



**CITY COUNCIL**

**REGULAR AGENDA**

**OF**

**FEBRUARY 15, 2016**





## CITY OF NORTH AUGUSTA

**AGENDA: REGULAR CITY COUNCIL MEETING**  
**February 15, 2016 – Municipal Center – 100 Georgia Avenue, 3rd Floor**  
**– 7:00 P.M.**

**CITIZEN COMMENTS:** Citizens may speak to Mayor and City Council on each item listed on this agenda. Mayor Jones will call for your comments prior to City Council discussing the matter. When speaking to Council, please step up to the microphone, give your full name and address, and direct your remarks to Mayor Jones.

**CITIZEN ASSISTANCE:** Individuals needing special assistance or sign interpreter to participate in the meeting, please notify the Administration Department 48 hours prior to the meeting.

1. **CALL TO ORDER:**
2. **INVOCATION AND PLEDGE OF ALLEGIANCE:**
3. **ROLL CALL:**
4. **APPROVAL OF MINUTES:** Regular and Study Session Minutes of February 1, 2016

### **UNFINISHED BUSINESS**

5. **PUBLIC UTILITIES:** Memorandum of Understanding for Membership in the Savannah River Clean Water Fund – Remove from Table Resolution

### **NEW BUSINESS**

6. **ZONING:** North Augusta Development Code, Proposed Text Amendments (Application RZT 15-006) – Ordinance, Third and Final Reading
7. **PRESENTATIONS/COMMUNICATIONS/RECOGNITION OF VISITORS:**
  - A. **Citizen Comments:** At this time, citizens may speak to Mayor and City Council regarding matters not listed on the agenda.
  - B. **Council Comments**
8. **ADJOURNMENT:**

# Administration Department



TO: Mayor and City Council

FROM: B. Todd Glover, City Administrator

DATE: February 12, 2016

SUBJECT: Agenda for Regular Meeting of February 15, 2016

## REGULAR COUNCIL MEETING

**ITEM 5. PUBLIC UTILITIES: Memorandum of Understanding for Membership in the Savannah River Clean Water Fund – Remove from Table Resolution**

If Council desires to remove this item from the table after discussion in the study session of February 15, 2016, a resolution has been prepared for Council's consideration authorizing the Memorandum of Understanding for membership in the Savannah River Clean Water Fund.

Please see **ATTACHMENT NO. 5** for a copy of the proposed resolution, executive summary, and MOU.

**ITEM 6. ZONING: North Augusta Development Code, Proposed Map Amendment (Application RZM 15-006) – Ordinance, Third and Final Reading**

An ordinance has been prepared for Council's consideration on third and final reading to amend the Zoning Map of the City of North Augusta, South Carolina by rezoning ±1.10 acres of land owned by KCK properties, LLC and located west of West Martintown Road, tax parcel number 002-08-03-027, from R-7, small lot single-family residential to OC, office commercial.

Please see the minutes of February 1, 2006, for the proposed ordinance text.

ATTACHMENT 5

RESOLUTION NO. 2016-05  
A RESOLUTION TO APPROVE THE MEMORANDUM OF UNDERSTANDING FOR  
MEMBERSHIP IN THE SAVANNAH RIVER CLEAN WATER FUND

WHEREAS, the Savannah River is the sole source of drinking water for the City of North Augusta; and

WHEREAS, the protection of water quality of this water source is not only environmentally sound but also makes water purification for drinking less expensive, and

WHEREAS, the Savannah River Clean Water Fund (SRCWF) permanently protects properties within the watershed through purchase and conservation easements and funds land management practices such as vegetative buffers around agricultural fields, and

WHEREAS, the 2016 budget of the City of North Augusta already includes the membership fee in the SRCWF, and

WHEREAS, the Beaufort-Jasper Water and Sewer Authority, City of Savannah, Augusta Utilities, Columbia County, GA and other potential partners desire to partner with the fund for the protection of the Savannah River.

NOW THEREFORE, LET IT BE RESOLVED by the Mayor and City Council of the City of North Augusta, South Carolina that they hereby authorize the City Administrator to sign and execute the Memorandum of Understanding for membership in the Savannah River Clean Water Fund (SRCWF).

DONE, RATIFIED AND ADOPTED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF NORTH AUGUSTA, SOUTH CAROLINA, ON THIS THE \_\_\_\_ DAY OF FEBRUARY, 2016.

