

BOARD OF SUPERVISORS
Agenda Item

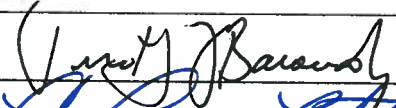

Meeting Date:	September 4, 2012
Title:	Authorize the County Administrator to Execute an Agreement with Celebrate Virginia North 11, LLC for Celebrate Virginia Parkway
Department:	County Administration
Staff Contact:	Keith Dayton
Board Committee/ Other BACC:	Infrastructure Committee
Staff Recommendation:	Approval
Budget Impact:	N/A
Time Sensitivity:	N/A

ATTACHMENTS:

1.	Background Report		
2.	Proposed Resolution R12-285		

<input checked="" type="checkbox"/>	Consent Agenda		Other Business		Unfinished Business
	Discussion		Presentation		Work Session
	New Business		Public Hearing		Add-On

REVIEW:

<input checked="" type="checkbox"/>	County Administrator	
<input checked="" type="checkbox"/>	County Attorney	

DISTRICT:	Hartwood
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BACKGROUND REPORT

The Celebrate Virginia Parkway is a private four-lane road approximately four miles long, constructed in association with the Celebrate Virginia community. Construction plans for the road were submitted in 2001 and work began not long after. The road has been completed and in use for approximately ten (10) years, but never accepted into the state system of highways for maintenance. Celebrate Virginia Parkway is an important road serving a large commercial area and residential community, as well as a planned office park in Celebrate Virginia North.

Although Celebrate Virginia Parkway was virtually completed and placed into service, the road now requires significant work to bring it back to the standards necessary to allow it to be accepted into the state system of highways. The estimated cost for the improvements necessary to allow the road to be accepted into the state system is \$300,000. While there are no developer securities available for use in completing this roadwork, and the developer, Celebrate Virginia North 11, LLC, has indicated they have insufficient funds to complete the road at this time, they have agreed to fund the work under an agreement with the County with the following terms:

- Celebrate Virginia North 11, LLC, will provide \$150,000 to the County upon execution of the agreement to complete the remaining work.
- The County will put up \$150,000 for the completion of the work and Celebrate Virginia North 11, LLC, will reimburse the County at \$30,000 per year not longer than the next five (5) years.
- Celebrate Virginia North 11, LLC, will identify a suitable parcel, acceptable to the County, as collateral towards the satisfaction of this obligation.
- The County will absorb any costs in excess of the \$300,000 identified for completion of the punch list items remaining.
- The County will manage the work necessary to complete the parkway.

Although the road currently has significant deficiencies preventing acceptance into the state highway system, if this road continues to remain outside of the state system, the requirements and associated costs to complete the road will increase dramatically.

There are sufficient funds available in the Transportation Fund to complete Celebrate Virginia Parkway for acceptance into the state highway system. Staff recommends approval of proposed Resolution R12-285.

PROPOSED

**BOARD OF SUPERVISORS
COUNTY OF STAFFORD
STAFFORD, VIRGINIA**

RESOLUTION

At a regular meeting of the Stafford County Board of Supervisors (the Board) held in the Board Chambers, Stafford County Administration Center, Stafford, Virginia, on the 4th day of September, 2012:

MEMBERS:

- Susan B. Stimpson, Chairman
- Cord A. Sterling, Vice Chairman
- Jack R. Cavalier
- Paul V. Milde III
- Ty A. Schieber
- Gary F. Snellings
- Robert "Bob" Thomas, Jr.

VOTE:

On motion of , seconded by , which carried by a vote of , the following was adopted:

**A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR
TO EXECUTE AN AGREEMENT FOR COMPLETION OF THE
CELEBRATE VIRGINIA PARKWAY FOR ACCEPTANCE INTO THE
SECONDARY SYSTEM OF STATE HIGHWAYS**

WHEREAS, construction of the Celebrate Virginia Parkway was completed by the developer, Celebrate Virginia North 11, LLC, but the road was never accepted into the Secondary System of State Highways for maintenance; and

WHEREAS, the Parkway serves a large commercial area, residential neighborhoods, and a planned office park; and

WHEREAS, it will cost approximately \$300,000 to complete the remaining work to have the Virginia Department of Transportation accept the Parkway in to the Secondary System of State Highways; and

WHEREAS, this cost will rise dramatically if immediate action is not taken to complete the work for acceptance; and

WHEREAS, Celebrate Virginia North 11, LLC, indicated it is unable to fully fund the remaining work at this time, but will execute an agreement with the County, subject to certain terms to allow the County to complete the work; and

WHEREAS, staff reviewed these terms and determined that they are reasonable and acceptable; and

WHEREAS, the Board finds that this agreement and completion of the Parkway promotes the health, safety, and general welfare of the County and its citizens;

NOW, THEREFORE, BE IT RESOLVED by the Stafford County Board of Supervisors on this the 4th day of September, 2012, that it be and hereby does authorize the County Administrator to execute an agreement and any other necessary documents with Celebrate Virginia North 11, LLC, for the County to complete the Celebrate Virginia Parkway for acceptance into the Secondary System of State Highways.

AJR:KCD:kd