

RESOLUTION AMENDING RESOLUTION NO. 234-16 AUTHORIZING AN INCREASED APPROPRIATION OF UP TO \$20,000 TO WENDOVER INDUSTRIAL PARTNERS, LLC FOR THE DESIGN AND CONSTRUCTION OF PUBLIC WATER AND SEWER INFRASTRUCTURE IMPROVEMENTS TO FACILITATE INDUSTRIAL DEVELOPMENT AND THE RECRUITMENT OF NEW JOBS TO EAST GREENSBORO AT A SITE LOCATED AT 3818 BURLINGTON ROAD

WHEREAS, on March 7, 2006, the City Council adopted the Urban Development Investment Guidelines to aid interested developers by providing information on what projects will be accepted for consideration of public participation by the City, what information is required to be submitted, and what criteria will be used in evaluating and recommending requests for City assistance;

WHEREAS, on August 6, 2007, the City Council adopted Urban Development Investment Guidelines - Corporate/Industrial Park Addendum whereby the City may participate financially in the development of certain private improvements to promote economic development in accordance with the Guidelines and NCGS Section 158-7.1;

WHEREAS, Windsor Development Group, LLC is evaluating an investment in new industrial development at an existing site, 3818 Burlington Road in eastern Guilford County;

WHEREAS, the development is expected to bring new industrial investment and jobs to an area of Greensboro that is currently underserved;

WHEREAS, but for the public participation in bringing City water and sewer public infrastructure and access to the site, the development is not financially feasible;

WHEREAS, on September 17, 2013, the City Council adopted Resolution No. 273-13 and approved a grant reimbursement for the public water and sewer infrastructure being designed and installed by the developer to City standards which amount of requested participation is estimated at no more than \$115,448.00 based on a portion of anticipated new sales, use, and property taxes to be derived by the City and new employment upon completion of the development;

WHEREAS, due to additional needed site preparation, cost increases and changes to final design and scope provided by the engineered plans, it is further anticipated that the developer will invest up to \$165,165.00 in capital to build a portion of a private drive to secure one current prospect;

WHEREAS, on July 19, 2016, the City Council adopted Resolution No. 234-16 and found that it is deemed in the best interest of the City to enter into a participatory agreement with Windsor Development Group, LLC to share the cost of the above mentioned improvements whereby the City shall reimburse the company up to a maximum of \$165,165.00 for public water and sewer infrastructure costs based on a portion of new anticipated taxes to be received from the new project

and upon the creation of new employment. The grant shall be paid before the jobs are created and the total capital investment has been made, and after the City has confirmed that the developer has invested up to \$165,165.00 in designed and constructing the proposed public water and sewer infrastructure improvements to City standards;

WHEREAS, Windsor Development Group, LLC will be required to repay the City of Greensboro the entire \$165,165.00 of public investment in the new water and sewer infrastructure if new development has not resulted in new businesses creating at least 4 new full-time equivalent jobs on the site and/or outparcels by September 17, 2018;

WHEREAS, Windsor Development Group, LLC assigned all of its rights, title, and interest in and to the economic development incentive and the benefits and obligations to Wendover Industrial Partners, LLC on November 2, 2016;

WHEREAS, Wendover Industrial Partners, LLC entered into a grant reimbursement and participatory agreement with the City on November 9, 2016;

WHEREAS, due to changes in location of the water and sewer infrastructure and increases in encasement as required by the North Carolina Department of Transportation, resulting in cost increases and changes to final design and scope provided by the engineered plans, it is further anticipated that the developer will invest up to \$185,165 in capital;

WHEREAS, due to these changes the developer has requested an extension until September 17, 2019, to create at least four (4) new full-time equivalent jobs on the site and/or outparcels;

WHEREAS, a public hearing was held on September 19, 2017, in accordance with N.C.G.S. 158-7.1 setting out the particulars of the request and the public benefits to be derived from said improvements;

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:**

That in accordance with the City's Urban Development Investment Guidelines and pursuant to N.C.G.S. 158-7.1, an amended grant reimbursement and participatory agreement between the City of Greensboro and Wendover Industrial Partners, LLC not to exceed \$185,165 for site infrastructure improvements, additional new capital investment and the creation of at least 4 new full-time equivalent jobs on or before September 17, 2019, is hereby approved, and the City Manager and City Clerk are hereby authorized to execute, on behalf of the City of Greensboro, the proper agreement.