



Date of Council Meeting: September 13, 2016

**TOWN OF LEESBURG
TOWN COUNCIL MEETING**

Subject: Authorizing an Agreement and Approving a Sewer Extension Permit and Waiving a Performance Guarantee for Loudoun County Courthouse Expansion Phase III, Pennington Lot Church Street Extended and Garage. (TLPF-2016-0004)

Staff Contact: Renée M. LaFollette, Director, Public Works and Capital Projects

Council Action Requested: Section 6.04 of the Leesburg Subdivision and Land Development Ordinance requires all performance agreements and guarantees over \$200,000 for land development projects to be approved by the Town Council.

Staff Recommendation: That the Town Council approve the proposed action for the Loudoun County Courthouse Expansion Phase III.

Commission Recommendation: Not applicable.

Fiscal Impact: This item does not impact the Department of Public Works and Capital Projects operating budget.

Work Plan Impact: No impact.

Executive Summary: The Loudoun County Courthouse Expansion Phase III is ready for Town Council approval to authorize an agreement, approve a sewer extension permit and waive a Performance Guarantee.

Background: The Loudoun County Courthouse Expansion Phase III is ready for approval. The cost estimate for public improvements is \$932,000 and is approved. The waiver of the performance guarantee for Loudoun County Government and for other governmental organizations is the policy of the Town of Leesburg. Staff recommends approval of the contract for installation of public improvements and the waiver of the performance guarantee conditioned on the requirement that occupancy of the facility shall not be permitted until the public improvements are completed to the satisfaction of the Town.

Attachments: Resolution

PRESENTED: September 13, 2016

RESOLUTION NO. 2016-_____

ADOPTED: _____

A RESOLUTION: AUTHORIZING AN AGREEMENT AND APPROVING A SEWER EXTENSION PERMIT AND WAIVING A PERFORMANCE GUARANTEE FOR THE LOUDOUN COUNTY COURTHOUSE EXPANSION PHASE III, PENNINGTON LOT CHURCH STREET EXTENDED AND GARAGE. (TLPF-2016-0004)

WHEREAS, the Director of Plan Review has conditionally approved the construction drawings and final development plans for the Loudoun County Courthouse Expansion Phase III by Loudoun County; and

WHEREAS, it is in the public's interest to waive the costs associated with a performance guarantee for the necessary public improvements; and

WHEREAS, the Director of Public Works and Capital Projects recommends approval of a contract for installation of public improvements and waiving the performance guarantee for the Loudoun County Courthouse Expansion Phase III.

THEREFORE RESOLVED, by the Council of the Town of Leesburg in Virginia that:

SECTION I. The Town Manager shall execute the contract for public improvements in a form approved by the Town Attorney with the Loudoun County Government for the improvements show on the plans approved by the Director of Plan Review for the Loudoun County Courthouse Expansion Phase III.

SECTION II. The extension of municipal sewer for the Loudoun County Courthouse Expansion Phase III is approved in accordance with Section 34-123 of the Town Code.

SECTION III. The performance guarantee in the amount of \$932,000 is waived, conditioned on the requirement that occupancy of the facility shall not be permitted until the public improvements are completed to the satisfaction of the Town, or a subsequent performance guarantee is furnished in an amount approved by the Director of Public Works and Capital Projects for

A RESOLUTION: AUTHORIZING AN AGREEMENT AND APPROVING A SEWER EXTENSION PERMIT AND WAIVING A PERFORMANCE GUARANTEE FOR THE LOUDOUN COUNTY COURTHOUSE EXPANSION PHASE III, PENNINGTON LOT CHURCH STREET EXTENDED AND GARAGE. (TLPF-2016-0004)

outstanding punchlist items.

PASSED this 13th day of September, 2016.

David S. Butler, Mayor
Town of Leesburg

ATTEST:

Clerk of Council