\_\_\_\_\_  
Lark W. Jones, Mayor

ATTEST:

\_\_\_\_\_  
Donna B. Young, City Clerk

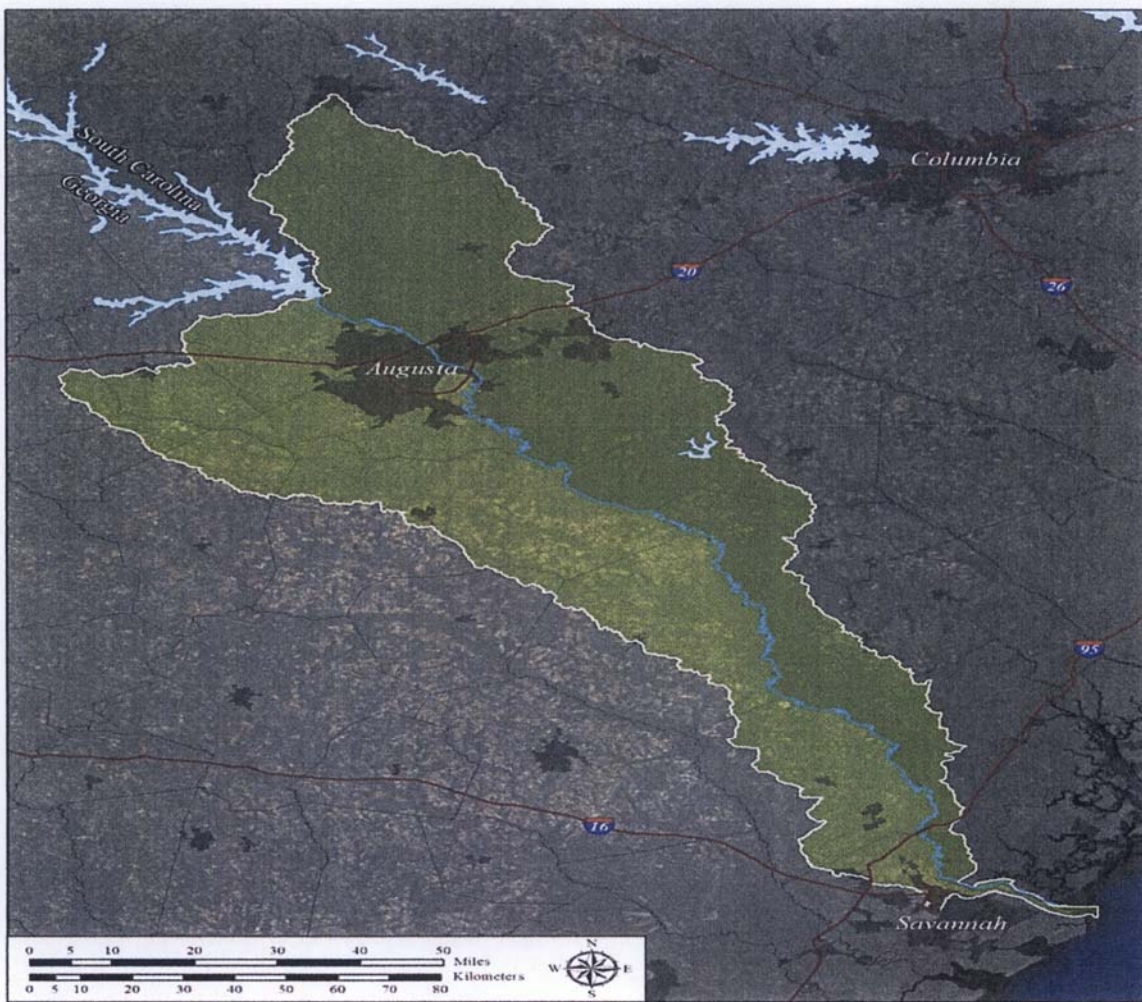


## THE SAVANNAH RIVER CLEAN WATER FUND ("FUND")

### AN EXECUTIVE SUMMARY: AS OF OCTOBER 2014

*Befitting its history as one of the original colonial trade routes, the Savannah River supports a wide variety of human and natural values, and serves as a critical water resource to the states of Georgia and South Carolina alike.*

The Watershed and its Beneficiaries. The last dam at New Savannah Bluff, just downstream of the City of Augusta, gives way to a free-flowing river, emptying 200 miles later into the Atlantic Ocean. Just upstream of New Savannah Bluff, the Clarks Hill / J. Strom Thurmond hydropower facility controls the lower river's flow. The 2.8 million acre watershed presently provides drinking water to over 550,000 people. Many more depend on the river as an outlet for wastewater discharge. Numerous businesses and major industries rely on its water for both intake and discharge use.



