

**TOWN OF LEESBURG
NOTICE OF PUBLIC HEARING**

LEESBURG TOWN CODE AMENDMENTS:

CHAPTER 2 (ADMINISTRATION); ARTICLE V (BOARDS AND COMMISSIONS), DIVISION 1 (GENERALLY); SECTION 2-193 (MEMBERSHIP), SECTION 2-195 (DUTIES), SECTION 2-197 (COMPENSATION) AND SECTION 2-198 (COUNCILMANIC LIAISON); AND DIVISION 2 (SPECIFIC BOARDS AND COMMISSIONS), SECTION 2-228 (LEESBURG TECHNOLOGY AND COMMUNICATIONS COMMISSION) AND ENACTING 2-232 (LEESBURG STANDING RESIDENTIAL TRAFFIC COMMITTEE)

Pursuant to the Code of Virginia of 1950, as amended, Sections 15.2-1411 and 5.2-1427, the **LEESBURG TOWN COUNCIL** will hold a Public Hearing on **April 22, 2014, at 7:30 p.m.**, in the Council Chambers of Town Hall, 25 West Market Street, Leesburg, Virginia, 20176, to consider the following amendments to the Town Code:

Section 2-193 Membership.

To add that persons may not serve on more than two boards, commissions or committee.

Section 2-195 Duties.

To add that elections should occur between January and March and expanding the definition of attendance problems.

Section 2-197. Compensation.

To adjust the compensation paid to members of boards and commissions.

Section 2-198. Councilmanic Liaison.

To amend the duties of the councilmanic liaisons.

Section 2-228. Leesburg Technology and Communication Commission.

To amend the duties of the Leesburg Technology and Communication Commission.

Section 2-232. Leesburg Standing Residential Traffic Committee.

To add the Leesburg Standing Residential Traffic Committee.

A copy of the proposed ordinance is available from the Town Clerk, located in Town Hall, 25 West Market Street, Leesburg, Virginia, during normal business hours (Monday-Friday, 8:30 a.m. to 5:00 p.m.); or by calling Lee Ann Green, Town Clerk, at 703-771-2733.

At this hearing, all persons desiring to express their views concerning these matters will be heard. Persons requiring special accommodations should contact the Clerk of Council at 703-771-2733, three days in advance of the meeting. For TTY/TDD service, use the Virginia Relay Center by dialing 711.

4/17/14



Date of Council Meeting: April 22, 2014

**TOWN OF LEESBURG
TOWN COUNCIL MEETING**

Subject: A Resolution authorizing the Mayor to execute an encroachment agreement to allow the non-potable reclaimed/reused effluent water line (“purple line”) to cross an easement owned by Dominion Virginia Power (“DVP”). The purple line will be constructed by Green Energy Partners/Stonewall LLC and Stonewall, LLC and Stonewall Creek, LLC (“GEP”) but owned and operated by the Town.

Staff Contact: Jeanette A. Irby, Town Attorney

Recommendation: The Town Council should pass a resolution authorizing the Mayor to execute an encroachment agreement with DVP and GEP which will allow GEP to construct (and the Town to own and operate) the purple line which will serve GEP’s Green Energy Power Plant.

Issue: Whether the Town Council should authorize the Mayor to execute an encroachment agreement with DVP and GEP which will allow the purple line to cross DVP’s easement over the W&OD Trail near Sycolin Creek and adjacent to property owned by Luck Stone in Loudoun County.

Fiscal Analysis: The \$1000 processing and impact fee associated with this encroachment agreement has been paid by GEP.

Background: This encroachment agreement is needed by DVP to allow the purple line, which will be constructed by GEP and owned and maintained by the Town, to cross the W&OD Trail on which DVP has an easement. The Town Council previously passed Resolution No. 2014-037 which authorized the town to enter into a license agreement with the Northern Virginia Regional Park Authority to allow the purple line to cross its property. DVP now requires an encroachment agreement to be executed by the Town and GEP to allow the purple line to cross its easement.

Attachment: Draft Encroachment Agreement
Proposed Resolution

PRESENTED April 22, 2014

RESOLUTION NO. 2014-

ADOPTED _____

A RESOLUTION: AUTHORIZING THE MAYOR TO EXECUTE AN ENCROACHMENT AGREEMENT BETWEEN THE TOWN OF LEESBURG, GREEN ENERGY PARTNERS AND DOMINION VIRGINIA POWER (“DVP”) TO ALLOW THE RECLAIMED WATER LINE TO CROSS DVP’S EASEMENT ALONG THE W&OD TRAIL

WHEREAS, Green Energy Partners/Stonewall LLC and Stonewall Creek, LLC (“GEP”) is in the process of acquiring land rights necessary to construct a reclaimed water line to serve the GEP Clean Energy Power Plant also known as the “purple line” ; and

WHEREAS, once constructed by GEP, the purple line will be owned, operated and maintained by the Town of Leesburg (“Town”); and

WHEREAS, a portion of the designated route for the purple line route will cross the Washington and Old Dominion Trail (“W&OD Trail”) which is owned and operated by the Northern Virginia Regional Park Authority (“NVRPA”); and

WHEREAS, DVP owns an easement along the W&OD Trail; and

WHEREAS, Resolution No. 2014-037 authorized the execution of a License Agreement between the Town, GEP and the NVRPA to allow construction, operation and maintenance of the purple line under a portion of the W&OD Trail; and

WHEREAS, the Town Attorney has reviewed a draft of the encroachment agreement; and

WHEREAS, the principals of GEP have approved the encroachment agreement and all fees have been paid by GEP; and

WHEREAS, construction of the purple line will benefit the residents of Leesburg.

A RESOLUTION: AUTHORIZING THE MAYOR TO EXECUTE AN ENCROACHMENT AGREEMENT BETWEEN THE TOWN OF LEESBURG, GREEN ENERGY PARTNERS AND DOMINION VIRGINIA POWER (“DVP”) TO ALLOW THE RECLAIMED WATER LINE TO CROSS DVP’S EASEMENT ALONG THE W&OD TRAIL

THEREFORE, RESOLVED by the Council of the Town of Leesburg in Virginia that the Mayor is authorized to execute the encroachment agreement with DVP and GEP for the reclaimed water line so long as the Town Attorney approves the agreement.

PASSED this _____ day of April, 2014.

Kristen C. Umstattd, Mayor
Town of Leesburg

ATTEST:

Clerk of Council