## GENERAL ASSEMBLY OF NORTH CAROLINA SESSION 2009

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## HOUSE DRH10662-LM-127 (03/18)

Short Title:	Mecklenburg County/Reimbursement Agreements.	(Local)
Sponsors:	Representative Carney.	
Referred to:		

## A BILL TO BE ENTITLED

## AN ACT CONCERNING PUBLIC-PRIVATE REIMBURSEMENT AGREEMENTS FOR PARK INFRASTRUCTURE DEVELOPMENT BY MECKLENBURG COUNTY.

The General Assembly of North Carolina enacts:

5 **SECTION 1.** A county may enter into reimbursement agreements with private 6 property owners for the design and construction of park infrastructure or parks that: (i) are 7 included in the county's Parks Master Plan; (ii) are located on property that is adjacent to or in 8 close proximity to other property owned by the private property owner or its affiliates; and (iii) 9 are located on the property owned by the private property owner that is to be leased or 10 transferred to the county.

**SECTION 2.** A county may provide for the reimbursements to be paid from any lawful source over any period of time, including making payments that include a premium for delayed reimbursement. A county may also exchange real property owned by the county under the provisions of G.S. 160A-271 as part of the reimbursement, or in full or partial payment for a lease, or in connection with the exchange for the real property owned by the private property owner that is developed or to be developed for park purposes.

17 SECTION 3. No construction performed by a private property owner as part of a 18 reimbursement agreement authorized by this act shall be deemed to be construction subject to 19 the provisions of Article 8 of Chapter 143 of the General Statutes, and no reimbursement 20 agreement authorized by this act shall be deemed to be subject to the provisions of Article 8 of Chapter 159 of the General Statutes, and neither shall be deemed to be a violation or evasion of 21 22 any provision of either of these Articles. Notwithstanding the foregoing provisions of this section, a construction contract subject to a reimbursement agreement authorized by this act 23 24 shall not be awarded by a private property owner who is a party to the reimbursement 25 agreement without complying with the requirements of G.S. 143-129 relating specifically to public advertising and bid opening requirements that would be applicable if the construction 26 27 contract had been awarded by the county.

28 29 **SECTION 4.** This act applies to Mecklenburg County only. **SECTION 5.** This act is effective when it becomes law.



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