The Fund's Beginning. In 2009, the South Lowcountry (SOLO) Task Force of state and federal government agencies, non-profits, landowners, and business and private interests agreed to the explicit connection between the land resources of the Savannah Basin and their impact on raw water supplies. Knowing forest cover is still sufficient to assure raw water quality and development pressures have not yet risen to the point that land protection at a scale sufficient to protect water quality is cost-prohibitive, they agreed to make the protection of the river corridor and watershed a top priority. To start, the Task Force formed a special Steering Committee consisting of key Task Force members and added to it representatives from water utilities, state regulatory agencies and others. The Steering Committee's work has led to the formation of a new water protection fund which is now called the Savannah River Clean Water Fund ("Fund"). In August of 2014, Articles of Incorporation were filed to legally form the organization. 4 of the 8 board members have been selected and the Fund is now applying for non-profit, tax exempt status.

The Fund's purpose and goals. The Fund has been organized and formed to act as a central voice, a "go-to" organization for the benefit of water quality in the Savannah River. The 3 general goals to benefit water quality are:

1. Permanently Protect Land. Permanent land protection through acquisition, conservation easements, deed restrictions, and other legal forms of land use restrictions;
2. Promote Best Land Management Practices. Adoption of responsible land stewardship and land management practices;
3. Support Science and Research. Education and scientific research related to water quality.

The River's Capacity to Serve The Beneficiaries' Needs. In light of current demands for drinking water and the opinion shared by professionals that the river is already "at capacity" in terms of discharge, river water to support future growth of community or industry will be dependent on maintaining or improving current water quality standards. Those water quality standards depend in large part on the health and quality of the land surrounding the river.

The Savannah River is at a critical juncture. Forest cover within the watershed is still sufficient to assure raw water quality, but development pressures are building. From 2000 – 2006, the population of the Augusta-Aiken Metropolitan Statistical Area increased by 4.72%; Savannah grew by 9.22%. Substantial expansion is planned for the Hardeeville, SC area, prospectively creating one of the largest incorporated areas in South Carolina. Should conditions within the watershed deteriorate, water quality and quantity will suffer

Natural Land Supports Water Quality. The Natural Land Goals for The Watershed. Today the 2.8 Million acre watershed is largely rural, with 78% forest cover. The watershed is a great example of *green infrastructure* – a network of natural features that provide critical products and services, including flood flow retention, nutrient and sediment trapping, excellent recreational opportunities, clean air, fish and wildlife, recreational opportunities, property values, and natural products through commercial fishing, timbering, farming, and other resource-based activities.

Extensive watershed science and practical experience demonstrates that land use leads directly to water quality. The cleansing effect of natural land is well established in science, with the amount of natural land necessary to promote water quality varying by locale. In this watershed, keeping 60% of the watershed in some form of natural land is the goal, based on established science. A 2.8 Million acre watershed at a 60% natural land cover goal yields 1.67 Million acres. At present, about 500,000 acres are secured, leaving 1.17 Million acres remaining.

Prioritization of the Watershed. The Fund has concluded high priority lands should be permanently protected, with conservation easements as the most cost effective tool, while important but less critical lands can help water quality by adoption and use of appropriate land management practices. Recognizing it will be difficult or impossible to buy land or pay for easements for 1.17 Million acres, that not all natural and rural land areas are created equal in their contribution to raw water quality, and that priorities can be made geographically explicit, the Fund saw a clear need for the prioritization of land investment transactions. Using a tool called the Watershed Management Priority Index (WMPI), the Fund detailed land cover, soil and elevation data to identify the areas most critical to water quality maintenance. The river corridors emerged as high priority areas, an intuitively obvious conclusion, but other areas were graded as well; the results were integrated within legal tract boundaries, providing a mechanism to rank individual tracts on their relevance to raw water quality. As a result of this prioritization, it was determined that about 210,000 of the total 1.17 Million acres are most critical in terms of their contribution to water quality, with the balance of about 960,000 acres ranked important but not most critical.

