

FORSYTH COUNTY
BOARD OF COMMISSIONERS

MEETING DATE: MARCH 28, 2019

AGENDA ITEM NUMBER: 11

SUBJECT: RESOLUTION RATIFYING AND AUTHORIZING THE EXPENDITURE OF CITY/COUNTY UTILITY COMMISSION FUNDS GENERATED BY OUT OF COUNTY SERVICES FOR THE DESIGN AND CONSTRUCTION OF MUNICIPAL INFRASTRUCTURE IMPROVEMENTS AT UNION CROSS BUSINESS PARK THROUGH A REIMBURSEMENT AGREEMENT BETWEEN THE CITY OF WINSTON-SALEM, CITY/COUNTY UTILITY COMMISSION, AND UNION CROSS INDUSTRIAL PROPERTIES, LLC, A SUBSIDIARY OF WILLIAMS DEVELOPMENT GROUP, LLC, AND RESCINDING A RESOLUTION RATIFYING AND AUTHORIZING A REIMBURSEMENT AGREEMENT WITH WINSTON-SALEM INDUSTRIAL PROPERTIES, LLC

COUNTY MANAGER'S RECOMMENDATION OR COMMENTS: Recommend Approval

SUMMARY OF INFORMATION: See Attached

ATTACHMENTS: YES NO

SIGNATURE: *J. Duvelly Watts Jr. / AM*
COUNTY MANAGER

DATE: March 26, 2019

RESOLUTION RATIFYING AND AUTHORIZING THE EXPENDITURE OF CITY/COUNTY UTILITY COMMISSION FUNDS GENERATED BY OUT OF COUNTY SERVICES FOR THE DESIGN AND CONSTRUCTION OF MUNICIPAL INFRASTRUCTURE IMPROVEMENTS AT UNION CROSS BUSINESS PARK THROUGH A REIMBURSEMENT AGREEMENT BETWEEN THE CITY OF WINSTON-SALEM, CITY/COUNTY UTILITY COMMISSION, AND UNION CROSS INDUSTRIAL PROPERTIES, LLC, A SUBSIDIARY OF WILLIAMS DEVELOPMENT GROUP, LLC, AND RESCINDING A RESOLUTION RATIFYING AND AUTHORIZING A REIMBURSEMENT AGREEMENT WITH WINSTON-SALEM INDUSTRIAL PROPERTIES, LLC

WHEREAS the Forsyth County Board of Commissioners ratified and authorized the expenditure of \$300,000 of City/County Utility Commission Funds generated by Out of County Services to fund the design and construction of municipal infrastructure at Union Cross Business Park through a Reimbursement Agreement between the City of Winston-Salem, City/County Utility Commission, and Winston-Salem Industrial Properties, LLC, a subsidiary of Johnson Development Associates, Inc., as private developer, to facilitate the construction of a spec building by Winston-Salem Industrial Properties, LLC, on January 23, 2017;

WHEREAS Winston-Salem Industrial Properties, LLC, never entered into a Reimbursement Agreement with the City of Winston-Salem and the City/County Utility Commission and never constructed municipal infrastructure or a spec building; and

WHEREAS Winston-Salem Industrial Properties, LLC, is under contract to sell the lot at Union Cross Business Park to Union Cross Industrial Partners, LLC, a subsidiary of Williams Development Group, LLC, based in Winston-Salem, NC, which plans to develop a 125,000 square foot spec building on the site beginning in 2019, and is requesting that Forsyth County and the City of Winston-Salem provide up to \$300,000 of City/County Utility Commission Funds generated by Out of County Services to fund the design and construction of municipal infrastructure at Union Cross Business Park through a Reimbursement Agreement;

NOW, THEREFORE, BE IT RESOLVED, that the Forsyth County Board of Commissioners hereby ratifies and authorizes the expenditure of up to \$300,000 of City/County Utility Commission Funds generated by Out of County Services to fund the design and construction of municipal infrastructure at Union Cross Business Park through a Reimbursement Agreement between the City of Winston-Salem, City/County Utility Commission, and Union Cross Industrial Partners, LLC, a subsidiary of Williams Development Group, LLC, as private developer, to facilitate the construction of a spec building in the business park and rescinds the ratification and authorization of the previous Resolution authorizing a Reimbursement Agreement with Winston-Salem Industrial Properties, LLC; and

BE IT FURTHER RESOLVED, that this Resolution ratifying interlocal cooperation between Forsyth County and the City of Winston-Salem is hereby spread upon the minutes of the Forsyth County Board of Commissioners.

Adopted this 28th day of March 2019.