



CITY OF BEAUFORT
1901 BOUNDARY STREET
BEAUFORT MUNICIPAL COMPLEX
COURT ROOM – Court Side Entrance
BEAUFORT, SOUTH CAROLINA 29902
(843) 525-7070

CITY COUNCIL AGENDA
REGULAR MEETING
DECEMBER 8, 2009

NOTE: IF YOU HAVE SPECIAL NEEDS DUE TO A PHYSICAL CHALLENGE, PLEASE CALL IVETTE BURGESS 525-7070 FOR ADDITIONAL INFORMATION

STATEMENT OF MEDIA NOTIFICATION

"In accordance with South Carolina Code of Laws, 1976, Section 30-4-80(d), as amended, all local media was duly notified of the time, date, place and agenda of this meeting."

WORKSESSION

5:00 P.M.

Interviews with Applicants for the Redevelopment Commission

I. CALL TO ORDER

6:00 P.M.

Mayor Billy Keyserling

II. INVOCATION AND PLEDGE OF ALLEGIANCE

Dr. Steve Keeler – Sea Island Presbyterian Church

III. PROCLAMATIONS/COMMENDATIONS/RECOGNITIONS

IV. PUBLIC COMMENT

Time Designated for Council to Receive Comment from the Public

V. PUBLIC HEARING

- A. Approval of the Tax Increment Financing (TIF) Plan for The Redevelopment of the Boundary Street Project Area
- B. UDO Amendment Revising Sections 8.1.B and 9.4 Pertaining to Lot Recombination's and Lot Consolidations

VI. MINUTES

Review of the Council Worksession Meeting on November 17, 2009 and Regular Council Meeting November 24, 2009

VII. OLD BUSINESS

- A. Ordinance Adopting "Vision Beaufort 2009 Comprehensive Plan" – 2nd Reading
- B. Adoption of the Revised Boundary Street Redevelopment Plan – 2nd Reading
- C. Approval of an Ordinance to create a new Tax Increment Financing District 3 (TIF III) – 2nd Reading

VIII. NEW BUSINESS

- A. Amendment to the FY2010 Budget to add and fund a budget unit for the Redevelopment Commission – 1st Reading
- B. Motion approving City Manager to enter into Lease Agreement with the Beaufort Regional Chamber of Commerce for the use of Arsenal as the Visitor’s Center.
- C. Name appointees to Census 2010 Count Committee

IX. REPORTS

- City Manager’s Report
- Mayor’s Report
- Reports by Council Members

X. EXECUTIVE SESSION

XI. ADJOURN

NOTICE OF PUBLIC HEARING

Notice is hereby given that on Tuesday, December 8, 2009, at 6:00 p.m. in the City Courtroom at 1901 Boundary Street, Beaufort, South Carolina, the City Council of the City of Beaufort will conduct a public hearing on the approval of the Tax Increment Financing Plan for the Redevelopment of the Boundary Street Redevelopment Project Area under the provisions of Chapter 6 of Title 31 of the Code of Laws of South Carolina 1976, as amended.

The proposed Boundary Street Redevelopment Project Area shall be that area bound by Palmetto Street to the east and Robert Smalls Parkway (SC 170) to the west. The area is bordered on the north by the marshes of Albergotti Creek and on the south by Battery Creek. The proposed Boundary Street Redevelopment Project Area is more particularly shown on the map below:

The Boundary Street Redevelopment Plan and the redevelopment projects may be described as follows:

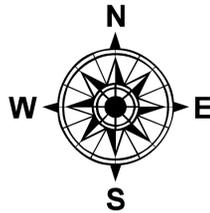
The Boundary Street Redevelopment Plan is intended to reverse conditions of blight existing within the Boundary Street Redevelopment Project Area in order to promote economic development which will increase the tax base and improve the quality of life within the area. Redevelopment projects included in the Boundary Street Redevelopment Plan consist of various public infrastructure improvements within the area described above as follows:

1. Improvement of the local street network, including improvements to existing streets, a new street parallel to Boundary Street, and the creation of new connecting streets;
2. Construction of a landscaped median for Boundary Street;
3. Construction of sidewalks, pedestrian lighting, street trees and landscaping and other streetscape improvements;
4. Intersection improvements at Boundary Street at Robert Smalls Parkway and Boundary Street at Ribaut Road;
5. Construction of walking trails, bicycle paths and bicycle and pedestrian facilities;
6. Creation of new public spaces and parks.

It is anticipated that the investment of public money to provide these facilities will make the area attractive for private investment and it is further anticipated that as a result of the public investment in the redevelopment area, blight, deterioration and other problems will be ameliorated. Underutilized and vacant buildings and properties will be rehabilitated and new buildings will be built.

The maximum estimated term of obligations to be issued under the redevelopment plan is 30 years from the date of each issue of an obligation provided the maximum term of any obligation shall not exceed the duration of the Redevelopment Plan of 40 years. All interested persons will be given an opportunity to be heard at the public hearing.

City of Beaufort Redevelopment District



Created June 4, 2009



City of Beaufort Department of Planning and Development Services

MEMORANDUM

TO: Scott Dadson, City Manager
FROM: Libby Anderson, Planning Director
DATE: December 2, 2009

SUBJECT: Ordinance Revision Pertaining to Lot Recombinations and Consolidations

Staff is proposing two changes to the UDO. The first pertains to lot recombinations. The second pertains to consolidation of nonconforming lots.

Lot (parcel) recombinations occur when a property owner desires to move the lot lines of existing platted lots. Lot recombinations are approved by staff, but, as per Sections 8.1.B.1 and 9.4.F of Unified Development Ordinance (UDO) (attached), can only be permitted when both lots meet or will meet, the dimensional standards of the ordinance.

Staff is proposing to permit lot recombinations that involve a nonconforming lot, as long as recombination moves the nonconforming lot closer into conformity with the ordinance. This would involve a revision to Section 8.1.B.1 and deletion of Section 9.4.F. We recently had an application where two lots were proposed to be recombined. One of the lots exceeded the lot area minimum for the district; the other lot was nonconforming for lot area. While the proposed lot line adjustment made the small lot larger, the adjustment was not enough to make the small lot conforming without the larger lot becoming nonconforming. As a result, under Section 8.1.B and 9.4.E, staff could not approve the recombination. The application was submitted to the Zoning Board of Appeals for a variance. The Board approved the variance and suggested that the ordinance be revised to permit this type of lot line adjustment without the need for a variance.

Section 8.1.B is also proposed to be revised to add a new paragraph 5 pertaining to lot recombinations. This paragraph is included in the state planning enabling law pertaining to subdivision exemptions, and apparently was omitted when the UDO was originally drafted.

Section 8.1.B is proposed to be revised as follows:

B. Exemptions

The following types of activities shall be exempt from the subdivision approval requirements of this UDO: ~~Plats of such exceptions shall be received as information by the Planning Commission which shall indicate such fact on the plats:~~

- 1. The combination or recombination of portions of previously platted lots where the total number of lots is not increased and ~~the resultant lots are equal to the standards of the UDO;~~ where no nonconforming lots are created. A nonconforming lot may be included in a lot recombination if the resultant lot becomes closer to conformity;

2. The division of land into parcels of five acres or more where no new street is involved;
3. A transfer of title to land not involving the division of land into parcels; and
4. Subdivision of land into parcels less than 5,000 square feet exclusively for the provision of local utilities such as pump stations; and
5. The combination or recombination of entire lots of record where no new street or change in existing streets is involved.

The second proposed ordinance change pertains to nonconforming lots. Section 9.4.E of the UDO (attached), requires that nonconforming undeveloped lots in the same ownership be combined. The current and proposed comprehensive plans encourage infill in existing neighborhoods. A nonconforming lot is not necessarily undevelopable. A 90' lot in the R-1 District would be considered nonconforming, as the R-1 District requires a minimum lot width of 100'. A 90' lot, while nonconforming, is certainly developable. It seems unreasonable to require developable nonconforming lots to be combined, especially given the City's focus on infill.

These ordinance amendments were presented to the City of Beaufort--Town of Port Royal Joint Municipal Planning Commission at their November 9 meeting. The Commission recommended approval of these ordinance revisions.

A work session of the Beaufort City Council was held on November 17, 2009 at 5:00 p.m. in the City Hall Conference room. 302 Carteret Street. In attendance were Mayor Billy Keyserling, Council members Gary Fordham, Donnie Ann Beer, Mike Sutton, and Mike McFee, and City Manager Scott Dadson. In accordance with the South Carolina Code of Laws, 1976, Section 30-4-80(d) as amended, all local media were duly notified of the time, date, place, and agenda of this meeting.

CALL TO ORDER

The Mayor called the meeting to order at 5:00 p.m.

PRESENTATION FROM THE WAY FINDING SIGN COMMITTEE

The committee consisted of Larry Meisner, Joe Lee, Donna Alley, Lanelle Fabian, Lana Hefner, and LaRose Smith. Mr. Meisner, representing the Beaufort Chamber of Commerce, led a discussion about the committee's findings. The committee was asked to look at the *directional* signs. They did photo inventories of the major thoroughfares to see what made sense. Most of the existing green signs are in good places, but Port Royal could use some additional signs for directions to Parris Island. The entrance may be moved at some point in the future. He discussed the possible re-routing of US 21 around the south. Trucks are already doing this. He said that at some point Ribaut Road was not signed as US 21, and Mayor Keyserling explained the history of that.

Mr. Meisner said destination signs to downtown are small. The committee recommends going to the brown signs for cultural resources, parks, and recreation areas. He pointed out where these would go. Ms. Hefner said right now there are 4 and the committee came up with 8. There are visitors' center signs now, but if the center moves downtown, they'll need to be adjusted. The committee is indicating that the brown signs could be specialized logo signs. Main Street Beaufort may be working on this. On boat landings, the use of a graphic symbol is suggested. On Ribaut Rd., they want to make the signs directing to historic downtown more uniform.

Mr. Dadson asked if there was contact with SCDOT. Mr. Meisner said there had been early on and the representative had said for the committee to "Tell (SCDOT) what you want." Mr. Dadson asked if they could send a letter when/if council agrees and Mr. Lee said yes.

Mr. Lee said the guidelines from Mr. Nesbitt, Division Traffic engineer for SCDOT, were to get rid of the individual designations of each of the Sea Islands. Once across the bridge, each could be identified. It was also suggested to get rid of any signs with distances on them; Ms. Hefner added, "Especially further out." Mr. Lee said they needed a way for citizens to comment on the signs. It's confusing who citizens should call – county or city, etc. – and he suggested a button on the web sites.

Mayor Keyserling asked about reducing clutter and redundancy. Ms. Hefner said the recommendations do that. Co-located signs are ideal, Mr. Meisner said, and there needs to be a balance between sufficient information and less clutter. Mr. Dadson said "it's a net removal of 7." There was brief discussion about efforts to get traffic off Ribaut Road.

