We were looking at \$1.4 million. Matt rolled up his sleeves and found a way to keep every single one of those projects on the list for this year by doing some design work in '21 and then the next phase of those projects in '22. So, kudos to Matt and his department, and all of our constituents are going to really see the projects that mean the most to them, the ones that really hit close to home. I mean, I know we're all looking forward to that, so just want to make sure everybody got a chance to see that, all the members of the Council that aren't on the committee."

Mayor Tecklenburg said, "Great. Thank you."

Mayor Tecklenburg recognized Councilmember Appel.

Councilmember Appel said, "Thank you, Mr. Mayor. Special shout out to District 11 also, all-stars Susan Pearlstine and Troy Miller, who played an instrumental role in this process. You know, Susan with South Windermere and then Troy with Riverland Terrace. Just so everybody's clear about what we're talking about here, I mean, you can get bogged down a little bit with non-standard service. What does that mean? This is to prevent the hacking of our trees in our neighborhoods and in our corridors. We had a conversation at Public Works yesterday about the job Dominion did outside of Charles Towne. We all know what we're talking about here, and it doesn't take a rocket scientist to understand that if you put the power lines underground you can allow the trees to grow and flourish. That's what this is all about. We've got an agreement in place with Dominion. We had a very difficult process over the years, over the many decades. This set of reforms, these improvements that we're putting into place, are going to allow more projects to get into the ground all over the City. It's really exciting to think about, and hopefully we can get this to build some momentum and drive some additional resources to this important

work. Tip of the hat to Chip McQueeney. This is an extremely complicated ordinance. He had to deal with us on all these Council meetings, committee meetings, saying 'well, take this out' and 'now, put it back in' and 'now turn it 360.' So, this would not have been possible without him and just a really great team effort all the way around. Of course, Councilwoman Delcioppo, making sure the Ansonborough folks are taken care of. Of course, we'll make sure some of those projects get greenlit as soon as we get this finalized. Thank you all."

Mayor Tecklenburg said, "And lest we forget, Tracy McKee and the prioritization matrix to help prioritize the projects in the City."

Councilmember Appel said, "Sorry about that, Tracy. Of course."

Mayor Tecklenburg said, "Of course. So, any further questions? So, we'll approve really all the items from Committee on Public Works, including the small project allocations list and this ordinance on non-started service."

On a motion of Councilmember Waring, seconded by Councilmember Griffin, City Council voted unanimously to adopt the Committee on Public Works and Utilities Report as presented:

a. Acceptances and Dedication of Right-of-Way:

- (i). William E. Murray Boulevard (Portion): Dedication and acceptance of that certain right-of-way designated as a portion of William E. Murray Boulevard and the City of Charleston drainage easements shown on that certain plat including a portion of William E. Murray Boulevard recorded in Plat Book L17 at Page 0472 in the ROD Office for Charleston County, South Carolina. All infrastructure has been constructed or bonded.
 - Title to Real Estate;
 - Exclusive Storm Water Drainage Easements; and
 - Plat recorded in L17/0472
- (ii). Approval to notify SCDOT that the City will accept maintenance responsibility for approximately 290 LF of granite curb in conjunction with the project at 89 Hanover Street (S-488)

b. Stormwater Management Department Updates:

- (i) Medical District Drainage Tunnel Extension at Ehrhardt – Acceptance of easements from MUSC.
- (ii) Barberry Woods Drainage Improvements – Approval of Fee Amendment #2 with W.K. Dickson & Co., Inc. in the amount of \$29,080.00 for support services in potential property acquisition on the project. Funding is available in the Drainage Fund.
- (iii) Forest Acres Drainage Improvements – Recommendation to proceed with easement acquisitions on Phase 2 of the project.
- (iv) Small Projects Allocation - Discussion of Potential Funding Scenarios

c. An ordinance to amend Article VIII of Chapter 30 of the Code of the City of Charleston to establish a new procedure for creating Non-Standard Service Districts within the City of Charleston and to amend the Electrical Franchise Agreement with Dominion Energy South Carolina, Inc., formerly known as South Carolina Electric & Gas Company, to provide for an additional method for funding non-standard services.

