



Community Benefits Agreement

Overview

July 27, 2017

MJD
MANAGEMENT
GROUP

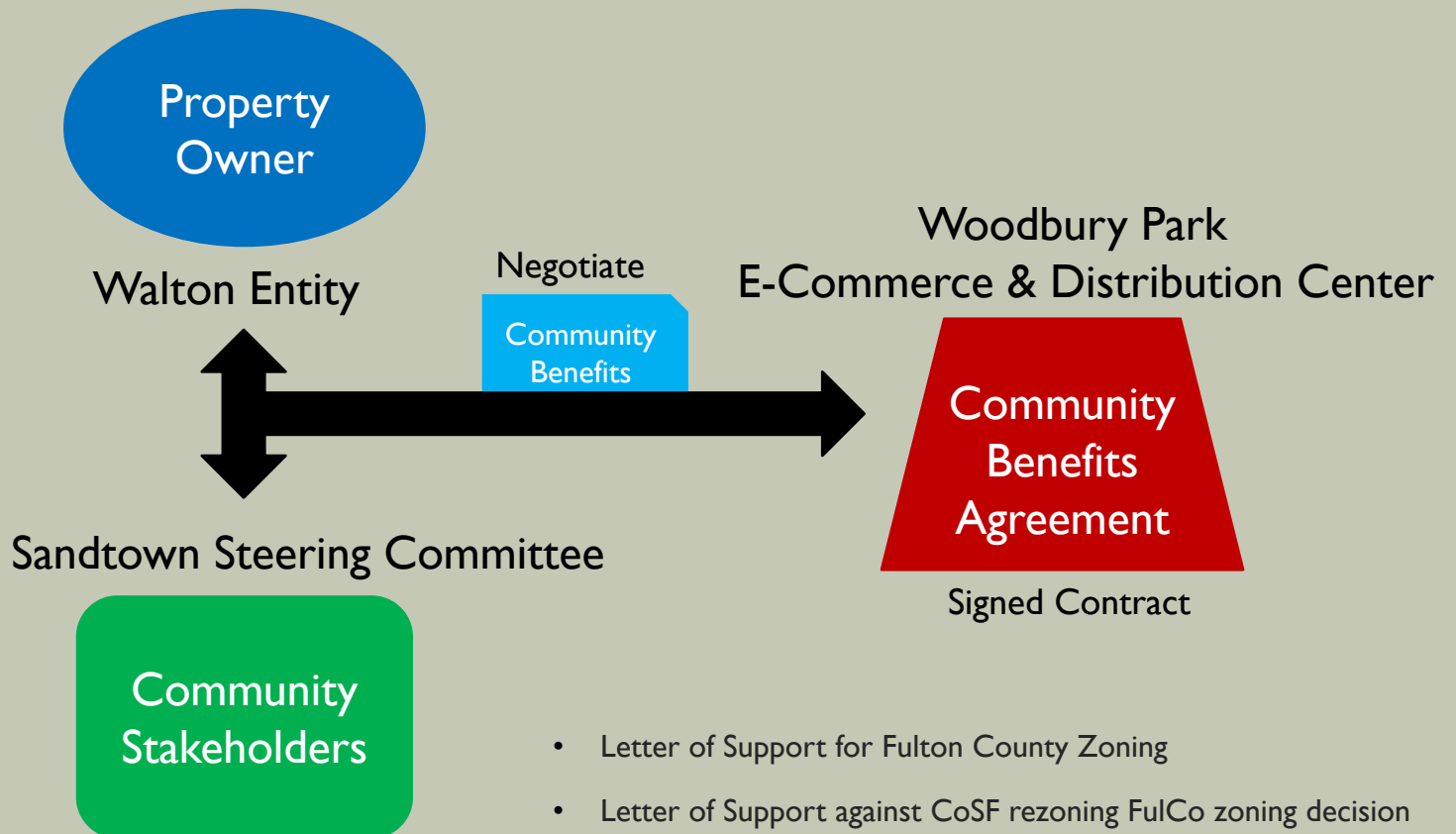
AGENDA

- What is a Community Benefits Agreement (CBA)?
- What are Community Benefits?
- CBA Process
- CBA Timeline
- What are the Community Benefits?
- How are They Implemented?

WHAT IS A CBA?

- The result of a negotiation process between a developer or a property owner with organized representatives of specific communities, in which the developer or property owner agrees to shape the development in a certain way or to provide specific community benefits.
- In exchange, the community group promises to support all phases of proposed project before government bodies that provide the necessary permits or subsidies through letters of support.
- It is both a process to work towards these mutually beneficial objectives, and a legally binding contract mechanism to enforce both sides' promises.

CBA PROCESS



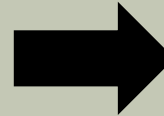
CBA PROCESS

Property
Owner

Community
Benefits
Agreement

Community
Stakeholders

Zoning
Petitions



CBA PROCESS



Walton Entity
Property Owner

Sell
Property

Developer

Develop

Woodbury Park
E-Commerce & Distribution Center



**Community
Benefits
Agreement**

communication

**Community
Stakeholders**

CBA TIMELINE

Zoning
Approval



Sell
Property



Begin
Development



End
Development



Community Benefits



Time

WHAT ARE COMMUNITY BENEFITS?

- Some benefits are built into the project approval
 - Requiring tree buffers
 - Adding sidewalks
 - Providing additional lighting
- Other benefits will be completely separate from the project
 - Donating land for a park
 - Paying for the installation of a traffic signal
- The contents of a CBA will depend upon the community's needs, the size and type of proposed project
- Benefits like a financial donation or a donation of land are escrowed to provide for enforceability and tied to when benefits are realized by the escrow agents
- Land donations can be made without any conditions or maintenance requirements

WHY A CBA?

- Inclusiveness – Negotiation process provides a mechanism to ensure community concerns are heard and addressed.
- Enforceability – Ensure the promises regarding community benefits are legally enforceable.
- Transparency – Help the public, community groups, government officials, and the news media monitor a project's outcome.
- Coalition Building – Negotiation process encourages new alliances amongst community groups that may care about different issues or have different constituencies.
- Efficiency – Facilitate a cooperative relationship and foster developments that are better tailored to community needs.

HOW ARE THEY IMPLEMENTED?

- It depends on the benefits provided
 - Some may require ongoing implementation by several entities
 - Some could be fulfilled before developments opens
 - Some are fulfilled after development opens
- Benefits of payments are usually placed in escrow account with distribution tied to benefit realization
- Protection language against future changes by a subsequent jurisdiction reversing on changing conditions from previous jurisdiction after approval
- Many community benefits require ongoing communication between parties over time

QUESTIONS