Mr. Dadson said council could take an official action to endorse these findings at the regular council meeting and pass it on to SCDOT or wait for Port Royal to come on board and then do that. Councilman

Sutton asked how they plan to cover costs. Mayor Keyserling said SCDOT said this will not happen overnight. Ms. Hefner added that SCDOT had told them to prioritize. Mr. Lee said he didn't know what the cost was. Mr. Lee said the downtown signs' costs are being assessed by Main Street Beaufort. Ms. Hefner said they might be involved with the 8 brown street signs that say downtown and Waterfront Park and changing them to branded signs. Councilman Sutton said he'd like to be able to budget for what the state won't be doing. Mr. Dadson said the sign replacement shouldn't be much more than regular replacement costs. Ms. Fabian said Main Street Beaufort had received an assessment of about 10 signs for \$2000. Ms. Hefner said they've asked for brown DOT signs until the branding is worked out. Mr. Dadson said to ask in the letter to SCDOT for advice on a timeframe. Ms. Fabian said she'd pass along the two quotes Main Street Beaufort has received. Councilman Sutton said he wants things to move along.

Councilwoman Beer asked about the intersection "out here" on Craven Street where it's necessary to change lanes to continue to go straight, and Ms. Hefner said the committee agreed it was a problem but felt they should stick to way-finding. The same occurrence happens in various places throughout Beaufort.

Mr. Dadson said a committee has made recommendations for neighborhood signs which get away from the standard green signs. Ms. Johnson said the Northwest Quadrant neighborhood association is meeting on 11-18 and can give feedback to council after that. Mr. Dadson and Councilman McFee said branding neighborhoods' signs is common elsewhere. A brief discussion of the problem of sign mildew ensued.

DISCUSSION REGARDING CENSUS 2010 COMPLETE COUNT COMMITTEE

Mayor Keyserling said this is a good opportunity and council should think of nominee names. Mr. Shepherd had said to come up with 10-12 names, Councilman McFee said. He added that the county wouldn't overlap with the city. Mr. Dadson said the purpose of the committee is to encourage comfort of those people who are afraid of the census. Mayor Keyserling said Charlotte Brown or someone from the park committee could be asked for recommendations. He wouldn't leave out Mossy Oaks. There was a discussion of other areas and people who live in them who might be good resources. Mr. Dadson said he'd put this on the agenda for next Tuesday's regular council meeting, and council can present recommendations then, after discussion with the potential nominees. Mayor Keyserling said they're being selected because of their constituencies and won't need to be interviewed.

DISCUSSION REGARDING APPOINTMENTS TO THE HISTORIC DISTRICT REVIEW BOARD

Mr. Dadson had presented council with guidelines for appointments and spots that needed to be filled and when. Councilwoman Beer said she's still interested in 3 consecutive 2-year terms rather than 2. Mr. Dadson said the ordinance is specific. Councilwoman Beer said it could be changed and clarified that she meant number of terms (3), not length (2-years). Mayor Keyserling said council should read it, look for updates, and have it posted on the web after they've read it.

Mayor Keyserling said they need to discuss a process for appointing to the Redevelopment Commission. They need to figure out how to circulate the first 5 resumes that have been received and what to do with others that will come in the future. Ms. Rogers asked if there was a deadline. Mayor

Keyserling said it's a rolling process. Mr. Dadson suggested setting up "an internal clock" within council. Everyone needs to look at the current resumes, and Mayor Keyserling said 2 -3 people could be brought into each meeting. Councilman Sutton said he'd like to have candidates for the Redevelopment Commission come in and interview. Mr. Dadson said he'd put it on the first work session in December.

Mr. Dadson reiterated that Design Review Board and Historic Design Review Board both have positions that need to be filled.

REPORT ON BTAG MEETING

Mr. Dadson cited a letter from the county that asked their bond counsel, Mr. McNair, what county could do about the list of potential projects. He read from the letter with its five questions and answers. Mr. Dadson said the gist of the letter was that county has the discretion to move money around. He said "the answer is more political than legal." The city attorney will look at it. County council didn't elect to make any decisions about what they'd do. The county administrator instructed his staff to "churn" these projects. The staff review was the only decision made.

The cost of the projects jumped to \$300 million. There's an \$85.5 million shortfall so far, because engineering's still not completed. Mayor Keyserling said Mr. Kubic asked what the recommendation would be for spending what is actually coming in, if no projects are deleted but only staggered in their scheduling. Mayor Keyserling believes they'll come back with that recommendation within 30 days. Councilman McFee asked if there was discussion of extending the sunset. Ms. Rogers said she thought Mr. Kubic was highly optimistic, but he isn't talking about deleting anything. Mayor Keyserling said Mr. Kubic was realistic in saying, "Quit counting money that's not there." Mr. Dadson said Mr. Kubic's position is to determine the logical way to take the list of ten and move them forward with the resources that exist and then build support for future referendums.

Mayor Keyserling said those projects not depending on impact fees aren't being affected. Hilton Head got stimulus money and has a surplus. But Bluffton has spent on engineering double what the project was to cost, for example. He feels Beaufort should take the \$4.5 million remaining after the study about the connector and put it into Boundary Street. There will be \$13-15 million in sales tax. He said Sheriff Tanner agreed that there's a need eventually for the connector in order to evacuate which puts the problem further out.

Councilman Sutton said "the record of the obvious" (the results of the connector study) must have some start-up review that would carry itself to other study points. Mr. Dadson said the dollar amount of the study was for studies beyond the current review which are more expensive. Mayor Keyserling said it's unfair to people in outlying areas for whom this route has been talked about for 20 years. He feels a route should be picked, and they should proceed deeper into it.

Ms. Rogers asked who'd attended DOT's exhibit at Beaufort High School. Discussions ensued about the need for the connector and where it should go. Mayor Keyserling said MCAS had said they could accommodate the project with a "No Access Road" back in 2003-2004. Councilwoman Beer said that was before the advent of the F-35 which could adversely affect the planes' flight pattern. Ms. Rogers

asked whose was the final decision about the connector. Mayor Keyserling said nothing will happen unless the county drives it. Ms. Rogers said if the council concurs about what they want and what's best for everyone, the air station would surely work with them. Lady's Island will create static, but they're going to have to move forward.

Mr. Dadson said council needs to convince the county, and the voters will decide on the money. Councilman Sutton said the study's not complete; alternative options need to be offered beyond the location everyone already knew what would be the cheapest. There needs to be a cost comparison with other possible locations. City council's not going to decide where the bridge goes. It won't happen unless the voters support a funding mechanism. Councilman McFee said the first phase of the study was to be on the economic feasibility which is why they came up with Bellamy's Curve. Councilman McFee said that's not even a Northern Bypass.

Councilman Sutton said Lady's Island and St. Helena can't continue to grow if there's not better on and off access and fixed bridges. There needs to be a BYPASS of the city. Mayor Keyserling said it might be a good idea to purchase TDRs on Lady's Island. Councilman Sutton agreed and said it may *never* be economically feasible, but it may get to the point where something else is considered. Mayor Keyserling said his view is to say "Continue." Councilman Sutton agreed and said he wants a REAL feasibility study beyond "Bellamy's Curve is least expensive." Mr. Dadson said Bellamy's Curve has an easement in perpetuity on it and can't be built on.

DISCUSSION ON TIFs I, II AND III

Mayor Keyserling said he feels that the Redevelopment Commission should be told to go back to the board on Boundary Street. Mr. Dadson said until they are done pursuing TIFs, it's unknown if they can agree to fill the shortfall. TIF extension and TIF 3 creation can fill the hole and complete the project. Mr. Dadson said there are charts to show how "it's cash-flowed out" on TIFs 1 and 2. There is a way to raise what's needed, if everyone stays in. Mayor Keyserling asked if the base stayed the same in an extension, and Mr. Cook said yes. Mayor Keyserling confirmed that with the 2009 base, and collection starting in 2032 in TIF 3, there will only be 9 years for the remainder of 3 to collect from it.

Mr. Dadson said there are logical, proven ways to fill. The pressure should stay on on the Northern Crossing. A year ago, council was told the county felt what needed to be completed wasn't in the balance of the contract. The county bidded the balance of the work on a price basis, not negotiated after determining *qualifications*. The contract hasn't been released yet. Mayor Keyserling said that decision wasn't made 8 months ago, and that's the problem. They may have missed the opportunity to find the engineer who knew the most about the process, having done the first part of it.

BUILDING INSPECTIONS

Mayor Keyserling said he's heard concerns on building inspections. He feels as if "the person in charge may be terrific, but the people in the field" may be problematic. Mr. Dadson said when the city is aware of a problem, they go in and fix it.

Several council members agreed they've also heard about the people in the field. Councilwoman Beer said it's not fair for someone to have to fix something and then have *another* inspector say it's not

right. Mr. Dadson said he needs to know about the problems in order to go out and fix it. Councilman McFee said he's on his 7th complaint, and he's asked contractors for something in writing, but they won't document it for him because they have to continue to work with the inspectors. Councilman McFee said homeowners say that people will quit getting permits. Mayor Keyserling said someone told him, "Forget it. I'll go finish the project." Councilwoman Beer said they're afraid to complain in writing because the person they're complaining about is in charge. Mr. Dadson reiterated that he needs to know about it, and that fear is a poor excuse because contractors should have done it right the first time. Code needs to be complied with in a fair way, but the city has to know to do anything.

Councilwoman Beer said holding up CO's or making them pay has happened in the past. Councilman Sutton said the codes are very complicated and hard to understand. Building inspections are based on those documents. He can see there will always be a difference of opinion, but the default needs to be if it's done in accordance with the International Building Code. Inspections need to be consistent. Mr. Dadson said they need to let him know, even if they won't put it in writing, and Codes staff can work it out to the benefit of both parties.

Councilman Sutton told other council members that people with complaints should call him, and he'd like to go out and look, based on his background and experience. He said the number one complaint in his experience was that his guys would do a list of rejections, then there would be another list. If the contracted codes people are fair and consistent and don't leave a site without an inspection report, that will help. Mayor Keyserling said Ronnie was on vacation when the mayor received a complaint. Councilwoman Beer said council members will tell complainants to call the city. Councilwoman Beer said maybe Codes people and contractors could be gotten together to work something out, especially the Homebuilders Association.

HORSE & CARRIAGE WASTE ISSUE

Mayor Keyserling asked about the report re: horse carriages; he'd like a copy of it. Mr. Dadson said it only comes out once a quarter and it's put in the council's packets. Councilwoman Beer said the city used to clean up the messes and the companies were charged. Reading the report is infuriating. Mr. Dadson said it can be on the agenda for a regular session or work session when it comes up next. Citizens who come across horse waste should contact the police who will send someone to pick it up.

BEAUFORT THREE CENTURY PROJECT IN THE CARNEGIE BUILDING

Mayor Keyserling said the Beaufort Three Century project has been leasing an office downtown but can't anymore. He wondered if they could be re-located now to the top floor of the Carnegie Building for them to use until there's a long-term use for it. They need a convenient, visible place to collect oral histories. Mr. Dadson said it's vacant and on hold now. Councilwoman Beer asked what expenses would be besides lights if they didn't adjust temperature. Mr. Dadson said he could "cost it out." Councilman Sutton said this is similar to when the Arsenal was being booked out. Mr. Dadson said that leasing it out short-term keeps them from leasing it out permanently.

Ms. Johnson, representing the project, said the Beaufort Three Century project hasn't asked the city for anything except the A-Tax grant, for which they are grateful. The former space they used was rough, and they realize they may be booted from this space too. She said they would be a minimal

tenant. They'd prefer not to move out of downtown. They're very grateful to their previous donors. Collecting the archive means they have a lot of resources and need a good-sized space to meet in, so they are looking for something very secure and large.