First reading was given to the following bill:

An ordinance to amend Article VIII of Chapter 30 of the Code of the City of Charleston to establish a new procedure for creating Non-Standard Service Districts within the City of Charleston and to amend the Electrical Franchise Agreement with Dominion Energy South Carolina, Inc., formerly known as South Carolina Electric & Gas Company, to provide for an additional method for funding non-standard services.

Mayor Tecklenburg said, "Thank you so much. Next is our Committee on [Ways and Means](#)."

Councilmember Brady said, "Move for approval."

Councilmember Shealy said, "Second."

Mayor Tecklenburg said, "Any discussion?"

No one asked to speak.

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

(Bids and Purchases

(Resiliency and Sustainability: Approval to submit the 2022 SC DHEC Solid Waste Reduction and Recycling grant application in the amount of \$15,000 to support a pilot program for food waste composting and associated outreach and education. The grant application is due on April 2, 2021. No City match is required.

(Fire Department: Approval to submit the 2021 State Homeland Security grant in the amount of \$90,000 for Charleston FD Collapse Search and Rescue Team. There is no financial impact with this grant in the FY21 or 22 Budget. No City match is required.

(Police Department: Approval of an application for personnel, equipment, and data analysis software to establish a regional Gang Task Force. This project requires a 10% City match of \$62,333. This application is due on March 26, 2021.

(Police Department: Approval or an application for an Elder Advocate and Resource Specialist for the CPD Victim Services Unit under the Victims of Crime Act Grant Program. This project requires a 43% City match of \$51,442.45. This application is due on April 1, 2021.

(Housing and Community Development: Approval to submit the Application for Federal Assistance (SF 424 Forms) and the corresponding documents to the Department of Housing and Urban Development (HUD) for the 2021-2022 program years. Attached is the 424 Forms, HUD certification forms and the budget. This request has been coordinated with the Community Development Advisory Committee and the Community Development (CD) Committee of City Council. The CD Committee gave final approval to the HOPWA, HOME and CDBG budgets Thursday, March 11, 2021. Approval is also requested for the execution of contracts for each organization based on the approved budgets/awards. The contracts will be reviewed and vetted by City of Charleston Corporation Counsel prior to the dissemination of the contracts to the nonprofit agencies. Contract templates are also attached for your information.

(Housing and Community Development: Approval of a contract between S&ME Inc., and the City of Charleston and for environmental, soil removal and disposal services

related to the Voluntary Cleanup Contract for the City of Charleston's housing parcel, near the Lowcountry Lowline. The contract amount is \$85,390 and will be borne by the Fee-in-Lieu or the 2019 Community Development Block Grant Acquisition account.