The Investment Need for the Fund's 3 General Water Quality Goals. The 3 general goals are to permanently protect land, promote best land management practices and to support science and research. Each will require investment, estimated as follows:

Goal #1. Permanent Land Protection. In the watershed's recent years, conservation easement bargain purchases have approximated \$250 per acre, which for 210,000 acre high priority acres comes to a financial need of \$52 Million. Assuming a multi-decade period to meet that permanent land protection need, the Fund has determined it will need to raise on average \$2 Million per year (in present value dollars). To sustain a \$2 Million per year investment stream over an extended period is a considerable challenge. To address the challenge the Fund has elected to look to the most logical investors...those who now benefit or will benefit directly from the results of the investment, specifically, the present and future water users and dischargers to the river. Knowing the burden of maintenance of water quality in the river should not (or financially cannot) be borne exclusively by any one user group, the Fund has assumed a fair allocation of the \$2 Million annual need to one-half (\$1 Million) from major water and sewer utilities, with the balance from other sources such as small water and sewer utilities, industry, state and federal funding, local green initiatives, private and public foundation investment, NGO's and other third party sources.

Goal #2. Land Management Practices. Best land management practices are numerous in scope and definition, and may be found within state and federal standards and regulations, and by practices and procedures of professional foresters and farmers and their trade associations. The Fund anticipates it will offer landowners co-payments for existing state and federal programs, with emphasis to those water quality programs of NRCS. Typical program terms are 20 years. Some are shorter. The Fund will work to raise sufficient levels of investment to meet the demand for this need.

Goal #3. Science and Research. The Fund recognizes the need for theoretical and applied science to continually clarify the relationship of land use to water quality, and identify the conditions under which water quality is improved, maintained, or degraded. It is envisioned future science efforts will demonstrate the effect of Fund activities, and guide the evolution of the Fund towards an organization that maximizes returns on investment toward water quality protection and restoration. The Fund will also benefit from a regular practice of scientific review.

In recognition of the above, the Fund's Board of Directors will work to develop a science based program, and will work to procure appropriate third party funding, to engage internal and external



partners to build consensus on a science agenda that identifies the most immediate science needs in the Savannah basin; to provide non-financial support to science efforts relevant to its mission; to provide direct financial support to relevant science efforts arising from directives and associated funding from investor(s); and, to conduct a review of watershed science every 5 years to stay abreast of best practices in user-supported watershed conservation and management.

The Organization, Operations and the Challenge Grant. Assuming a satisfactory level of commitment to meet the expected \$1 Million permanent land protection need, the Fund will begin operations, expected on or before July 1, 2015. Current plans are to locate the Fund's headquarters in Savannah, GA, where a to-be-hired Executive Director will operate. It is anticipated the Fund's operating and overhead needs will approximate \$200,000 per year. Knobloch Family Fund has committed \$100,000/year for three years for operating expenses, if two conditions are met:

- The major water utilities contribute \$1,000,000 annually for permanent land protection;
- A match of \$100,000 for operating expenses is raised from the private sector.

Acknowledging the Fund Benefactors. The Steering Committee has performed admirably to date, while incurring costs of about \$116,000, principally to engage facilitation and financial consultants, for science research, and for marketing expenses. With many thanks to The Nature Conservancy for their tireless contributions of time, talent and mapping (and to their supporters as well), the Steering Committee has procured third party funding to date for startup expenses as follows:

• The Gaylord and Dorothy Donnelley Foundation	\$73,350
• Knobloch Family Foundation	\$25,000
• U.S. Endowment for Forestry and Communities	<u>\$25,000</u>
• Totals	\$123,350

Conclusion. The quality of life in the Savannah River depends on a reliable supply of clean, abundant, and affordable water. Implementing the Fund's mission will not only support water quality, but will also help ensure and preserve rural lifestyles, maintain and create family-supporting jobs provided by forestry and agriculture, and benefit wildlife habitat. This project is a ground-breaking, national model for how two states and multiple utilities can work cooperatively to protect water resources.

## MEMORANDUM OF UNDERSTANDING

This Memorandum of Understanding (hereinafter "MOU"), is made and entered into this \_\_\_\_ day of June, 2015, by, between and among Beaufort-Jasper Water and Sewer Authority (hereinafter, "BJSWA"), City of Savannah, Water Resources and Public Works (hereinafter "City of Savannah"), Augusta Utilities, Columbia County, Alken County, City of North Augusta, hereinafter referred to individually as a "Partner" and collectively as "Partners," and the Savannah River Clean Water Fund, a Georgia non-profit corporation, hereinafter referred to as the "Fund." The Partners and the Fund are collectively known as the "Parties")

### WITNESSETH:

WHEREAS, the Partners agree that protecting the water quality of the Savannah River from increased non-point source pollution is in the best interests of all the water and wastewater utilities that rely on the River;

