

CHARLOTTE CITY COUNCIL

RESOLUTION

APPROVING AMENDED AND RESTATED BROOKLYN VILLAGE INTERLOCAL COOPERATION AGREEMENT AND BROOKLYN VILLAGE MEMORANDUM OF AGREEMENT

WHEREAS, the County and the City entered into the "Brooklyn Village Interlocal Cooperation Agreement" dated November 19, 2013 (the "Current Brooklyn Village Interlocal Agreement"), which Current Brooklyn Village Interlocal Agreement the parties desire to amend and replace with a new Brooklyn Village Interlocal Cooperation Agreement (the "2019 Brooklyn Village Interlocal Agreement"); and

WHEREAS, the City and County both support the implementation of the first phase of the Second Ward Neighborhood Master Plan in accordance with the Vision Statement and Master Plan (the "Master Plan") and wish to enter into an agreement to assist each other in the accomplishment of these goals, which would advance or further City and County economic development, urban revitalization, community development and land use plans; and

WHEREAS, the City has conveyed certain real property in Second Ward (Marshall Park) to the County to assist in the development of Brooklyn Village; and

WHEREAS, the County previously entered into a sales agreement that included the Brooklyn Village Site, but the developer did not close on the sale thereof; and

WHEREAS, in the intervening period since the Current Brooklyn Village Interlocal Agreement was executed, the County has selected BK Partners, LLC, a Delaware limited liability company ("BK"), to serve as master developer in the redevelopment of Brooklyn Village; and

WHEREAS, the process for redevelopment of Brooklyn Village negotiated between the County and BK, as outlined in the Master Redevelopment Agreement by and between the County and BK, dated July 10, 2018 (the "MRA"), necessitates modifications in the Current Brooklyn Village Interlocal Agreement, which modifications have been incorporated into the 2019 Brooklyn Village Interlocal Agreement; and

WHEREAS, The City, the County and the Charlotte Housing Authority ("CHA") previously entered into a Memorandum of Agreement executed on July 5, 2015 ("MOA") that set forth the terms for accomplishing the goals for affordable housing in the Master Plan; and

WHEREAS, in the intervening period since the MOA was executed, the County selected BK to serve as master developer in the redevelopment of Brooklyn Village; and

WHEREAS, the MRA has been adopted by and between the County and BK, necessitating revisions to the MOA.

WHEREAS, N.C. Gen. Stat. 160A-461 requires that interlocal agreements “be ratified by resolution of the governing board of each unit spread upon its minutes”; now, therefore, be it

RESOLVED by the Charlotte City Council that the attached “Amended and Restated Brooklyn Village Interlocal Cooperation Agreement” and “Brooklyn Village Amended and Restated Memorandum of Agreement” are hereby approved, that the City Manager is hereby authorized to execute such amended and restated agreement in substantially the form attached to this Resolution and to negotiate any further ancillary documents or non-material changes to such Interlocal Agreements as may be necessary, and that this Resolution shall be spread upon the minutes.

Adopted the _____ day of September, 2019