- (Legal Department: Approval or Agreement between the City of Charleston and Gotcha Mobile Holdings, LLC amending the current agreement regarding the operation of a Bike Share Program to allow for a new contractor which purchased substantially all of the assets of the Gotcha Group to fulfill duties and obligations of the current agreement.
- (Office of Cultural Affairs: Approval to apply for a grant in the amount of \$35,000 from the Coastal Community Foundation to support temporary public art as an extension of the MOJA Arts Festival in 2021 and 2022. There is no City match.
- (Stormwater Management: Approval of Barberry Woods Fee Amendment #2 with W.K. Dickson & Co., Inc., in the amount of \$29,080 for project administration, plat map production, property acquisition negotiation, and testimony effort services. Approval of Fee Amendment #2 will add 30 days to the contract. Approval of Fee Amendment #2 will increase the professional services contract by \$29,080 (from \$690,815 to \$719,895). Funding for this project is the Drainage Fund.
- (An ordinance to amend Article VIII of Chapter 30 of the Code of the City of Charleston to establish a new procedure for creating non-standard service districts within the City of Charleston and to amend the Electrical Franchise Agreement with Dominion Energy South Carolina, Inc., formerly known as South Carolina Electric & Gas Company, to provide for an additional method for funding non-standard services.
- (Request that the City Council authorize the Mayor to execute the necessary documents for the re-purchase of 52 Kennedy Street from Martay, LLC, a South Carolina Limited Liability Company, for \$100,000. The property will be utilized for its original purpose-affordable homeownership opportunities for persons whose income does not exceed 120 percent of the Area Median Income. The property is owned by Martay, LLC. TMS NO. 460-07-04-106.
- (A Resolution authorizing the City of Charleston to accept a permanent drainage easement, temporary construction easements, and subsurface tunnel easements encumbering properties owned and controlled by the Medical University of South Carolina, designated as Charleston County TMS Nos. 4601104027, 4601501017, and 4601501027 upon approval of the final form of the easement by the City's Director of Stormwater Management and Corporation Counsel.
- (Authorization for the Mayor to accept an easement on behalf of the City of Charleston for the purpose of a future multi-use path to be constructed by Charleston County TMS No. 318-00-00-098, more specifically described by the attached plat. (2901 Maybank Highway, Johns Island) (Consider the following annexations:
- 738 Saint Andrews Blvd. (0.26 acre) (TMS No. 418-15-00-081), West Ashley, Charleston County (District 3). The property is owned by Robert A. Limehouse, IV.
 - 1908 2nd Drive (0.20 acre) (TMS No. 350-05-00-006), West Ashley, Charleston County (District 7). The property is owned by John H. and John J. Tecklenburg.
- [Mayor Tecklenburg recused himself from voting on this item and completed a Conflict of Interest Form which is on file in the Office of the Clerk of Council.]**
- (Executive Session in accordance with Section 30-4-70(a)(2) of the South Carolina Code, to discuss the City's acquisition of temporary construction easements and permanent drainage easements necessary for the completion of Phase 2 of the Forest Acres drainage improvement project through Charleston County TMS Nos. 3500400002, 3500400032, 3500400035, and 4180100328, by negotiation and/or eminent domain. After returning from executive session, the committee may or may

not take action recommending the City be authorized to acquire temporary construction easements and/or permanent drainage easements through TMS Nos. 3500400002, 3500400032, 3500400035, and/or 4180100328 by negotiation and/or eminent domain.

(Executive Session in accordance with Section 30-4-70(a)(2) of the South Carolina Code to receive legal advice about pending contractual negotiations with respect to the proposed ordinance authorizing the Mayor to execute, on behalf of the City of Charleston, a memorandum of agreement with Palmetto Railways, the South Carolina Department of Commerce, and the South Carolina State Ports Authority regarding the Navy Base Intermodal Facility (NBIF) project in Charleston County, South Carolina, under which the City will accept \$11.5 million for (1) the City's conveyance of certain real property, being a portion of Charleston County TMS No. 464-02-00-051, commonly known as the WR Grace site, through separate purchase agreement; and (2) mitigation of existing and future impacts related to the construction and operation of the NBIF, including but not limited to freight rail movement in the vicinity of the southern access component of the NBIF. Upon returning from executive session, the Committee may vote on whether or not to recommend that City Council give final reading to the ordinance.

(Executive Session in accordance with 30-4-70(a)(2) of the South Carolina Code, to receive legal advice regarding the Charleston School of Law transaction. (Deferred for discussion at City Council)

First reading was given to the following bills and resolution:

An ordinance to amend Article VIII of Chapter 30 of the Code of the City of Charleston to establish a new procedure for creating non-standard service districts within the City of Charleston and to amend the Electrical Franchise Agreement with Dominion Energy South Carolina, Inc., formerly known as South Carolina Electric & Gas Company, to provide for an additional method for funding non-standard services.

A Resolution authorizing the City of Charleston to accept a permanent drainage easement, temporary construction easements, and subsurface tunnel easements encumbering properties owned and controlled by the Medical University of South Carolina, designated as Charleston County TMS Nos. 4601104027, 4601501017, and 4601501027 upon approval of the final form of the easement by the City's Director of Stormwater Management and Corporation Counsel.

An ordinance to provide for the annexation of property known as 738 Saint Andrews Boulevard (0.26 acre) (TMS# 418-15-00-081), 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 3. The property is owned by Robert A. Limehouse, IV. An ordinance to provide for the annexation of property known as 1908 2nd Drive (0.20 acre) (TMS# 350-05-00-006), 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 John H. and John J. Tecklenburg.