Councilman McFee asked if costs could be determined. Mr. Dadson said OLLI is coming in in a couple of months. Mayor Keyserling felt the lack of enthusiasm shown for the idea was his answer. Councilman Sutton suggested Ms. Johnson talk to Dick Stewart about the building on Scott Street across from the library. Councilman McFee said the city market on Greene and Charles might be a possibility, too.

NEIGHBORHOOD CRIME

Councilman Sutton said he wanted to discuss the continuance of crime in his neighborhood. His neighbor was robbed, a tenant's car was broken into, and he's been burglarized twice and nearly was once again. The past 9 months it's been quiet for him but not for his neighbors. He doesn't know what to do. Councilman Sutton asked if there could be a lawful check of more abandoned secured buildings.

Mr. Dadson said this is upsurge in crime was partly a normal effect of the economic downturn. There's not a significant crime spike. Part of the neighborhood clean-up effort is to find out what people's issues are. The city can patrol, including on private property. Councilman McFee said there's an uptick in burglaries, etc. in Pigeon Point, too. Councilman McFee said sometimes they don't call the cops. At night there aren't a lot of bodies on the street, though they have a lot of lighting. Empty buildings make it easy to hide and to hide stolen property.

Mr. Cook said they've gotten aggressive on vacant lots. Councilman McFee said all those things are positive, but he'd like to see blitzes on dead buildings. Mr. Dadson said they could do an inventory. Mr. Dadson said neighborhood improvement teams can report. Mr. Cook said there's no ordinance to deal with abandoned lots, which will come up in the next neighborhood meeting. Ms. Johnson said minor crime reports aren't seen by average citizens so they're not as aware of crime. She asked if police could work with newspaper to report it. Councilman McFee said filling empty houses will help, too.

ADJOURNMENT

There being no further business to come before city council, Councilwoman Beer made a motion to adjourn, seconded by Councilman Sutton. The motion was approved unanimously, and the meeting was adjourned at 7:04 p.m.

ATTEST: _____
SHIRLEY HUGHES, ACTING CITY CLERK

A regular meeting of the Beaufort City Council was held on November 24, 2009 at 6:00 p.m. in the Beaufort Municipal Complex, 1901 Boundary Street. In attendance were Mayor Billy Keyserling, Council members Donnie Ann Beer, Gary B. Fordham, Mike Sutton, Mike McFee, and City Manager Scott Dadson, and Shirley Hughes. In accordance with the South Carolina Code of Laws, 1976, Section 30-4-80(d) as amended, all local media were duly notified of the time, date, place, and agenda of this meeting.

CALL TO ORDER

The Mayor called the meeting to order at 6:00 p.m.

INVOCATION AND PLEDGE OF ALLEGIANCE

The invocation was given by Councilwoman Beer. The Pledge of Allegiance was led by the Mayor.

PROCLAMATION NAMING DECEMBER 4TH ARBOR DAY

Councilwoman Beer made the motion, seconded by Councilman Fordham, to make the proclamation. The motion passed unanimously.

PUBLIC HEARING

ADOPTION OF “VISION BEAUFORT 2009 COMPREHENSIVE PLAN”

Mayor Keyserling opened this public hearing. Mr. Dadson introduced Craig Lewis with Lawrence Group, who made the presentation. Mr. Dadson also pointed out Libby Anderson, David Lott, Joe DeVito, and Harley Laing.

Mr. Lewis reviewed the key elements in a comp plan by statute. He said this plan is intended to be different from previous plans in that it has economic, environmental, and social elements. He enumerated “the key action items” for growth, including updating the UDO and making the development process predictable; for the environment, i.e., preserving and protecting the environment; climate change and energy, i.e., reducing solid waste; social infrastructure, i.e., focusing on neighborhoods and parks, housing diversity; and transportation access and mobility, i.e., bicycle and pedestrian networks to improve quality of life.

The plan focuses on “complete street” recommendations, including considering the re-routing of US 21. “Economic prosperity action items” include aggressively attracting the jobs that are appropriate to this community and prioritizing infill and development. “Serving citizens” action items include ensuring a healthy financial position, providing efficient services, etc. Mr. Lewis also pointed out action items for setting priorities for implementation, i.e., working aggressively with regional partners and implementing and expanding the city’s capital improvement plan. He went on to show council the key changes that had been made to the draft based on public and Planning Commission suggestions, such as clarifying population trend data sources and usage.

Dwayne Smalley, Northwest Quadrant Neighborhood Association president, asked whether the 100 recommendations of the neighborhood’s study group would be included in the plan. Mr. Lewis said his impression was that they were seen as “a parallel effort” and would be in the next appendix. David Lott said the proposal wasn’t rejected outright, but it was too voluminous to do it justice. He reiterated the idea that the Northwest Quadrant plan is a parallel to the comp plan.

There being no further public comment, the mayor closed this public hearing.

MINUTES

The minutes of the council work session meeting on November 3, 2009 were presented to council for review. Councilman McFee pointed out that Mr. Wedler's name had been misspelled, as were "home tours," according to Councilwoman Beer. Councilwoman Beer said in the second paragraph of the section on Northern Beaufort County road projects, it should read "a bridge is being moved *to* Ribaut," not *at*. Mayor Keyserling said that in the Northern Area Plan Implementation Report section, it should read Beaufort/Port Royal would like two members of each *municipality*, not "council." In that same section, "a commission sub-committee" should read "a sub-committee of the county planning commission." On motion by Councilman McFee, second by Councilwoman Beer, council voted unanimously to approve the minutes as amended

The minutes of the regular council meeting on November 10, 2009 were presented to council for review. On motion by Councilwoman Beer, second by Councilman Fordham, council voted unanimously to approve the minutes.

MOTION APPROVING SIGN COMMITTEE'S RECOMMENDATIONS

Councilwoman Beer moved and Councilman McFee seconded approval of the recommendations. The proposal of the signage committee was submitted to council in work session. Mayor Keyserling briefly reviewed the report. Councilman McFee called the committee's work thorough and thought-provoking. Mayor Keyserling said the committee had photographed highway department signs and documented all of them. Councilwoman Beer said it's an example of how people feel about Beaufort. The motion passed unanimously.

Mr. Dadson said he'd send a copy to the SCDOT and say that council had approved these changes. Mayor Keyserling suggested also sending it to the legislature designation.

MOTION APPROVING HOLIDAY BONUSES FOR CITY EMPLOYEES

Councilwoman Beer moved and Councilman McFee seconded approval of the bonuses. Ms. Hughes said bonuses are included as part of the budget process, and they come to council to approve them before the checks are cut. Councilman Fordham said some constituents – and he himself – live on social security, which doesn't include a cost of living adjustment this year. He recommended that the \$200 bonus be reduced to \$100 to be more in line with current economics. Councilwoman Beer said the work the city people have done to put the city in a good place financially in difficult times makes her want to give the bonus. Councilman Sutton feels that the employees' performance should be a factor in the bonus distribution. Ms. Hughes said holiday bonuses have historically been done annually. There are merit-based bonuses which weren't done last year and may not be done this year. Councilman Sutton said he'd support it, but he would like to see the merit pay and bonus situations looked at together. Mayor Keyserling said it's a Christmas gift. Ms. Hughes said it's part of the budget process; it could be done away with. Councilman McFee said they have that option every year. Councilwoman Beer said staff is smaller and has a bigger workload as a result, so if the city can afford to do it, she thinks the gift should be given. Councilman Fordham said that, though Ms. Hughes called the bonuses "historic", he's been on council since '99 and the bonus then was \$75 and has been increased

over time. He doesn't feel like it's that historic, and he has continued to oppose it. Mayor Keyserling said if Councilman Fordham voted for the budget, he'd supported the bonuses, and is changing his mind now. Councilman Fordham offered: "No doubt about it." The vote was 4-1 in favor of giving the bonuses, with Councilman Fordham opposed.

NAME APPOINTEES TO CENSUS 2010 FULL COUNT COMMITTEE

Following a brief discussion about who had been contacted thus far for committee membership, council agreed to finalize their decisions at the next work session.

ORDINANCE AMENDING PLANNING COMMISSION

Councilwoman Beer moved and Councilman Sutton seconded approval of the 11-23-09 ordinance on first reading. Ms. Anderson said **Harley Laing** and she had met with Bill Harvey. She reviewed the changes that would be made. The first change was on page 2, item 2, re: the composition of the Planning Commission. The next change extended the terms of the appointments to the Planning Commission from two to three years. Ms. Anderson said if they're appointed to finish the unexpired term, that time doesn't count toward their two full terms. Mayor Keyserling said he's concerned about the wording. He made a suggestion to clarify the language. The next change, under "powers and duties" on page 3 hasn't been made yet. On the recommendation of the Implementation Committee, the wording has changed to "ensure a comprehensive plan for the growth area" with the second sentence stricken. Mr. Dadson said that is a recommended amendment to the motion on the table. Ms. Anderson said there were several other editorial changes.

Mr. Laing referred to item 6, paragraph E, and said the Implementation Committee is able to conveniently handle other matters, so this catchall phrase has been included to allow the Planning Commission to handle other matters as the Implementation Committee has. Councilwoman Beer took the gavel, and Mayor Keyserling moved to make the amendment to the original motion, seconded by Councilman Sutton, that included the change under "powers and duties" and struck the sentence that followed it. The motion passed unanimously.

Mayor Keyserling said Beaufort County is working together again and has made a resolution supporting the tenets of regional planning and are starting the process passing an ordinance which is similar to Port Royal's. He's excited about the cooperation among governmental entities. Councilman Sutton said, having been sitting on these meetings for 3 years, he knows that combined planning review is going to be tested and won't be easy, but "it's the main piece of all this work" and he agrees that if that piece can work, all the years of effort make it worth sitting at that table. Councilwoman Beer said government cooperation is a big step to achieving what the experts are recommending. Councilman McFee said it's a testament to the community. He feels the Redevelopment Commission will also be a success and he praised the commission. Mr. Dadson said it will be put in a first reading perspective, as Port Royal will do at their next meeting. It will be forwarded to county council for their three reading process. If the county puts it into a first reading mode, it will require discussion of outstanding issues before further action. What the Northern Area Planning Commission has recommended are joint planning efforts for the city, town, and county. Also, if a project goes through this process, final authority belongs to the originating jurisdiction. That's the way the current Planning Commission works.

Joe DeVito, chair of the current Planning Commission said, “You’re right. It works.” He said it’s great to see the county come on board and praised the work of the committee. The motion passed unanimously.

ORDINANCE ADOPTING “VISION BEAUFORT 2009 COMPREHENSIVE PLAN”

Councilwoman Beer moved and Councilman McFee seconded approval of the ordinance on first reading. Mr. Dadson said it requires two readings, and he recommended reading it as-is and putting it on work session agenda. Planning Commission members can attend as well as staff and members of the public to talk through issues before the second reading. He likes that this plan has a lot for groups to take from to keep the fabric of the city together. Technically, he feels it works well. Councilman Sutton asked how the Northwest Quadrant recommendations would be folded into the plan. He’d like to talk about that at the work session. Mr. Dadson said the Northwest Quadrant work plan has been looked at to see how it fits. He feels that’s been organized. He thinks Mr. Lott is saying the best thing to do is to use the comp plan to take action on that. Councilman Sutton asked if there would be action plans for specific neighborhoods as an appendix, and Mr. Dadson said yes. Mayor Keyserling said as he read the plan, he realized the Northwest Quadrant is 6 months to 2 years ahead of every other neighborhood. He sees the respective neighborhood plans as appendices. Councilman Sutton said he wants it clear by the second reading. Mr. DeVito clarified how the group saw the Northwest Quadrant plan. Mr. Dadson said they can adopt that strategy and those efforts when they adopt the comp plan. The motion passed unanimously.

