

ORDINANCE TO ENACT SECTION 2-91 INFRASTRUCTURE REIMBURSEMENT
AGREEMENTS OF THE GREENSBORO CODE OF ORDINANCES

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GREENSBORO:

Section 1. Section 2-91 of the Greensboro Code of Ordinances is hereby enacted to read as follows:

Sec. 2-91. - Infrastructure reimbursement agreements.

- (a) Pursuant to N.C.G.S. 160A-499, this section authorizes and sets forth the procedures and terms under which the city may approve reimbursement agreements with private developers and property owners for the design and construction of municipal infrastructure that is included on the city's capital improvement plan and serves the developer or property owner. For the purpose of this section, municipal infrastructure includes, without limitation, water mains, sanitary sewer lines, lift stations, stormwater lines, streets, curb and gutter, sidewalks, traffic control devices, greenways, trails, and other associated facilities.
- (b) The city manager, or designee, is authorized to negotiate municipal infrastructure reimbursement agreements with private developers and property owners pursuant to this section. In negotiating such agreements, the city manager, or designee, shall determine that:
 - (1) The cost to the city will not exceed the estimated cost of providing for the municipal infrastructure through either eligible force account qualified labor or through a public contract let pursuant to G.S. 143-128 et seq.; or
 - (2) The coordination of separately constructed municipal infrastructure with the associated private development would be impracticable.

City approval authority for agreements under this section shall be governed by general city contracting authorizations and delegations.

- (c) A municipal infrastructure reimbursement agreement approved pursuant to this section shall require the private developer or property owner party to comply with the requirements of G.S. 143-129 and G.S. 143-128(f) relating to public advertising and bid opening requirements which would be applicable if the construction contract had been awarded by the city.
- (d) A municipal infrastructure reimbursement agreement approved pursuant to this section shall require the private developer or property owner party to comply with the city's Minority/Women's Business Enterprise program with respect to the design and construction of the municipal infrastructure to be reimbursed by the city.

Section 2. That all infrastructure reimbursement agreements entered into by the city before the effective date are hereby ratified.

Section 3. That this ordinance shall become effective upon adoption.