
CITY OF COLUMBIA, SOUTH CAROLINA

ORDINANCE NO. 2008-007

AN ORDINANCE DISSOLVING THE SPECIAL TAX ALLOCATION FUND FOR THE URBAN CORE REDEVELOPMENT AREA AND TERMINATING THE DESIGNATION OF SUCH REDEVELOPMENT AREA AS A REDEVELOPMENT PROJECT AREA FOR PURPOSES OF TITLE 31, CHAPTER 6 OF THE CODE OF LAWS OF SOUTH CAROLINA 1976 AS AMENDED; AND OTHER MATTERS RELATING THERETO.

Enacted: February 6, 2008

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF COLUMBIA, SOUTH CAROLINA, AS FOLLOWS:

Section 1. Findings and Determinations of Council. The City Council (the "Council") of the City of Columbia, South Carolina (the "City"), hereby finds and determines:

(a) The City is an incorporated municipality located in a portion of Richland County and Lexington County, State of South Carolina, and as such has all powers granted to municipalities by the Constitution and general laws of this State.

(b) Pursuant to Sections 31-6-10 to 31-6-120, South Carolina Code of Laws 1976 as amended, being the Tax Increment Financing Law and hereinafter referred to as the "Act", the governing bodies of the incorporated municipalities are vested with all powers consistent with the South Carolina Constitution necessary, useful, and desirable to enable them to accomplish redevelopment in areas which are or threatened to become blighted.

(c) The Council enacted Ordinance No. 97-039 on August 6, 1997 (the "1997 Redevelopment Plan Ordinance"), which approved and adopted a redevelopment plan dated June 18, 1997 entitled: "Tax Increment Financing Plan for the Redevelopment of the Urban Core Redevelopment Area" (the "1999 Redevelopment Plan") the purpose of which was to utilize the Act as a financial mechanism and reinvestment strategy to redevelop portions of the City block bounded by Main Street on the east, Assembly Street on the west, Taylor Street on the north and Hampton Street on the south (the "Redevelopment Project Area").

(d) Pursuant to Ordinance No. 98-100 enacted by the Council on April 21, 1999 (the "1999 Bond Ordinance"), the City has issued its \$2,350,000 original principal amount Tax Increment Bond, Series 1999 (the "1999 Bond").

(e) On December 24, 2007, the City paid to the holder of the 1999 Bond (Carolina First Bank) the unpaid principal and interest due on the 1999 Bond and, thus the 1999 Bond has been retired.

(f) Section 31-6-70 of the Act provides that when obligations issued under the Act have been retired and redevelopment project costs incurred under the Act have been paid or budgeted pursuant to the redevelopment plan, as evidenced by resolution of the governing body of the municipality, all surplus funds then remaining in the special tax allocation fund must be paid by the municipal treasurer to the county treasurer who immediately, after receiving the payment, shall pay the funds to the taxing districts in the redevelopment project area in the same manner and proportion as the most recent distribution by the treasurer to the affected districts of real property taxes from real property in the redevelopment project area.

(g) Section 31-6-70 of the Act further provides that upon payment of all redevelopment project costs, retirement of all obligations of a municipality issued under the Act, and the distribution of any surplus monies pursuant to such Section, the municipality shall adopt an ordinance dissolving tax allocation fund for the project redevelopment area and terminating the

designation of the redevelopment project area as a redevelopment project area for purposes of the Act. Thereafter, the rates of the taxing districts must be extended and taxes levied, collected, and distributed in the manner applicable in the absence of the adoption of a redevelopment plan and the issuance of obligations under the Act.

(h) It is now necessary and in the best interest of the City for the Council to terminate the Special Tax Allocation Fund for the 1999 Bond, approve the distribution of surplus funds therein, and terminate the designation of the Urban Core Redevelopment Project Area as a redevelopment project area for purposes of the Act.

Section 2. Approval of Distribution of Surplus Funds. This Ordinance shall be considered a Resolution by the Council of the City confirming that the 1999 Bond has been retired for purposes of the Act and Redevelopment Project costs incurred by the City under the 1997 Redevelopment Plan have been paid or budgeted pursuant to such Redevelopment Plan. As prescribed by the Act all surplus funds in the Special Tax Allocation Fund established for the 1999 Bond shall be paid by the City to the County Treasurer under the provisions of Section 31-6-70 of the Act.

Section 3. Dissolution of Special Tax Allocation Fund and Termination of Designation of Urban Core Redevelopment Project Area. The Council hereby dissolves the Special Tax Allocation Fund established pursuant to Section 5.1 of the 1999 Bond Ordinance and hereby terminates the designation of the Urban Core Redevelopment Project Area as a Redevelopment Project Area for purposes of the Act. Upon such dissolution and termination, the rates of the "taxing districts" (as defined in the Act) must be extended and taxes levied, collected and distributed in the manner applicable in the absence of adoption of the 1997 Redevelopment Plan and the issuance of the 1999 Bond.

Section 4. Further Actions. The Mayor, City Manager, City Clerk, Chief Financial Officer and the City Attorney are hereby authorized and directed to take any and all such further actions as shall be deemed necessary or desirable in order to dissolve the Special Tax Allocation Fund and terminate the designation of the Urban Core Redevelopment Project Area.

Section 5. Repeal of Inconsistent Ordinances and Resolutions. All ordinances and resolutions of the City, and any part of any ordinance or resolution, inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.

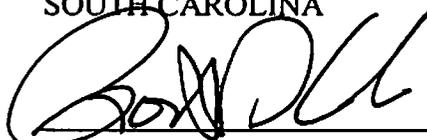
Section 6. Effective Date. This Ordinance shall become effective upon its enactment.

Section 7. Ordinance in Full Force and Effect. This Ordinance shall be in full force and effect from and after its enactment as provided by law. This Ordinance shall be forthwith codified in the Code of City Ordinances in the manner required by law and shall be indexed under the general heading "Urban Core Redevelopment Project Area – Termination" and shall be made available for public inspection at the office of the Clerk of the City.

{Signature Page Follows}

Enacted by the City Council of the City of Columbia, South Carolina, this 6th day of February, 2008.

CITY COUNCIL, CITY OF COLUMBIA,
SOUTH CAROLINA



Mayor

(SEAL)

ATTEST:



Clerk

Date of First Reading: January 23, 2008

Date of Second Reading: February 6, 2008

{Signature Page}