CITY MANAGER’S REPORT

Mr. Dadson said Councilman Fordham had asked that bridge opening issues be coordinated. The city, Port Royal and the county have coordinated and signed a letter to the Coast Guard to say it would be open on the hour until the completion of McTeer. The letter also discusses the construction schedule. He feels it should be better coordinated because of this joint participation.

REPORTS BY COUNCIL MEMBERS

Councilman Fordham said he’d like the Beaufort Housing Authority Executive Director, Mr. Boyd, to come to city council to discuss their projects. Mayor Keyserling said the Housing Authority was a creation of the city, but the broader community has taken ownership of it. Mr. Dadson said the city has the majority of appointments. Councilman Fordham said he’d like to have a report from the Housing Authority, particularly about what they’re doing about workforce housing, which doesn’t appear to have anything happening. Councilman Sutton suggested an overview of who they are, where they are overall in relation to housing, and what they’re doing in the city and the greater community. Mayor Keyserling warned that it’s a good idea, but with the exception of NSP, the group is a rental housing manager. Councilman Fordham felt that who should do more and how it should be done should be discussed, if the Housing Authority is not going to do it. Councilwoman Beer asked if the Barnard Group wasn’t supposed to be doing something about that. Mr. Dadson said their partnership with the Redevelopment Commission has never been finalized.

Councilwoman Beer said she was in Myrtle Beach for a conference including an economist who said things don’t look good economically, and it will be a long, drawn out road to recovery.

Mayor Keyserling asked to go over the workshop agenda and suggested that the Redevelopment Commission applications begin to be reviewed. Mr. Dadson said it's added to the agenda.

ADJOURNMENT

There being no further business to come before City Council, Councilwoman Beer made a motion to adjourn, seconded by Councilman Fordham. The motion was approved unanimously, and the meeting was adjourned at 7:13 p.m.

ATTEST: _____
MS. SHIRLEY HUGHES, ACTING CITY CLERK

**Revisions to Comprehensive Plan as Agreed to by City Council
at their Workshop on 12/1/09**

1. Pg 51. Add to item 5.2.1 the following sentence: “It is recognized that the Town of Port Royal also is developing a sector plan and the City’s and the Town’s plans should be evaluated in terms of compatibility, especially along shared borders.”
2. Pg 73. Delete the second sentence and replace with the following: “At present these urbanized, or rather “suburbanized” areas are often served by a number overlapping layers of government and ~~quasi~~-public service providers.”
3. Pg 93. Item NI 3.4. Change the title of this item as shown: “~~Consider~~ **Expand Use of Density Bonuses and TDR in Exchange . . .**”
4. Pg 144. Add the following as the last sentence in the last paragraph of the introduction to the Access and Mobility section just before AM 1.0:

It should be emphasized that it is neither the City’s obligation nor its plan to accommodate unlimited future traffic growth passing through our streets where that will result in the degradation of the quality of life in our neighborhoods.

5. Pg 145. Add a new AM 1.1 to read as follows, renumbering the existing items as appropriate.

Establish an on-going multijurisdictional transportation planning process. An organization similar to a Metropolitan Planning Organization, which would include representatives of the county and municipal governments, Lowcountry Council of Governments, and DOT, should be developed to coordinate and manage a cooperative transportation planning process for Northern Beaufort County.

6. Pg 148. Change the legend as follows: “~~Recommended~~ **Potential** Additional Transportation Solutions.”

Delete project 5 from the map and the legend, renumbering the existing projects as necessary.

7. Pg 149. Delete the paragraph describing the “New Connector Road from SC 170 to Ribaut Road.”

8. Pg 161. Item AM 2.2. Add the legend at the end: [\$\$] [O +C] [1-5]

9. Pg 177. Add a new item EP 1.2 to read as follows, renumbering the existing items as appropriate: “The City should take a leadership role in institutional development—preserving and strengthening the major institutions in the area—hospital, military, government, education, and business.”

10. Pg 191. Fire Station Map. Change the map to acknowledge the Burton stations.
11. Pg 229. Revise item CS 8.1 to read as follows:

CS 8.1 Prepare a Neighborhood Action Plan to guide development/redevelopment activities and public investment. There is not detailed urban design plan that covers this area and the proposed investment in the park warrants a plan that considers the broader issues in this neighborhood. This plan should include a block-by-block detailed urban design plan that shows the expectations for development and redevelopment, location of potential parks and open spaces, and a street and stormwater infrastructure repair/re-investment plan. The conceptual plan on the next page shows how the park might be developed by allocating a portion of the land to new residential housing. A citizen committee has developed a proposal to make the property into parkland without further residential development. Both concepts deserve fair consideration in light of financial constraints and citizen preferences. Further study combined with engagement of the property owners and residents will be essential to creating a sustainable re-investment strategy for this neighborhood.

12. Pg 230. Change the acreage of the Community Park from 34 acres to 30 acres.
13. Pg 235. Change the title of PI 1.0 from “Regional Partners” to “Plan Implementation.”

Delete the 2nd paragraph that begins, “In that plan . . .”

Delete item PI 1.1 and replace with the following, renumber the existing items as appropriate:

PI 1.1 Monitor and report on plan implementation. In January of each year the planning commission will report to the city council on the progress made in implementing the annual priorities list for the prior year and will also report on any other matters relating to implementation of the plan. In February of each year the commission will work with the city council and staff and will list annual priorities for implementation of this plan. [S] [O] [On-going]

PI 1.2 Plan updates. This plan shall be updated every five years.

14. Pg 264. Add a note explaining the difference in the population estimates used in various areas of the plan.

CITY OF BEAUFORT
DEPARTMENT REQUEST FOR
CITY COUNCIL AGENDA ITEM

*** (Deadline for Submission - Wednesday Noon
Prior to Tuesday's Meeting) ***

TO: *City Council*

DATE: **December 7, 2009**

FROM: City Manager

AGENDA ITEM TITLE: Approving and adopting the revised Boundary Street
Redevelopment Plan – 2nd Reading

MEETING DATE: December 8, 2009

BACKGROUND INFORMATION: (Attach additional pages if necessary) The City has determined that it is in the City's best interest to revise the original Boundary Street Redevelopment Plan to include a recommendation to extend the life of Tax Increment Financing District 2 and to create Tax Increment Financing District 3.

APPROVAL BY CITY MANAGER: **APPROVED** **NOT APPROVED**

CITY ATTORNEY APPROVAL REQUIRED **YES** **NO**

PLACED ON AGENDA FOR:

REMARKS:

Council action:

Approve and adopt the revised Boundary Street Redevelopment Plan. 1st Reading was October 13, 2009

Boundary Street Redevelopment Plan Beaufort, South Carolina

**Adopted June 12, 2009
Revised October 13, 2009**



City of Beaufort, South Carolina

STATUTORY FINDINGS

This section sets forth the findings required under Title 6, Chapter 31 of the Code of Laws of South Carolina 1976, as amended (the "Code"). The costs of the redevelopment projects described in the Redevelopment Plan are estimated to be approximately \$38 million. (NOT SURE THIS IS WHAT YOU WANT. I ADDED UP THE CIP ITEMS ON PAGE 14 & 15). In addition to the other sources of funds outlined in the Redevelopment Plan, it is anticipated that tax increment finance bonds in the aggregate principal amount not exceeding _____ will be issued to provide a source of funds for such redevelopment project costs. Such tax increment bonds may be issued in one or more series, provided that the first such series shall be issued within ten years from the date of adoption of the ordinance approving this Redevelopment Plan and that each such series shall mature no later than 30 years from the respective dates of issuance, and shall otherwise be issued in conformance with Section 31-6-40 of the Code. No obligation set forth in Section VII of this redevelopment plan shall exceed 30 years. (NOT SURE THIS IS WHERE YOU WANTED THIS STATEMENT). The most recent equalized assessed valuation for the tax year 2009 is \$5.7 million. (PLEASE CHECK THIS. I GOT THIS FROM THE SPREADSHEET THAT SHIRLEY SENT; THIS IS THE SUM OF THE "NEW TXVAL" COLUMN.) The equalized assessed valuation of the Redevelopment Project Area after redevelopment is estimated to be _____. The tax increments derived by the City from redevelopment are estimated to be not exceeding _____ per year. The general land uses to apply in the Redevelopment Project Area are as set forth in the Land Use section of this report. The duration of this Redevelopment Plan shall be for a period ending 35 years from the date of adoption of the ordinance authorizing the Redevelopment Plan. The estimated impact of the Redevelopment Plan upon the revenues of all taxing districts in which the Redevelopment Project is estimated to be _____. The redevelopment projects set forth herein are not estimated to have any displacement impact on the residents of the Redevelopment Project Area with the meaning of Section of 31-6-90 of the Code.

INTRODUCTION

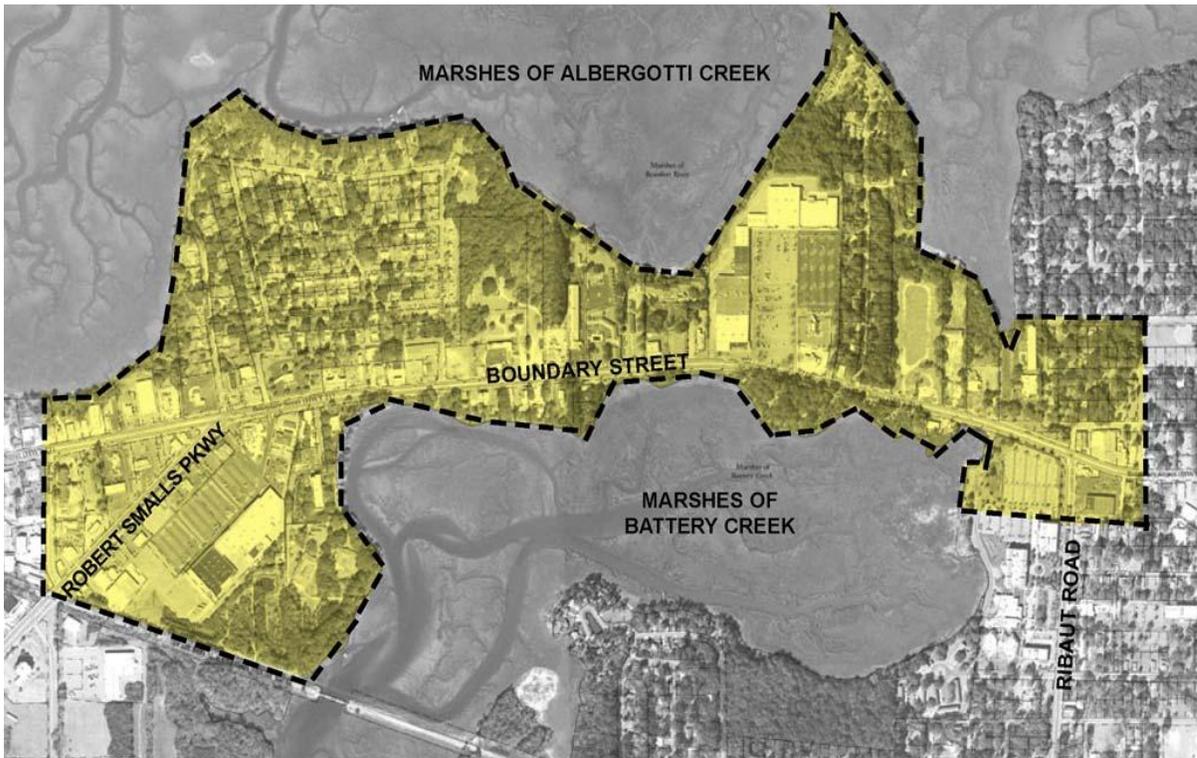
Boundary Street (U.S. Highway 21) is the entrance to the City of Beaufort and serves as an essential element in the regional road network. Its current state, as a typical commercial strip corridor, does not enhance Beaufort's overall character and charm; rather it serves as a relatively poor gateway into the historic city. A complete plan for the future of this important corridor is needed to address the physical form and redevelopment of the corridor, as well as its ability to handle continued traffic capacity.

