

**CITY OF COLUMBIA
WORK SESSION ACTION REPORT
MARCH 10, 2010 – 9:00 A.M.
CITY HALL - 1737 MAIN STREET
2nd Floor – COUNCIL CONFERENCE ROOM**



The Columbia City Council met for a Work Session on Wednesday, March 10, 2010 at City Hall, 1737 Main Street, Columbia, South Carolina. The Honorable Mayor Robert D. Coble called the meeting to order at 9:11 a.m. and the following members of Council were present: The Honorable Sam Davis, The Honorable Tameika Isaac Devine, The Honorable Daniel J. Rickenmann and The Honorable Kirkman Finlay III. The Honorable Belinda F. Gergel arrived at 9:20 a.m. Also present were Mr. Steven A. Gantt, City Manager and Ms. Erika D. Salley, City Clerk.

CONSIDERATION OF BIDS, AGREEMENTS AND CHANGE ORDERS

1. **Council is asked to approve [Mentor Protégé Project #SS7073](#); Rehabilitation of Existing 48", 54" and 60" Gravity Sewer Lines, as requested by the Utilities and Engineering Department. Award to McClam and Associates in the amount of \$9,889,405.80. This firm is located in Little Mountain, SC. *Funding Source: SS707301- The CIP budgeted amount for this project is \$17,592,493.00*

Upon motion by Mr. Davis, seconded by Mr. Finlay, Council voted unanimously to approve [Mentor Protégé Project #SS7073](#); Rehabilitation of Existing 48", 54" and 60" Gravity Sewer Lines, as requested by the Utilities and Engineering Department. Award to McClam and Associates in the amount of \$9,889,405.80. This firm is located in Little Mountain, SC. *Funding Source: SS707301- The CIP budgeted amount for this project is \$17,592,493.00 – The Protégé for this project is Patriot Construction Company, Inc. Dr. Gergel was not present for the vote.*

- **Council recessed at 9:15 a.m.**
- **Council reconvened at 9:20 a.m. and Dr. Gergel was present at this time.**

CITY COUNCIL DISCUSSION / ACTION

2. **Councilmember Vacancy

The following individuals appeared before the members of Council to comment on the Council District II seat that became vacant on March 9, 2010 and whether or not the seat should be filled during the General Election on April 6, 2010 or a Special Election:

Ms. Kathryn Bellfield, President of the Booker Washington Heights Organization
Ms. Brenda Oliver, President of the Pinehurst Neighborhood Association
Mr. King B.L. Jeffcoat, District II Resident
Ms. Jean Denman, District II Resident
Ms. Alex Furgess, President of the Jones McDonald Neighborhood Association
Mr. Durham E. Carter, President of the Martin Luther King Neighborhood Association
Mr. Grant Robertson, At-Large Candidate
Mr. Laddie Howard, District II Resident

Mr. Paul Denman, District II Resident
Mr. Aaron Johnson, Mayoral Candidate
Mr. Steve Morrison, Mayoral Candidate
Mr. Steve Benjamin, Mayoral Candidate
Ms. Bessie Watson, President of the Columbia Council of Neighborhoods

- **The public comment period closed at 9:47 a.m.**

3. **Election Resolutions

[Resolution No.: R-2010-027](#) – Authorizing Notice of Election to add City Council District 2

[Resolution No.: R-2010-029](#) – Authorizing Notice of Special Election for City Council District 2

Upon motion by Ms. Devine, seconded by Dr. Gergel, Council voted unanimously to waive the attorney-client privilege and to receive legal advice from the City Attorney in public session.

- **Council recessed at 9:54 a.m.**
- **Council reconvened at 10:21 a.m.**

Ms. Teresa Wilson Florence, Director of Governmental Affairs reported that Representative Todd Rutherford as Chairman of the Richland County Legislative Delegation asked Mr. Patrick Dennis, Staff Attorney for the House Judiciary Committee to provide an opinion on the Code of Laws related to establishing election dates. She stated that the opinion will be faxed to her upon completion.

Mr. Ken E. Gaines, City Attorney reviewed the following Sections from the SC Code of Laws: **§7-13-1170** Ordering of new election by Governor; **§7-13-35** Notice of general, municipal, special and primary elections; **§7-13-190** Special elections to fill vacancies in office; **§5-7-200** Grounds for forfeiture of office of mayor or councilman; filling vacancies in office; and **§5-15-50** Establishment of municipal ward lines and time for general and special elections; public notice of elections. He also reviewed **Section 6** Elections of the City of Columbia Code of Ordinances. He recommended that the Council adopt a Resolution to schedule a Special Election on June 15, 2010 for City Council District 2. The notice of election will be published on Sunday, March 14, 2010 and the filing period would open on Monday, March 15, 2010 through March 19, 2010.

Ms. Marci Andino, Executive Director of the State Election Commission read a [letter](#) she faxed to the City Attorney on March 9, 2010 in response to an inquiry about a potential vacancy. She stated that the City of Columbia is already in compliance with the general election notice requirements. She reported that no absentee votes have been made from constituents within City Council District 2 and that the paper ballots have not been printed. She stated that from an operational standpoint, it is possible to move forward on April 6, 2010.

Upon motion by Dr. Gergel, seconded by Mr. Finlay, Council voted unanimously to recess at 11:50 a.m. for Mayor Coble to contact the Attorney General to request an expedited opinion.

- **Council reconvened the meeting at 1:06 p.m.**

Ms. Marci Andino, Executive Director of the State Election Commission stated that she spoke with someone in the Attorney General's Office and was told that they had not received a request for an opinion on this matter, but they will respond as soon as possible upon receipt of such request.

Upon motion by Mayor Coble, seconded by Ms. Devine, Council voted unanimously to approve [Resolution No.: R-2010-027](#) – Authorizing Notice of Election to add City Council District 2; to direct the City Attorney to request an opinion from the Attorney General; the request should include the research already done by the City Attorney; to meet with the Attorney General if there is a delay in issuing an opinion; and to schedule a Special Election for an appropriate date, if the Attorney General determines that April 6, 2010 is not appropriate.

PRESENTATION

- 4. **Efficiency Study Results – Mr. S. Allison Baker, Senior Assistant City Manager - *This item was deferred and tentatively rescheduled for March 24, 2010.*

EXECUTIVE SESSION

- 5. Receipt of legal advice, which relates to a matter covered by attorney-client privilege
 - Efficiency Study - *This item was deferred.*

PRESENTATION

- 6. Report from the External / Internal Auditors – Ms. Jackie Breland, Jackie Breland and Associates and Ms. Holly Scofield - *This item was deferred and tentatively rescheduled for Wednesday, March 24, 2010.*
- 7. Central Midlands Regional Transit Authority Update – Ms. Mitzi Javers, Executive Director of the Central Midlands Regional Transit Authority - *This item was deferred and tentatively rescheduled for Monday, March 15, 2010 at 4:00 p.m.*
- **Council adjourned the meeting at 1:28 p.m.**

<u>Tentative Meeting Dates</u>	<u>Type of Meeting</u>	<u>Meeting Times</u>
March 17, 2010	Council Meeting	9:00 a.m.
	Zoning Public Hearing	10:00 a.m.
March 24, 2010	Work Session	9:00 a.m.
April 7, 2010	Council Meeting	9:00 a.m.
April 14, 2010	Work Session	9:00 a.m.
April 21, 2010	District IV Evening Meeting	6:00 p.m.
	Pontiac Elementary School	
	500 Spears Creek Church Road	
	Public Education Session - Forms of Government	