Mayor Tecklenburg recused himself from voting on Item 14(a)(ii) of the report and completed a Conflict of Interest Form which is on file in the Office of the Clerk of Council.

Mayor Tecklenburg said, "Next are [bills up for second reading.](#)"

Councilmember Mitchell said, "Move for approval of 1-6."

Mayor Tecklenburg said, "We've got Items 1-6 up for second reading."

Councilmember Shahid said, "Second."

Mayor Tecklenburg said, "Any discussion, questions on any of those, 1-6?"

No one asked to speak.

On a motion of Councilmember Mitchell, six (6) bills (Items L-1 through L-6) received second reading. They passed second reading on motion by Councilmember Shahid and third reading on motion of Councilmember Mitchell. On further motion of Councilmember Shealy, the rules were suspended, and the bills were immediately ratified as:

2021 – 033 - AN ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE ON BEHALF OF THE CITY A QUIT CLAIM DEED AND ANY OTHER NECESSARY DOCUMENTS, APPROVED AS TO FORM BY THE OFFICE OF CORPORATION COUNSEL, TO QUIT CLAIM A PORTION OF FLOYD DRIVE, AS SHOWN ON THE ATTACHED SURVEY TO THE RECORD OWNER(S) OF CHARLESTON COUNTY TMS # 301-00-00-795, SUBJECT TO ANY AND ALL EASEMENTS AND UTILITIES AND FURTHER SUBJECT TO THE CONDITIONS SET FORTH HEREIN.

2021 – 034 - AN ORDINANCE TO AUTHORIZE THE EXECUTION AND DELIVERY OF LEASE PURCHASE AGREEMENTS WITH TD EQUIPMENT FINANCE, INC. IN ORDER TO PROVIDE FOR THE ACQUISITION OF VARIOUS VEHICLES AND ASSOCIATED COLLATERAL, VARIOUS MAINTENANCE EQUIPMENT AND ASSOCIATED COLLATERAL, INFORMATION TECHNOLOGY EQUIPMENT TO INCLUDE COMPUTER, LAPTOP AND TABLET REPLACEMENT, AND MOBILE DATA TERMINALS FOR POLICE; TO PROVIDE THE TERMS AND CONDITIONS OF SUCH LEASE PURCHASE AGREEMENTS; TO PROVIDE FOR THE GRANTING OF A SECURITY INTEREST TO SECURE ALL OBLIGATIONS OF LESSEE UNDER THE LEASE PURCHASE AGREEMENTS; TO AUTHORIZE THE EXECUTION AND DELIVERY OF ALL DOCUMENTS, INCLUDING ONE OR MORE ESCROW AGREEMENTS, NECESSARY OR APPROPRIATE TO THE CONSUMMATION OF SUCH LEASE PURCHASE AGREEMENTS; AND TO PROVIDE FOR OTHER MATTERS RELATED THERETO.

2021 – 035 - AN ORDINANCE AMENDING ORDINANCE NO. 2021-020, ADOPTED BY CITY COUNCIL ON FEBRUARY 23, 2021, AND AUTHORIZING THE MAYOR TO EXECUTE, ON BEHALF OF THE CITY OF CHARLESTON ("CITY") THAT CERTAIN GOVERNMENTAL REAL ESTATE LEASE TO MEDICAL UNIVERSITY OF SOUTH CAROLINA ("TENANT"), FOR 1,143 PARKING SPACES AND A COVERED BUS SHELTER LOCATED AT THE SOUTHWEST CORNER OF FISHBURNE STREET AND HAGOOD AVENUE, KNOWN AS THE FISHBURNE BALLPARK PARKING LOT.