This Boundary Street Redevelopment Plan is a comprehensive strategy for growth and redevelopment of the corridor; it seeks to improve the safety and operational efficiency for all modes of travel, while creating a more economically productive address. The plan envisions that Boundary Street can be more than just improved – it can be one of the most memorable streets in America.

In 2005 the City of Beaufort and Beaufort County, along with the town planning firm of Dover, Kohl & Partners, worked together to create a plan for the redevelopment of the Boundary Street corridor. "Designing in public," the Dover-Kohl team conducted an open planning process in September 2005 to identify the ideas, needs and concerns of the community. Participants helped to create the Boundary Street Redevelopment Plan through an intensive design event called a *charrette*. Over the course of seven days, the community and the team of design professionals worked to design the plan. Over 300 interested residents and stakeholders participated in the planning process, including property owners, neighbors, business people, developers, elected officials, appointed officials, City and County staff, and community leaders. The "Boundary Street Master Plan" dated June 2006, adopted by the Beaufort City Council on August 28, 2006, contains more detailed information on the concepts and recommendations contained in this redevelopment plan

I. Boundaries of the Redevelopment Area

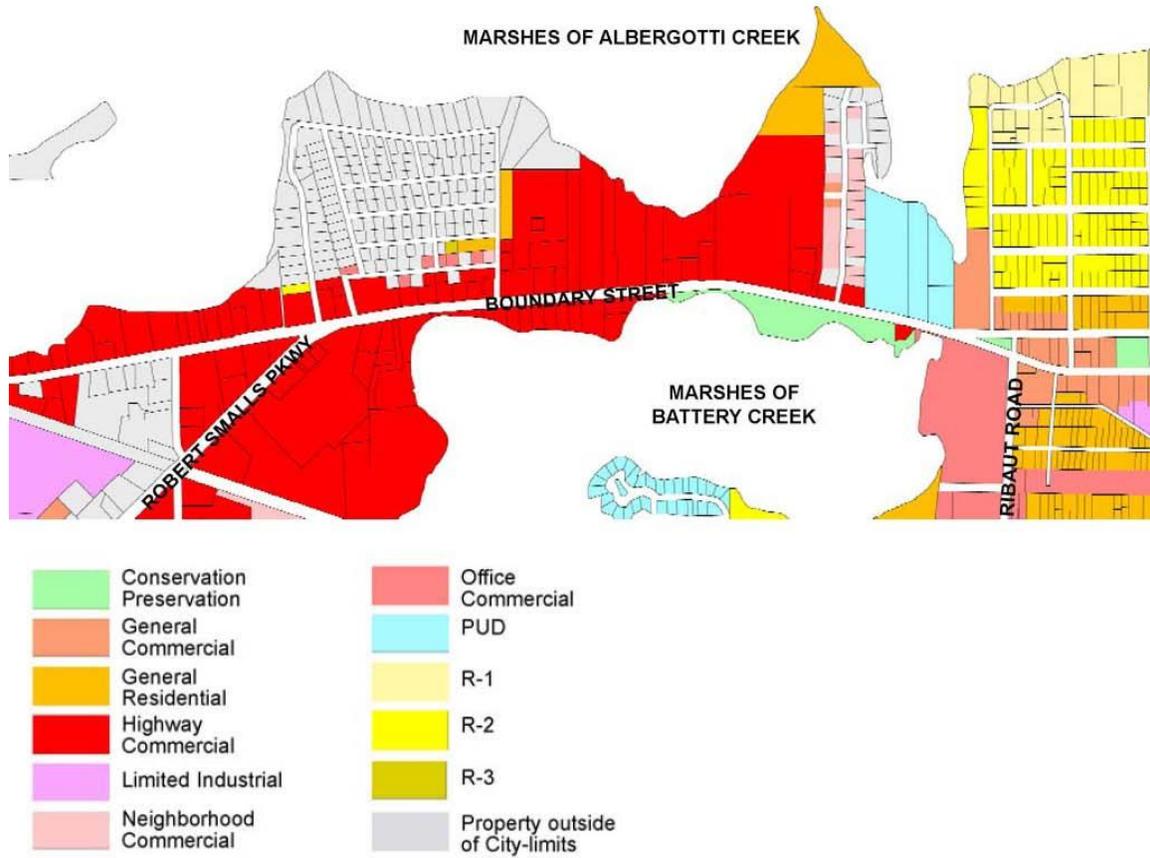
The study area defined for the Boundary Street Redevelopment Plan is bound by Palmetto Street to the east and Robert Smalls Parkway (SC 170) to the west. The area is bordered on the north by the marshes of Albergotti Creek and on the south by Battery Creek. Boundary Street (U.S. Highway 21) is the primary entrance to the City of Beaufort and the National Landmark Historic District. The County Government Center anchors the east end of the study area; the Beaufort Plaza shopping center is located at the west end.



Existing Uses within the Redevelopment Area

Properties located along Boundary Street are primarily zoned Highway Commercial. Residential uses are separated from commercial uses and commercial uses primarily line the corridor.

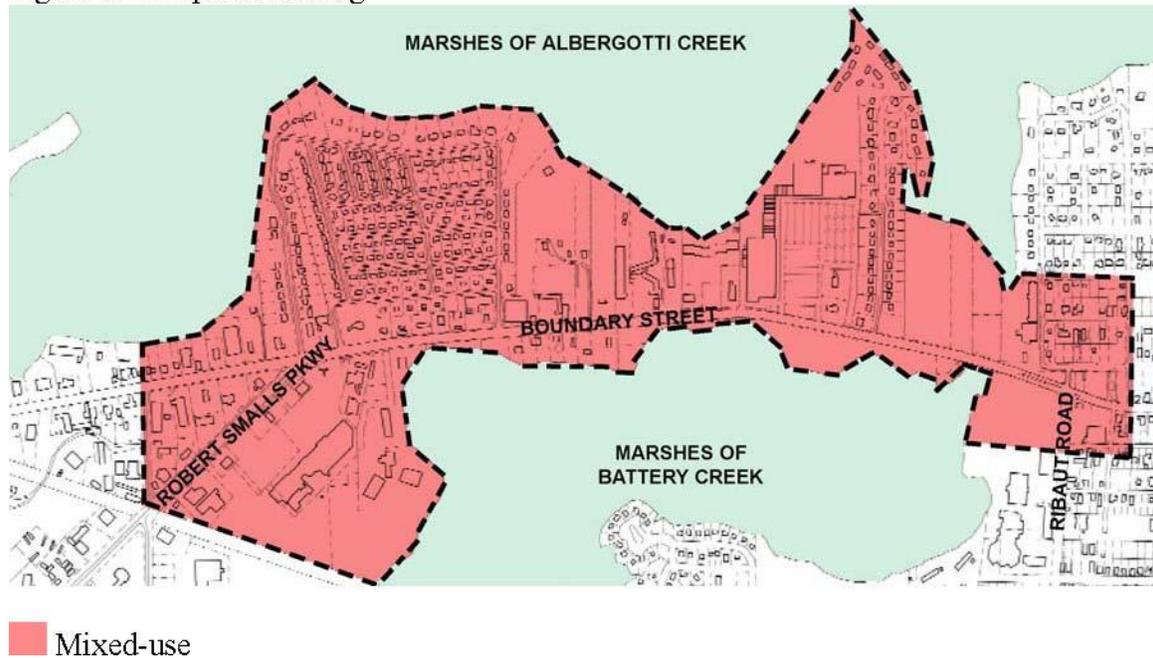
Figure 2 – Existing Zoning



II. Proposed Land Uses Following Redevelopment

The proposed land uses following the redevelopment of the area includes a mix of residential, commercial, and office uses along the corridor.

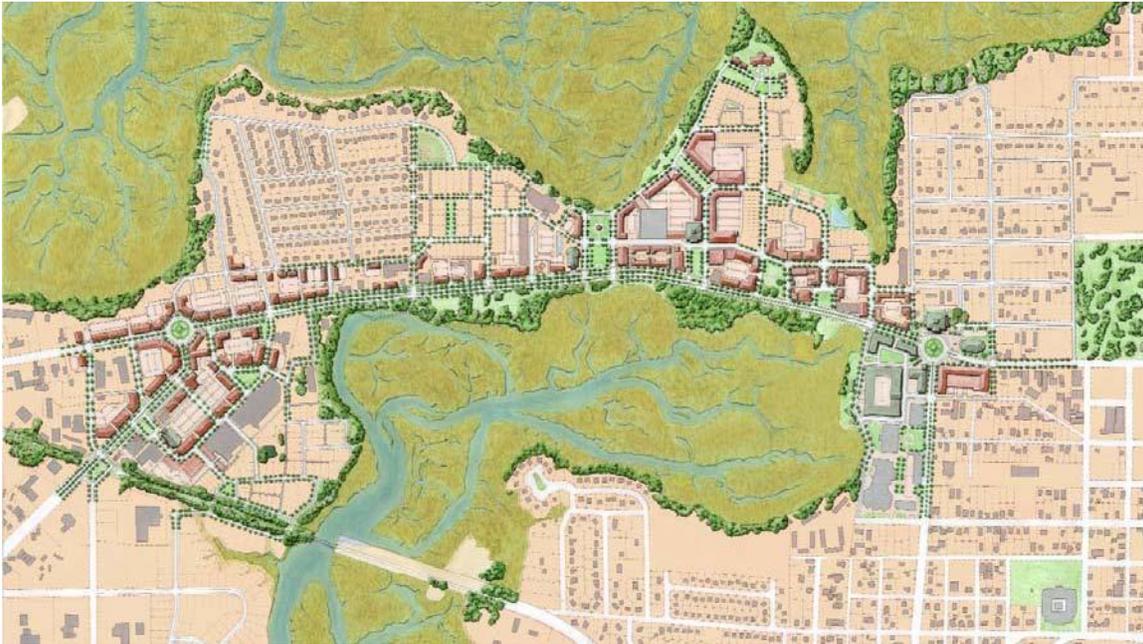
Figure 3 – Proposed Zoning



III. Standards of Population Densities, Land Coverage, and Building Intensities in the Proposed Redevelopment District

New development standards have been adopted for the Boundary Street Redevelopment area. These standards are set out in the Boundary Street Redevelopment District ordinance which was adopted on February 6, 2007. The new development standards, which were developed as a form-based code, allow the land in the district to be developed at greater densities and intensities than under the previous regulations. For more information, please see Section V.

