

CITY OF CHARLOTTESVILLE, VIRGINIA
CITY COUNCIL AGENDA



Agenda Date:	January 17, 2023
Action Required:	First Reading for Appropriation Resolution
Presenter:	Krisy Hammill, Director of Budget
Staff Contacts:	Jack Dawson, City Engineer
Title:	Appropriating Bond Proceeds for the Woodland Drive subdivision - \$192,453.98 (2nd reading)

Background

Whenever a developer proposes a new subdivision, the City requires the developer to post certain bonds, to guarantee that the developer will build public streets and other public facilities in accordance with the requirements of City ordinances and the Standards and Design Manual, and to guarantee that the developer will construct stormwater management facilities for the development, and provide erosion and sediment control measures during construction, as required by law. If a developer fails to satisfy its obligations, the City may "call" the bond, and then utilize the bond proceeds for corrective measures.

City Code Section 2-98 (b) requires that no resolution appropriating money exceeding the sum of one thousand dollars (\$1,000.000) [other than the annual Budget Appropriation in April] shall be passed by city council on the same day of its introduction (i.e., two readings are required for adoption of an appropriations resolution, and the readings need to be at least three days apart). Council cannot waive the second reading for an appropriation.

Discussion

A letter of credit was provided to the City of Charlottesville, Virginia by the developer for the Woodland Drive subdivision, to guarantee completion of certain public street improvements, stormwater management and erosion and sediment control measures for a development referred to as the Woodland Drive subdivision, as set forth within a site plan approved by the City in 2016. On June 9th 2021, City Engineering provided Atlantic Union Bank advising that the developer had failed or refused to complete the work in accordance with the bonded development plans, within the time period specified by the City's development code. The City collected proceeds from Letters of Credit, in the total amount of \$192,453.98. Public Improvements made to the site at that time were both incomplete and portions were not in conformance with the approved plans. During the remainder of 2021 Public Works (PW) staff examined previously provided mid- process construction as-builts and conducted extensive field visits and inspections to prepare a list of deficiencies. Plans were prepared to provide public improvement corrections and minimal remedial storm water design to provide a pathway to restore the project to regulatory compliance in as close accordance with the approved plans as possible.

Alignment with City Council's Vision and Strategic Plan

Yes

Community Engagement

N/A

Budgetary Impact

\$192,453.98 additional funds for expenditure in accordance with development regulations

Recommendation

Staff recommends approval

Alternatives

None; the City is required to utilize the bond proceeds received for the purposes for which the bonds were originally posted.

Attachments

1. Resolution_Bond Proceeds Appropriation