

RESOLUTION NO. R-2000-075

(Department of Commerce – Grant Award Agreement)

ACCEPTING A GRANT AWARD AGREEMENT FROM THE SOUTH CAROLINA COORDINATING COUNCIL FOR ECONOMIC DEVELOPMENT; AND OTHER MATTERS RELATING THERETO.

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

WHEREAS, the City is an incorporated municipality located in Richland and Lexington Counties, and as such possesses all powers granted to municipalities by the Constitution and general laws of this State; and

WHEREAS, pursuant to Section 5-5-10, Code of Laws of South Carolina, 1976, as amended (the "Code"), the City has selected the Council-Manager form of government and is governed by a Council composed of a Mayor and six council members which constitute the governing body of the City; and

WHEREAS, a Memorandum of Understanding (the "MOU") entered into by and among the City, Richland County (the "County"), a company designated therein as Project Spider (the "Company"), and the South Carolina Department of Commerce (the "Department") as of December \_\_\_\_\_, 2000, contains certain commitments, inducements and arrangements that are the basis of the Company's decision to locate certain manufacturing facilities (the "Project") within the County, in the absence of such commitments and incentives the Company would not consider proceeding with the Project; and

WHEREAS, pursuant to a proposed Grant Award Agreement, the Coordinating Council has committed to the City the sum of \$8,800,000 for land acquisition costs relating to the Project (the "Grant"). The Grant will be payable to the City in a lump sum from a special appropriation for fiscal year 2001-02 by the General Assembly, which is anticipated to be available on or after July 2, 2001; and

WHEREAS, the acceptance of the Grant Award Agreement is necessary and in the best interests of the City; and

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF COLUMBIA, SOUTH CAROLINA:

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SECTION 1. Authority for Resolution. This Resolution is adopted pursuant to the provisions of Title 5, Chapter 7, Code of Laws of South Carolina, 1976, as amended, including specifically Section 5-7-260 thereof.

SECTION 2. Approval of Grant. The Council does hereby approve:

The acceptance of a Grant Award Agreement between the City and the Coordinating Council, dated as of the date of such award, a copy of which is attached hereto as Exhibit "A" and incorporated herein by reference, whereby the Coordinating Council agrees to grant to the City the sum of \$6,400,000. The proceeds of the Grant Award Agreement will be used to defray the costs of purchasing real property for the Project.

SECTION 3. Acceptance of Grant Award Agreement. The form, terms and provisions of the Grant Award Agreement presented to the meeting of Council at which this Resolution was adopted and filed with the Clerk of the City be and hereby is accepted and all of the terms, provisions and conditions thereof are hereby incorporated herein by reference as if the Grant Award Agreement was set out in this Resolution in its entirety. The Mayor be and is hereby authorized, empowered and directed to execute and accept the Grant Award Agreement on behalf of the City.

SECTION 4. Authorization. The Mayor and the City Manager, for and on behalf of the City, are fully empowered and authorized to take such further action and to execute and deliver such additional documents as may be necessary to accept the Grant Award Agreement in accordance with the terms and conditions therein set forth, and the transactions contemplated hereby and thereby, and the action of such officers in executing and delivering any of such documents, in such form as the Mayor and the City Manager shall approve, is hereby fully authorized.

SECTION 5. Effective Date of Resolution. This Resolution shall take effect and be in full force from and after its enactment.

Adopted by the City Council of the City of Columbia, South Carolina, this 20th day of December, 2000.

Requested by:



\_\_\_\_\_  
Mayor

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Approved by:

Michael R. Beirm  
City Manager

Approved as to form:

ATTEST:

Peggy S. Bruland  
City Clerk

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James M. ...  
City Attorney

Introduced: 12/20/2000  
Final Reading: 12/20/2000