IV. Preliminary Site Plan of Redevelopment Area



V. Changes in Existing Zoning Ordinances and/or Maps

A key component in the successful execution of the Boundary Street Redevelopment Plan is implementation of the Boundary Street Redevelopment District Ordinance. This form-based code was adopted by the Beaufort City Council on February 6, 2007. A Form-Based Code is a land development regulatory tool that places primary emphasis on the physical form of the built environment with the end goal of producing a specific type of "place." Conventional zoning strictly controls land-use, through abstract regulatory statistics, which can result in very different physical environments. The base principle of form based coding is that design is more important than use. Simple and clear graphic prescriptions for building height, how a building is placed on site, and building elements (such as location of windows, doors, etc.) are used to control development. Land use is not ignored, but regulated using broad parameters that can better respond to market economics, while also prohibiting undesirable uses.

The Boundary Street form-based code overlays the existing zoning and provides clarity and certainty for appropriate development along the corridor. The form-based code for the Boundary Street corridor allows by-right development of property in congruence with standards set forth in the code. The new code is designed to streamline the process of getting projects approved because of the investment in public process and consensus that the Boundary Street Master Plan incorporates.

VI. Changes in Street Layouts

The Boundary Street Master Plan provides for the organized redevelopment of the corridor and addresses specific recommendations for the physical improvement of the roadway. Through careful planning and engineering, the street can become a "great street"; a street that handles the movement of automobiles while also providing a memorable civic space representative of the character of Beaufort. The urban design vision for Boundary Street, as described by the community and refined by the design team during the charrette, is for the street to become a more walkable thoroughfare with on-street parking, short block faces, buildings oriented to the street, and a grid or network of thoroughfares north of Boundary Street to provide better local circulation.

Based on community input during the charrette and several previous plans completed by the City, the entire Boundary Street corridor is targeted for redevelopment in a more walkable context. From a transportation design perspective, the key feature of this vision is a network or grid of walkable streets to be constructed north of Boundary Street. This network will allow local traffic to circulate without using Boundary Street, which will be more convenient for local traffic as well as allow through-traffic on Boundary Street to operate more efficiently. The plan created by the design team indicates proposed locations for new streets on this network (Figure 4).

Figure 4 – Proposed Streets



VII. Estimated Cost and Method of Financing Redevelopment

To achieve the goals of the Boundary Street Redevelopment Plan, a variety of funding sources will need to be tapped. Beaufort has already begun to access public funding mechanisms for redevelopment (Tax Increment Financing, or TIF) based on a redevelopment plan that was established in 2000. The City's Transportation Impact Fee is another key source of funding that can assist with needed improvements identified in the Redevelopment Plan. Other funding options for capital improvements, such as Business Improvement Districts, grants from public and private sources, general obligation bonds approved by the public, donations, and general fund expenditures, should all be explored as options for funding implementation. The following descriptions provide additional detail about potential financial assistance for public capital improvement projects.

Tax Increment Financing Tax Increment Financing (TIF) is the use of incremental taxes from increases in property value to fund redevelopment district costs. The funds can be used as a revenue stream for issuing and paying bonds that finance projects within the defined district that are consistent with a redevelopment plan. Revenue bonds funded by tax increment do not constitute a portion of the public debt secured by the general fund, and are tax exempt for state and municipal tax purposes. As property values rise, any tax collected in excess (the increment) of the original tax on the basis is placed into a "special fund", as specified in the legislation. The monies in the special fund can be used to pay debt service on revenue bonds.

The South Carolina state legislature has approved a legal basis for Redevelopment Planning and Tax Increment Financing (South Carolina Code of Law: Section 31, Chapter 6). The law outlines the procedures for the creation of redevelopment districts that are funded through the issuance of revenue bonds supported by the tax increment of new development or redevelopment. The City of Beaufort prepared the Gateway Corridors Redevelopment Plan in accordance with South Carolina guidelines in 1999, and a tax allocation district (TIF II) has been established based on this plan.

In addition to tax increment revenue and financing options, the creation of a Redevelopment District allows the city to use certain redevelopment powers to carry out the purposes of the district. The City is allowed to sell, lease or mortgage any property acquired for the purposes of implementing the plan. The City may also use eminent domain to achieve redevelopment purposes. The funding from the District may be used for organizing and creating the district, property acquisition, capital improvements, creation of parks, constructing community centers and other public buildings, relocation of displaced persons, and other uses listed in the legislation. The legislation also allows the City to accept and place in the special fund grants from other government entities and donations and grants from private sources.

Until the TIF II sunset in 2017, the City should use surplus tax increment revenues to fund a variety of redevelopment initiatives. The Beaufort Redevelopment Commission has been charged with researching and recommending redevelopment projects within the City, including coordination, review, and recommendation of redevelopment plans to City Council. The Commission also is able to facilitate negotiations necessary for the execution of redevelopment plans, and can oversee project implementation. The City Council should oversee use of the surplus tax increment revenues on an annual basis, with assistance and recommendations by the Redevelopment Commission. Recommendations for ways to use these funds include the following:

- Matching local funds for Federal grants - Many Federal funding programs require a local match to Federal funds. In the case of the Transportation Enhancement (TE) program administered by SCDOT, a minimum of 20% of a project cost must be covered by local match funding. Historically, TE funding has been limited to \$1 million per project in Federal funding, requiring a minimum local match of \$250,000. The Boundary Street Master Plan provides an excellent basis for TE funding application.
- Preliminary Engineering costs for capital improvement projects - While the construction cost of many recommended capital improvement projects will exceed the annual TIF II surplus, the up front costs for engineering and environmental clearance of some such projects could be covered by surplus funds from a single year. With locally funded project engineering documents, the City will be well positioned to compete for State funding for construction phase work on major transportation improvements.
- Public/Private Partnership Efforts - When considered in its entirety, the redevelopment of the Boundary Street corridor will be an initiative requiring cooperative public/private efforts. The public and private sectors will partner in many different ways. Most redevelopment of private property that will occur will require improvements to public infrastructure or construction within public rights-of-way. In some cases, it may be worthwhile for the City to contribute funding to infrastructure projects associated with property redevelopment as an incentive for positive change.

There are certain portions of the Boundary Street study area, both within and outside of the City's limits that were not included in the defined Redevelopment Area of the Gateway Corridors Redevelopment Plan. Within the City's current limits there are over 35 acres in this circumstance, including the Marsh Pointe public housing development and an adjacent undeveloped parcel to the south (8 acres), the northern portion of Jean Ribaut Square (10.7 acres), the Carolina Cove property (4.2 acres), and approximately

12.4 acres that are to the east of Hogarth Street north of Boundary Street. Much of this area is undeveloped or underdeveloped and the plan recommends significant change. While the tax increment revenue potential from these properties is not as great as that from the existing tax allocation district, a revenue stream could result from a new tax allocation district, particularly in cases where there is little existing development. However, in order for such a district to be established, the City would be required to secure the support of Beaufort County and the Beaufort County School Board. Careful

consideration should be given before proceeding with the establishment of an additional tax allocation district.

Transportation Impact Fees Beaufort County has established an impact fee on new development with revenues dedicated to transportation improvement projects. These revenues must be used to fund expansions to the transportation system needed to accommodate growth, and may not be used to correct current deficiencies. The City has two approved projects on the County's program for funding transportation improvements with impact fee revenues. These include \$3,750,500 for Boundary Street capacity improvements and \$4,550,000 for Boundary Street connectivity plan implementation. The funds can be used for construction as well as administrative costs such as for bond issuance, planning and engineering. It is anticipated that bonds for these projects will be issued in the near future based on projected impact fee revenues, with a repayment period of fifteen years.

Stormwater Utility Fund This fund accounts for the proceeds from a special property tax assessment restricted for making stormwater drainage improvements. In fiscal year 2006, stormwater utility revenue exceeded \$382,000 though expenditures exceeded revenues. In the long term, the stormwater utility fund may be able to provide assistance to Boundary Street area for capital improvements that involve stormwater infrastructure.

Parks and Tourism Fund This special revenue fund is used to account for the proceeds from local accommodations, hospitality and property transfer fees, which are restricted for expenses incurred by the City of Beaufort in serving tourists and non-residents. From the 2% local hospitality tax on food and beverage sales by restaurants within the City, revenues are restricted so that a minimum of 2.2% must be allocated for tourism enhancing projects recommended by the Beaufort Hospitality Association, 2.9% must be allocated to the Greater Beaufort Chamber of Commerce for advertising, and 3.3% must be allocated to a special maintenance account to be used in support of tourism.

Based on the fiscal year 2006 budget, Parks and Tourism Funds exceeded \$1.85 million, and the total fund balance at the end of the fiscal year was \$1.165 million. According to budget reporting, approximately \$996,000 was spent on public infrastructure (including the Waterfront Park project) and maintenance projects. This fund can become a source for future projects in the Boundary Street area.

Land Acquisition Fund According to City Council resolution, 50% of a General Fund current year surplus in excess of 8% of the current year budget is to be placed in an account restricted for land acquisition. At the end of fiscal year 2006, the fund balance was over \$1.2 million (\$1 million has been earmarked for the new Municipal Complex). This amount will likely fluctuate significantly from year to year as opportunities for land acquisition are realized. The land acquisition fund can be a key source for strategic property acquisition needed to forward redevelopment efforts.

General Obligation Bonding According to South Carolina general statutes, a municipality can issue general obligation debt up to a level not exceeding 8% of the total assessed taxable value of property. For fiscal year 2006, the limit for general obligation debt in Beaufort was just under \$5 million. The City currently has no outstanding general obligation debt. Unlike tax increment financing, general obligation bonding is not restricted to a specified area and does not require the approval of Beaufort County or the Beaufort County School Board. Because the security for general obligation bonds is the full faith and credit of the city, local decisions to use general obligation bonding are significant. It should be considered that the redevelopment of the Boundary Street corridor is of critical importance to many aspects of the City's long term prosperity and the City's general obligation bonding capacity should be used to foster redevelopment and public improvements.

Local Option Sales Tax In recent years, there have been two attempts to establish a local option sales tax in Beaufort County by referendum. The most recent, in 2004, failed by a narrow margin. Due to the tourist-oriented nature of the Beaufort economy, it can be anticipated that a local option sales tax would be heavily supported by visitors to the area.

Capital Projects Sales Tax In 2006, the voters of Beaufort County approved a Capital Projects Sales Tax. Two projects in the Boundary Street Redevelopment District will receive funding from the sales tax initiative. Improvements to Boundary Street were funded at \$9.5 million. This project is referred to as "Boundary Street Capacity Improvements" in the impact fee program. Funding for the parallel road to the north of Boundary Street received \$4.2 million. This project is referred to as "Boundary Street Connectivity Plan" in the impact fee program.