WHEREAS, the Fund is a Georgia non-profit corporation, whose mission is to protect, preserve and enhance the water quality in the Savannah River Basin below the Strom Thurmond/Clarks Hill Dam (hereinafter, the "Watershed");

WHEREAS, the Partners recognize that land protection thru acquisition, conservation easements, and implementation of management plans for certain land use activities are critical to maintaining the good quality of current drinking water supplies;

WHEREAS, the Partners recognize the value of using common resources effectively;

WHEREAS, the Partners recognize that the protection of water quality is best achieved through a coordination of efforts between the Partners; and

WHEREAS, the Partners wish to enter into a cooperative working agreement with each other and with the Fund through this MOU for the purpose of protecting water quality and the assimilative capacity in the Savannah River;

NOW, THEREFORE, in consideration of the mutual covenants, terms and conditions, the Partners and Fund hereby agree as follows:

#### **I. Purpose**

The purpose of this Memorandum of Understanding (MOU) is to formalize a mutual collaboration between the Partners and the Fund, to protect the drinking water quality and the assimilative capacity of the Savannah River.

## II. Objectives

Within the context of this MOU, the Partners intend to work collaboratively to achieve water quality protection by initiating the following three (3) objectives:

- A. The Lower Savannah River Watershed (that area of the Savannah River Basin beginning immediately below and down river from the J. Strom Thurmond Dam (a/k/a Clarks Hill Dam), including the streams, creeks, tributaries and lands adjacent thereto) is a 2.8 million acre watershed (the "Watershed") with approximately 78% forest cover. The watershed's network of natural features protects water quality by filtering sediment and assimilating nutrients. Land use directly impacts water quality and forested watersheds produce the highest water quality. Based on the recommendation of the Nature Conservancy, the Partners agree to position a minimum of 60% or 1.7 million acres of the Lower Savannah River Watershed in some form of land cover that provides protection for water quality.
- B. There are established scientific research programs focusing efforts on water quality within the Lower Savannah River Watershed. The Partners agree to support these efforts as a method of monitoring current and future conditions in the river.
- C. An important element of protecting water quality is applying best management practices for land activities such as agriculture, silviculture, and timber harvesting. The Partners agree to support outreach programs that protect water quality through improved land management.

## III. Land Protection Priorities

The Watershed Management Priority Index (WMPI) was employed to assess areas of land based on features considered to protect water quality (Appendix A). Properties totaling 210,000 acres are marked as critical for the distinction of having the most influence on water quality. The remaining 960,000 acres are categorized by proximity to the critical properties and the ability to advance performance of those properties. The Partners agree that critical properties shall be permanently protected through land acquisition and conservation easements with standards that protect water quality. Properties of importance or those influencing the performance of the critical areas shall be protected by the adoption and application of superior land management practices. Other methods such as deed restrictions may be considered as long as such methods are effective in providing drinking water quality protection.

## IV. Responsibilities of the Fund

- A. The Fund is a non-profit Georgia corporation, established to promote permanent land protection, responsible land management practices and scientific research in the Watershed. The Fund hereby agrees to act as a conduit through which the Partners can provide funding for bargain-sale easements, fee acquisition, land

management practices, and scientific study and research, as well as any other purpose which the Partners and the Fund may agree to promote, within the Watershed, as set forth in this MOU.

- B. The Fund shall only accept applications from Qualified Applicants for use of the allocated funds provided by the Partners, in accordance with their individual funding levels and restrictions. The Fund and the Partners shall develop an application process by which applicants are qualified for participation, applications from those Qualified Applicants are screened and then screened applications are submitted to the Board of the Fund for preliminary approval. All applications approved by the Fund shall be submitted to the Partners for final funding approval.
- C. Board meetings to consider approval of applications shall be open to the Partners and the public.
- D. The Fund may have up to twelve (12) directors. Presently, the Fund is governed by a four (4) member interim board of directors, which shall serve for the full three (3) years of this MOU. The Partners may each appoint two (2) individuals to serve as directors of the Fund, except that Augusta and Columbia County may each appoint only one (1) individual to serve as a director of the Fund. All appointed directors shall serve for the full three (3) years of this MOU.
- E. Board members shall not be employed by a Partner nor be elected or appointed to govern in the interest of a Partner. Furthermore, Board members shall not be employed by a Qualified Applicant nor appointed to govern in the interest of a Qualified Applicant.

