

Legislation Details (With Text)

File #:	15-12002	Version:	1	Name:	
Type:	Business Item	Status:		Approved	
File created:	10/9/2019	In control:		City Council Business Meeting	
On agenda:	10/14/2019	Final action:		10/14/2019	
Title:	Amended and Restated Interlocal Cooperation Agreement and Memorandum of Agreement - Brooklyn Village				
Attachments:	1. 2019 Brooklyn Village Resolution, 2. Amended and Restated Brooklyn Village Interlocal Cooperation Agreement (6-18-19), 3. Brooklyn Village Amended and Restated Memorandum of Agreement (6-18-19)				

Date	Ver.	Action By	Action	Result
10/14/2019	1	City Council Business Meeting	Approve	Pass

Amended and Restated Interlocal Cooperation Agreement and Memorandum of Agreement - Brooklyn Village

Action:

Adopt a resolution authorizing the City Manager to execute:

- **An amended and restated Brooklyn Village Interlocal Cooperation Agreement between the City of Charlotte and Mecklenburg County that preserves the city's leverage for the development of affordable housing in the redevelopment plans for Brooklyn Village, and**
- **An amended and restated Brooklyn Village Memorandum of Agreement among the City of Charlotte, Mecklenburg County, and the Charlotte Housing Authority.**

Staff Resource(s):

Pamela Wideman, Housing and Neighborhood Services

Explanation

- In 2007, the city conveyed Marshall Park to Mecklenburg County to facilitate redevelopment of Brooklyn Village and the inclusion of affordable housing units. In return, Mecklenburg County conveyed land to the city to facilitate development of Knights Stadium, now known as BB&T Ballpark.
- The implementation of affordable housing and the terms by which the existing Marshall Park property is included in the Brooklyn Village redevelopment plans is specified in the Interlocal Cooperation Agreement between Mecklenburg County and the City of Charlotte (Interlocal Agreement), as well as the Memorandum of Agreement (MOA) among the city, Mecklenburg County, and the Charlotte Housing Authority.
- The current Interlocal Agreement contains a reversion option to convey Marshall Park back to the city at no cost if the county fails to sell the property to a developer by December 31, 2019. The city must make the request by April 1, 2020.
- In 2018, Mecklenburg County, with the assistance, support, and knowledge of the city, entered into a Master Redevelopment Agreement with BK Partners, LLC, to serve as master developer of Brooklyn Village.
- An updated Interlocal Agreement and MOA are necessary to preserve the city's leverage for affordable housing on the Brooklyn Village site while providing sufficient time to implement the development. The city, Mecklenburg County, and the Charlotte Housing Authority have worked in good faith to amend the terms of the Interlocal Agreement and MOA to reflect the current development plan.
- The Interlocal Agreement has been revised to extend the time Mecklenburg County has to sell any

portion of the existing Marshall Park property to BK Partners, LLC from December 31, 2019, to December 31, 2029. If none of the Marshall Park property is sold by the County to the developer by that time, the city can request that Marshall Park be conveyed back to the city at no cost.

- The developer has agreed to provide a minimum of 114 housing units to households earning up to 80 percent of the area median income (AMI). A minimum of 35 of these housing units will be made available to households earning up to 60 percent of AMI; the remaining affordable units will be available to households earning 61 percent to 80 percent of AMI. The MOA has been revised to:
 - Reflect that a minimum of 35 housing units will be made available to households with tenant-based Housing Choice Vouchers for households earning up to 60 percent of the AMI. The previous MOA involved vouchers for 30 housing units for those households earning up to 80 percent of AMI, and
 - Include a provision that ensures a deed restriction will be placed on the below 60 percent AMI units for a term of at least 30 years.
- The Mecklenburg County Board of Commissioners approved a similar action on June 18, 2019.

Attachment(s)

Resolution

Amended and Restated Brooklyn Village Interlocal Cooperation Agreement

Amended and Restated Brooklyn Village Memorandum of Agreement