Municipal Improvement Districts A Municipal Improvement District (MID) is a special taxing district created with the consent of its property owners that allows the City to levy a tax to pay for specific services and improvements agreed upon by the City and property owners. MID's are used to pay for such things as street cleaning and maintenance of special features, programs such as planters and street furnishings, maintenance of parking areas, etc. The City should work to coordinate property owners in support of establishing a MID for the Boundary Street corridor.

Federal and State Grants There are a number of Federal and State grant sources available for infrastructure development in support of redevelopment purposes. Departments of Transportation Federal and State Departments of Transportation are of great importance to any roadway or streetscape improvement project, and can provide funding for conventional projects and innovative transportation research and implementation of alternative transportation. In addition to the standard procedure of Transportation Improvement Project (TIP) listing, transportation enhancement funding has been provided for under recent federal

legislation (ISTEA, TEA-21) as a set-aside dedicated to projects such as trails and streetscape enhancements. Beaufort has received such funding in the past for special projects (Woods Memorial Bridge Walkway ISTEA grant, Bladen Street TEA-21 grant). The Boundary Street Master Plan should be included in future funding applications to secure dollars for the redevelopment of the corridor. The redevelopment master plan for Boundary Street should assist with future funding applications.

South Carolina Department of Commerce The South Carolina Department of Commerce oversees awards of Federal Community Development Block Grants (CDBG) funding to local governments for purposes ranging from Commercial Revitalization to Community Infrastructure to Neighborhood Revitalization. The purpose of the CDBG program is to provide decent housing, economic opportunities, a suitable living environment primarily for people with low to moderate incomes.

Grants are awarded to local governments for projects that meet one of three objectives:

- Benefit low and moderate income persons
- Aid in the prevention or elimination of slums and blighted conditions
- Meet other urgent community development needs where existing conditions are an immediate threat to the public health and welfare and where other finances are not readily available to meet such needs.

CDBG recipients for recent awards (December, 2004) included the towns of Bluffton (neighborhood housing infrastructure) and Port Royal (sewer line extension) in Beaufort County. Of specific relevance to the Boundary Street corridor, eleven grants totaling over \$5.1 million were recently awarded for Commercial Revitalization projects including streetscape and façade improvements. The City should explore eligibility of the Boundary Street corridor for similar grant opportunities in the future.

Coordinating Council for Economic Development The South Carolina Coordinating Council for Economic Development was established in 1986 to foster improved coordination of economic development efforts by those state agencies involved in the recruitment of new business and the expansion of current enterprises throughout the state. The Council is currently comprised of the heads of the ten state agencies concerned with economic development. The agency heads are either board chairman or cabinet officials, and they meet quarterly to conduct Council business. Tourism Infrastructure Development Grants, administered by the Coordinating Council for Economic Development, support new or expanding tourism or recreation facilities, or designated development areas through infrastructure projects. The Tourism Infrastructure funding is generated from a share of the state admissions tax on qualified tourism or recreation establishments.

Eligible projects for grant funding include new or expanding tourism or recreation facilities or designated development areas with an investment of at least \$20 million in land and new capital assets. An investment period cannot exceed five years (60 consecutive months). A designated development area may have more than one

investment period; however, the investment periods cannot overlap. Only the projects that open within the \$20 million/five-year investment period will qualify the local government for this incentive. New projects located within an established designated development area must initiate a new investment period and create an additional \$20 million to qualify. The full \$20 million investment must be made prior to qualifying for this incentive. Funds included in the minimum investment may be for public or private funds, or a combination of both. In achieving the minimum investment requirement, secondary support facilities (hotels, food, and retail services) that are located within or adjacent to the major tourism or recreation facility/area and directly supports the qualified development, may also be included in the total investment. Due to the nature of proposed redevelopment along the Boundary Street corridor, Beaufort may become eligible for Tourism Infrastructure Development Grant assistance.

South Carolina Department of Parks, Recreation and Tourism

Park and Recreation Development Fund

The Park & Recreation Development Fund provides technical assistance and administers grant programs for development of public recreational opportunities throughout the state. All grant programs administered by this office are reimbursable funds from various sources with specific qualifications and restrictions. The nature of the fund is a noncompetitive program and funds are available to eligible local governmental entities within each county area for development of new public recreation facilities or enhancement/renovations to existing facilities. Projects need endorsement of a majority weighted vote factor of the County Legislative Delegation Members. Grant awards can cover up to 80% of a project cost and require a minimum 20% local match. The grant cycle for new project consideration is monthly and the application deadline is the 10th of each month. Eligible entities are notified of new fund allocation amounts each July.

Land and Water Conservation Fund (LWCF)

The Land & Water Conservation Fund provides technical assistance and administers grant programs for development of public recreational opportunities throughout the state. All grant programs administered by this office are reimbursable funds from various sources with specific qualifications and restrictions. LWCF is intended for land acquisition or facility development for outdoor recreation. Awards are on a competitive basis and applications are graded using an Open Project Selection Process reviewed by a grading team. Grant awards can cover up to 50% of a project cost, requiring a minimum 50% local match. The grant cycle is annual, and eligible governments are notified in December of each year.

Recreational Trails Program

The Recreational Trails Program provides technical assistance and administers grant programs for development of public recreational opportunities throughout the state. The Recreational Trails funding is intended for trails development for motorcycles, ATV's, mountain bikes, equestrians or hikers. Awards are made on a competitive basis to qualified private organizations, local government entities, and State or Federal agencies. Applications are graded using an Open Project Selection process. Grant awards can

cover up to 80% of a project cost and require a minimum 20% local match. Applications are solicited annually in September and are due on October 31.

Recreation Land Trust Fund

The Recreation Land Trust Fund provides grant funding that can only be used for the acquisition of land for the purpose of public recreation. Awards are made on a competitive basis to eligible governmental entities. Applications are graded using an open project selection process. Grant awards can cover up to 50% of the cost of a land purchase and require a minimum 50% local match. Eligible government entities are notified of the opportunity to apply for funding each December and applications are due annually in March.

Private and Foundation Grants Private and foundation grants are available through application by the City, community development corporations and other community oriented non-profit organizations. Finding grants can be daunting as there are literally thousands of foundations and grant givers; most organizations that rely upon such funding hire what is termed a "development specialist" to research grants and write proposals.

Foundation grants are more commonly available for purposes such as greenspace preservation and parks development than for infrastructure development. Organizations such as the Trust for Public Land, for example, are often able to purchase land in time-sensitive circumstances and transfer ownership to a city or redevelopment agency under circumstances that the land will remain as permanent greenspace.

Capital Improvement Projects

The following are general descriptions of key capital improvement projects that will be required to realize implementation of the Boundary Street Master Plan. The improvements are listed in order of priority, yet it should be understood that as funding becomes available, projects could happen simultaneously. Budget estimates associated with each identified project are based on general assumptions of construction cost at 2005 levels and do not account for right-of-way acquisition where necessary.

1. Creating a Parallel Street Network A key recommendation of the Boundary Street Master Plan is the enhancement of the road network to the north of Boundary Street. In order to allow for an improved distribution of traffic flow, several connections must be made with a new parallel road. A major east to west oriented street on the north side of Boundary Street is proposed. Excluding right-of-way acquisition, the total cost of new roadway construction is estimated to be within the range of \$9 million.

2. Boundary Street Landscaped Median For the most part, Boundary Street is recommended to maintain the existing roadway width and curb lines. A raised, landscaped median with curbing is recommended as a means to change the nature of the roadway, replacing the existing "suicide lane" that

extends the length of the corridor. The cost of adding a landscaped median, where recommended along the corridor, is estimated within the range of \$9.5 million.

3. Streetscape Improvements: Boundary Street In conjunction with the addition of a landscaped median and north-side parallel road to Boundary Street, roadway streetscaping will be required on the north and south sides of the roadway, generally extending west from Ribaut Road to Neil Road. Streetscape improvements will include sidewalk construction and reconstruction, pedestrian lighting, street trees, and furnishings. Exclusive of any right-of-way acquisition requirements, the cost of streetscape improvements to the Boundary Street corridor is estimated to be within the range of \$6 million.

4. Intersection Improvements: Boundary Street at Robert Smalls Parkway and Boundary Street at Ribaut Road Major modifications are required at two locations: Boundary Street at Robert Smalls Parkway (SC 170) and Boundary Street at Ribaut Road. Multi-lane roundabouts are recommended as replacements for the existing signalized intersections. The City should explore the roundabout option and complete a detailed site survey and preliminary design work to further determine the cost associated with each. Estimated cost of intersection at Boundary and Ribaut Road is \$4.5 million. Estimated cost of intersection at Boundary Street and SC 170 is \$4.5 million.

5. Trail South of Boundary Street A combination trail (walking, biking, etc.) parallel to Boundary Street on the south is recommended to provide public access along the banks overlooking Battery Creek and preserve views of the marsh. Excluding acquisition requirements for property, right-of-way or easements, the estimated cost for construction of the trail (approximately 1,000 linear feet) is \$800,000.

6. Central Park Proposed as a redevelopment of the current general location of Riverview Baptist Church, Carolina Cove, Enmark Gas and La Hacienda Mexican Restaurant, implementation of the "Central Park" concept will require a highly coordinated effort. Land acquisition, transfer, and construction of surrounding mixed-use structures will by far be the most significant cost factors in the development of the park. Actual park construction cost for the approximately 4 acre area, exclusive of costs for land and demolition, are estimated to be in the range of \$2 million to \$3 million.

VIII. Continuing Controls

The Beaufort City Council will oversee the implementation of this redevelopment plan.

IX. Relocation of the Displaced Families

The redevelopment projects set forth herein are not estimated to have any displacement impact on the residents of the Redevelopment Project Area with the meaning of Section of 31-6-90 of the Code.

Attachment: Boundary Street Master Plan

CITY OF BEAUFORT
DEPARTMENT REQUEST FOR
CITY COUNCIL AGENDA ITEM

*** (Deadline for Submission - Wednesday Noon
Prior to Tuesday's Meeting) ***

TO: *City Council*

DATE: December 4, 2009

FROM: City Manager

AGENDA ITEM TITLE: Approve second reading of an ordinance to create a new Tax Increment Financing District 3

MEETING DATE: December 8, 2009

BACKGROUND INFORMATION: (Attach additional pages if necessary) The City has determined that it is in the City's best interest to create a new Tax Increment Financing District 3 in the Boundary Street Redevelopment area.