**V. Responsibilities of the Partners**

- A. Each Partner agrees to allocate funds in the following amounts each year, for three (3) consecutive years, to support the goals of this MOU as set forth below:

Partner	Land Protection	Science/Land Management
1. Augusta Utilities	Augusta Utilities, Columbia Co.,	Augusta Utilities, Columbia Co.,
2. Columbia County	Aiken Co. & North Augusta (or any	Aiken Co. & North Augusta (or any
3. Aiken County	combination thereof) <b>\$400,000</b> in	combination thereof) <b>\$200,000</b> in
4. North Augusta	aggregate, to be proportioned	aggregate, to be proportioned and
	between them as they may agree.	allocated as they may agree.
5. BJWSA	\$300,000	
6. City of Savannah	\$300,000	

- B. Each Partner agrees to direct all applications for the allocated funds through the Fund, and not to accept nor process any application for the allocated funds outside of the process established by this MOU or any addendum hereto.
- C. Each Partner agrees to develop a process with the Fund for final approval of applications which have been preliminarily approved by the Fund, and for disbursement of the Partner's allocated funds once the Partner has given final approval for an application. No Partner shall be obligated to make any disbursement or payment under this Agreement to the Fund nor to any Qualified Applicant or any other party until such time as the Partner has obtained final approval from its respective governing body (county commission, city council or board of directors), and all of the Partner's individually established criteria for approval and funding have been fully met to the Partner's satisfaction.

#### **VI. Miscellaneous**

This MOU sets forth the entire understanding of the Parties with respect to this matter and supersedes all prior discussions, negotiations, understandings or agreements. The Parties shall have the authority to negotiate and execute amendments to this MOU as deemed necessary to ensure the proper execution of measures for the protection of water quality in the Savannah River Watershed. No Party shall have a cause of action against another Party with respect to this MOU or in connection with matters arising out of this MOU.

#### **VII. Commencement/Duration/Termination**

This MOU takes effect when signed by all Parties, but the funding commitments of the Partners shall not commence before July 1, 2015, (the funding commencement date), and will remain in effect for a period of three (3) years from the funding commencement date. This MOU may be extended at any time per the mutual written consent of the Parties. Any Partner shall have the right to withdraw its participation in this MOU upon 90 days written notice to all other Partners. If a Partner elects to withdraw its participation, the Partner will no longer be required to maintain a designated account for the Fund and the remaining balance in the Partner's Fund Account at the time of withdrawal will be released for use by the Partner at its sole discretion.

Termination by a Partner shall not cause termination of the MOU, and it shall continue in force as long as there are at least two Partners in the MOU. The Partners and the Fund agree to act in good faith to carry out the objectives of this MOU, however, no Partner shall be obligated to disburse all, or any portion, of the funds committed herein unless the projects submitted to the Partner by the Fund meet the Partner's individual requirements.

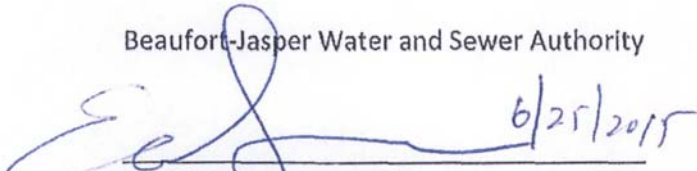
#### **Appendices**

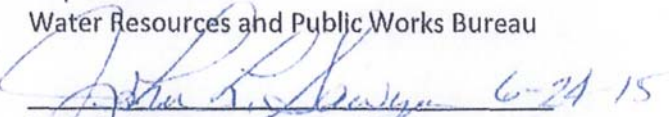
- A. Lower Savannah River Basin Watershed Management Priority Index

IN WITNESS WHEREOF, each Party has caused this instrument to be executed in its name by its duly authorized officials.

Beaufort-Jasper Water and Sewer Authority

City of Savannah  
Water Resources and Public Works Bureau

  
By: Ed Saxon General Manager Date 6/25/2015

  
By: John L. Sawyer, Bureau Chief Date 6-24-15

August Utilities

Columbia County

\_\_\_\_\_  
By: \_\_\_\_\_ Date

\_\_\_\_\_  
By: \_\_\_\_\_ Date

Aiken County

City of North Augusta

\_\_\_\_\_  
By: \_\_\_\_\_ Date

\_\_\_\_\_  
By: \_\_\_\_\_ Date





Savannah River Clean Water Fund


\_\_\_\_\_  
By: \_\_\_\_\_ Date



**Lower Savannah Project Area**

**Water Quality Priority**

	1 (Higher Priority)	111,845 acres
	2	173,311 acres
	3	402,079 acres
	4 (Lower Priority)	471,610 acres

 Savannah\_River