2021 – 036 - AN ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE, ON BEHALF OF THE CITY OF CHARLESTON, A MEMORANDUM OF AGREEMENT WITH

PALMETTO RAILWAYS; THE SOUTH CAROLINA DEPARTMENT OF COMMERCE; AND THE SOUTH CAROLINA STATE PORTS AUTHORITY REGARDING THE NAVY BASE INTERMODAL FACILITY (NBIF) PROJECT IN CHARLESTON COUNTY, SOUTH CAROLINA, UNDER WHICH THE CITY WILL ACCEPT \$11.5 MILLION FOR (1) THE CITY'S CONVEYANCE OF CERTAIN REAL PROPERTY, BEING A PORTION OF CHARLESTON COUNTY TMS NO. 464-02-00-051, COMMONLY KNOWN AS THE W.R. GRACE SITE, THROUGH SEPARATE PURCHASE AGREEMENT; AND (2) MITIGATION OF EXISTING AND FUTURE IMPACTS RELATED TO THE CONSTRUCTION AND OPERATION OF THE NBIF, INCLUDING BUT NOT LIMITED TO FREIGHT RAIL MOVEMENT IN THE VICINITY OF THE SOUTHERN ACCESS COMPONENT OF THE NBIF.

2021 – 037 - AN ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE A THIRD AMENDMENT TO THE MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF CHARLESTON AND THE EPISCOPAL DIOCESE OF SOUTH CAROLINA COMMUNITY HOUSING DEVELOPMENT ORGANIZATION (“EDCHDO”), A COPY OF WHICH IS ATTACHED HERETO AS EXHIBIT 1, UNDER WHICH (A) EDCHDO WILL CONVEY BACK TO THE CITY CERTAIN REAL PROPERTY LOCATED AT 83 HANOVER STREET (TMS NO. 459-05-04-124); (B) THE CITY WILL EXECUTE A QUITCLAIM DEED AND RELEASE OF POSSIBILITY OF REVERTER AS TO ALL PROPERTIES PREVIOUSLY CONVEYED TO EDCHDO AND SOLD AS AFFORDABLE HOUSING; AND (C) THE CITY WILL AUTHORIZE EDCHDO TO UTILIZE ANY REMAINING FUNDS PROVIDED BY THE CITY TO EDCHDO TO DEVELOP AND SELL AFFORDABLE HOUSING UNITS ON EDCHDO'S PROPERTIES DESIGNATED AS CHARLESTON COUNTY TMS NO. 4600801215 (24 HUMPHREY COURT) AND 4600801216 (28 HUMPHREY COURT).

2021 – 038 - AN ORDINANCE TO PROVIDE FOR THE ANNEXATION OF PROPERTY KNOWN AS 2138 GOLFVIEW DRIVE (0.22 ACRE) (TMS# 343-06-00-013), JAMES ISLAND, CHARLESTON COUNTY, TO THE CITY OF CHARLESTON, SHOWN WITHIN THE AREA ANNEXED UPON A MAP ATTACHED HERETO AND MAKE IT PART OF DISTRICT 11. THE PROPERTY IS OWNED BY GREG WHITE.

Mayor Tecklenburg said, “We have no [bills up for first reading](#). We have an [executive session](#) for some legal advice regarding this Charleston School of Law transaction. I’m recusing myself from that matter, as you all know, so I’m going to, if you all go into executive session, unless there’s any other business to come before Council tonight, I’m going to beg your forbearance and ask that Mayor Pro Tem Jackson adjourn the meeting after you all come out of executive session. Is that okay? Is there any other business other than the executive session to come before us tonight?”

No one asked to speak.

Mayor Tecklenburg said, “Alright. So, can I entertain a motion for you all to go into executive session?”

Councilmember Shahid said, “So moved.”

Councilmember Appel said, "Second."

Mayor Tecklenburg was excused from the meeting at 8:37 p.m.

On a motion of Councilmember Shahid, seconded by Councilmember Appel, City Council voted unanimously to go into executive session at 8:37 p.m.

On a motion of Councilmember Shahid, seconded by Councilmember Mitchell, City Council voted unanimously to come out of Executive Session at 9:30 p.m.

Mayor Pro Tem Jackson said, "We're out of executive session where no action was taken. We went into the session to obtain advice from our legal counsel."

Councilmember Shahid said, "Move to adjourn."

Councilmember Brady said, "Second."

Mayor Pro Tem Jackson said, "Thank you very much. We're adjourning this meeting."

There being no further business, the meeting was adjourned at 9:30pm.

Jennifer B. Cook
Clerk of Council