APPROVAL BY CITY MANAGER: **APPROVED** **NOT APPROVED**

CITY ATTORNEY APPROVAL REQUIRED **YES** **NO**

PLACED ON AGENDA FOR:

REMARKS:

Council action:

Approved first reading on October 13, 2009. Second Reading for approval of an ordinance to create a new Tax Increment Financing District 3 and to schedule a Public Hearing for December 8, 2009

ORDINANCE

AN ORDINANCE ESTABLISHING AND APPROVING A PLAN FOR THE REDEVELOPMENT OF THE BOUNDARY STREET REDEVELOPMENT PROJECT AREA; INDICATING THE NEED FOR AND PROPOSED USE OF THE PROCEEDS OF OBLIGATIONS IN RELATIONSHIP TO THE REDEVELOPMENT PLAN; CONTAINING THE COST ESTIMATES OF THE REDEVELOPMENT PLAN AND REDEVELOPMENT PROJECT AND THE PROJECTED SOURCES OF REVENUE TO BE USED TO MEET THE COSTS, INCLUDING ESTIMATES OF TAX INCREMENTS AND THE TOTAL AMOUNT OF INDEBTEDNESS TO BE INCURRED; LISTING ALL REAL PROPERTY IN THE REDEVELOPMENT PROJECT AREA; STATING THE DURATION OF THE REDEVELOPMENT PLAN; STATING THE ESTIMATED IMPACT OF THE REDEVELOPMENT UPON THE REVENUES OF ALL TAXING DISTRICTS IN WHICH THE REDEVELOPMENT PROJECT AREA IS LOCATED; AND MAKING FINDINGS THAT: (1) THE REDEVELOPMENT PROJECT AREA IS A CONSERVATION AREA AND THAT PRIVATE INITIATIVES ARE UNLIKELY TO ALLEVIATE THESE CONDITIONS WITHOUT SUBSTANTIAL PUBLIC ASSISTANCE; (2) PROPERTY VALUES IN THE AREA WOULD REMAIN STATIC OR DECLINE WITHOUT PUBLIC INTERVENTION; AND (3) REDEVELOPMENT IS IN THE INTEREST OF THE HEALTH, SAFETY, AND GENERAL WELFARE OF THE CITIZENS OF THE CITY OF BEAUFORT; AND OTHER MATTERS RELATED THERETO.

WHEREAS, the City Council of the City of Beaufort, South Carolina, after study makes the following findings:

(a) The Boundary Street Redevelopment Project Area (the "Project Area") is predominantly characterized by deterioration, obsolescence, lack of necessary transportation infrastructure, deleterious land use or layout, and lack of community planning;

(b) The Project Area described in the Boundary Street Redevelopment Plan attached hereto (the "Redevelopment Plan"), is located in the Highway 21 entrance to the City of Beaufort, South Carolina (the "City"). This gateway to the City is crowded, congested, and lacking green space or other aspects of community planning, which, together with parking issues, traffic and pedestrian circulation patterns, has created a negative image which hinders development;

(c) Portions of the Project Area and the surrounding area which are not yet blighted may become so unless immediate, definitive action is taken by the City to create an incentive to develop this area and restore it for use by its citizens; and

WHEREAS, the City Council of the City (the "City Council") has acknowledged the need to develop and restore this valuable sector of the City in order to prevent further decline of property values and to reverse the blighted conditions and current downward trend in the area, and hereby determines that the rehabilitation, conservation, or redevelopment of the area is necessary and in the best interest of the health, safety, and general welfare of its citizens; and

WHEREAS, in order to promote the health, safety, and general welfare of the public, such blighted conditions must be eliminated and redevelopment of the Project Area be undertaken to restore the Project Area. It is unlikely that private initiatives will alleviate these conditions without substantial public assistance. To remove and alleviate blighted conditions, it is necessary to continue to encourage private investment and enhance the tax base of the taxing entities by the redevelopment of the Project Area, the elimination of blight, and the improvement of the Project Area by the redevelopment project herein authorized, which objectives are herein declared to be essential to the public interest of the City and its citizens; and

WHEREAS, City Council is advised of the opportunity to induce private development of a number of parcels within the Project Area by its undertaking those improvements as more fully set forth in the Boundary Street Redevelopment Plan made a part hereof and incorporated by reference herein (the "Redevelopment Plan"). A listing of all real property in the Redevelopment Project Area is included herein by incorporation in the Redevelopment Plan; and

WHEREAS, the amount of indebtedness to be supported by tax increment financing will not exceed \$_____ in tax increment bonds of the City of Beaufort, South Carolina (the "Bonds"), to be issued from time to time as permitted by Title 31, Chapter 6 of the Code of Laws of South Carolina 1976, as amended (the "Act"), which will be used to finance public improvements in the Project Area. The term of each series of Bonds used to finance improvements set forth in the Redevelopment Plan will not exceed 30 years from the date of issuance of such series. No net effect is expected on the affected taxing entities; and

WHEREAS, the use of incremental tax revenues to repay redevelopment project costs incurred by the City, including debt service on the Bonds, for public improvements is of benefit to the taxing entities, inasmuch as such taxing entities would not likely derive the benefits of an increased assessment base without the implementation of the Redevelopment Plan, and all such districts benefit from the removal of blighted conditions; and

WHEREAS, the total estimated cost of the public improvements set forth in the Redevelopment Plan for the Redevelopment Project is approximately \$___ million; and

WHEREAS, City Council now intends to implement the Act in order to achieve the public purposes set forth in the Act in the Project Area, and City Council now intends to fund the debt service of indebtedness to be incurred for such purposes from the added increment of tax revenues to result from such redevelopment as authorized in Subsection 10 of Section 14 of Article X of the South Carolina Constitution and the Act; and

WHEREAS, City Council specifically finds that the Project Area is an area which contains structures characterized by deterioration, obsolescence, lack of necessary transportation infrastructure, deleterious land use or layout, and lack of community planning; and

WHEREAS, City Council finds that private initiatives are unlikely to alleviate these conditions without substantial public assistance, property values in the Project Area would remain static or decline without public intervention, and redevelopment is in the interest of the health, safety, and general welfare of the citizens of the City; and

WHEREAS, the Redevelopment Plan hereinafter described will afford maximum opportunity for the redevelopment of the Project Area by private enterprise in a manner consistent with the needs of the City; and

WHEREAS, all prerequisites having been accomplished, it is now appropriate and necessary in order to proceed further that (1) a Redevelopment Project Area be designated, and (2) a Redevelopment Plan and a Tax Increment Financing Plan be approved.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Beaufort, South Carolina, duly assembled:

Section 1. City Council confirms all of the findings of fact contained in the recitals of this Ordinance.

Section 2. City Council does hereby expressly find that "conservation areas" as defined in Section 31-6-30, Code of Laws of South Carolina 1976, as amended, exist within the Redevelopment Project Area designated below.

Section 3. For the purpose of this Ordinance, "redevelopment project" and "redevelopment project area" as used subsequently herein are defined in Section 31-6-30, Code of Laws of South Carolina 1976, as amended.

Section 4. For the purpose of this Ordinance and any "redevelopment project" to be undertaken pursuant hereto, the "redevelopment project area" shall be that area described as follows:

[Insert description of area]

Section 5. City Council does hereby expressly approve the Redevelopment Plan for the redevelopment of the Downtown Area Redevelopment Project Area, which Redevelopment Plan includes reference to statements of objectives of the City with regard to the Redevelopment Plan, sets forth the need for the proposed use of the proceeds of the obligations in relationship to the Redevelopment Plan, sets forth the cost estimates of the redevelopment program and the projected sources of revenue to be used to meet the costs, including estimates of tax increments and the total amount of indebtedness to be incurred, the nature and terms of any obligations to be issued, the most recent equalized assessed value of the Redevelopment Project area, and estimates as to the equalized assessed evaluation after redevelopment, and the general land uses to apply in the Redevelopment Project Area, all as set forth in the Redevelopment Plan attached as Exhibit A and incorporated herein.

Section 6. City Council does hereby expressly approve the list of all real property in the Redevelopment Project area more fully set forth in the Redevelopment Plan attached hereto as Exhibit A and incorporated herein.

Section 7. City Council does hereby expressly approve the designation of all real property included in the Redevelopment Project Area as set forth in Section 4 above.

Section 8. City Council hereby determines that the duration of the Redevelopment Plan shall be 40 years. Council hereby specifically finds and determines that there will be no adverse impact caused by the Redevelopment Plan upon the revenues of the following taxing entities: the City, Beaufort County, and the School District of Beaufort County. City Council furthermore determines that the long-term impact will be beneficial following the inducement by the City of substantial private investment.

Section 9. City Council specifically finds that (1) the Redevelopment Project Area above defined is a "conservation area" and that private initiatives are unlikely to alleviate these conditions without substantial public assistance; (2) property values in the Redevelopment Project Area would remain static or decline without public intervention; and (3) redevelopment is in the interest of the health, safety, and general welfare of its citizens.

Section 10. A copy of this Ordinance and its exhibits shall be mailed by registered or certified mail to the taxing entities cited in Section 8 above.

Section 11. All ordinances or parts of ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.

Section 12. This Ordinance shall be and become finally binding immediately after it shall have received second and final reading, given in the manner required by law.

This ordinance shall become effective immediately upon adoption.

Mayor

(SEAL)

Attest: _____
Clerk

1st Reading:
2nd Reading:
and Adoption:

Reviewed by: _____
City Attorney

CITY OF BEAUFORT
DEPARTMENT REQUEST FOR
CITY COUNCIL AGENDA ITEM

*** (Deadline for Submission - Wednesday Noon
Prior to Tuesday's Meeting) ***

TO: City Council

DATE: December 2, 2009

FROM: City Manager

AGENDA ITEM TITLE: Amend the FY2010 Budget to add and fund a budget unit for the Redevelopment Commission

MEETING DATE: December 8, 2009

BACKGROUND INFORMATION: (Attach additional pages if necessary) The City has authorized the Redevelopment Commission to manage parking in the City's downtown area. The Redevelopment Commission now requires a budget to account for monies received and expensed for the parking management.

APPROVAL BY CITY MANAGER: **APPROVED** **NOT APPROVED**

CITY ATTORNEY APPROVAL REQUIRED **YES** **NO**

PLACED ON AGENDA FOR:

REMARKS:

Council action:

Approve the amendment to the FY2010 budget on first reading and schedule second reading for January 12, 2010.

ORDINANCE

AMENDING AN ADOPTED BUDGET CONTAINING ESTIMATES OF PROPOSED REVENUES AND EXPENDITURES BY THE CITY OF BEAUFORT FOR THE FISCAL YEAR BEGINNING JULY 1, 2009 AND ENDING JUNE 30, 2010, AND DECLARING THAT SAME SHALL CONSTITUTE THE BUDGET OF THE CITY OF BEAUFORT FOR SUCH FISCAL YEAR.

WHEREAS, pursuant to the provisions of the laws of the State of South Carolina, the City Manager is required to submit to the Council a budget for the year beginning July 1, 2009 and ending June 30, 2010, and

WHEREAS, the City Manager has prepared and presented such proposed budget to the Council, such budget available for inspection at the office of the Finance Director; and

WHEREAS, this budget contains the budgets for the General Fund, Accommodations Tax Fund, and Solid Waste Services Fund,

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Beaufort, South Carolina, in Council duly assembled and by the authority of the same as follows:

1. That this Council hereby adopts the hereto annexed and approved revenues and expenditures for the various purposes therein named, and set forth, for the conduct of the business of the government of the City of Beaufort for the Fiscal Year beginning July 1, 2009 and ending June 30, 2010, and that the same shall constitute the official annual budget of the City of Beaufort for said Fiscal Year.
2. That transfer of any sums from one fund or account to another or one department to another may be made by the City manager for purposes of achieving the goals of the budget.
3. That funds obtained from any source may be used for any of the appropriations named in said Budget, except specifically restricted by City Ordinance or by the State or Federal Law.
4. The City Manager is hereby authorized to enter into City contracts if the total contract amount is less than or equal to the budget line item or project budget as approved by City Council in the City Budget.

BILLY KEYSERLING, MAYOR

ATTEST:

SHIRLEY HUGHES, ACTING CITY CLERK

1st Reading
2nd Reading
& Adoption

Reviewed by _____
William B. Harvey, III City Attorney

