

FINANCE COMMITTEE
WEDNESDAY, OCTOBER 24, 2012
SECOND FLOOR CONFERENCE ROOM
CITY HALL - MANASSAS, VIRGINIA
AGENDA

5:30 PM CALL TO ORDER

- | | |
|---|-------------------------------------|
| 1. Update on Joint City / Manassas City Public Schools Capital Improvement Needs (Budesky) | 10 Minutes Page / |
| 2. Approve Minutes of the October 3, 2012, and October 10, 2012, Finance Committee Meetings | 1 Minute Page 3 |
| 3. Resolution 2013-27-R Amending the FY 2013 Budget by Budgeting and Appropriating \$20,000 from the Federal Government Passed Through the Virginia State Police (Lawler) | 2 Minutes Page 9 |
| 4. Resolution 2013-24-R Amending the FY 2013 Budget by Transferring Funds Within the Family Services Budget to Align the City's Budget with the Virginia Department of Social Services FY 2013 Budget (King/Bell/Weiler) | 2 Minutes Page 17 |
| 5. Resolution 2013-22-R Amending the FY 2013 Budget by Budgeting and Appropriating \$2,000,000 of Sewer Rate Stabilization Funds for the Sanitary Sewer Infiltration & Inflow Program (CMOM Compliance Capacity Improvements Project (Dawood/LeRoy) | 10 Minutes Page 21 |
| 6. Resolution 2013-28-R Amending the FY 2013 Budget by Budgeting and Appropriating \$60,000 from the Capital Reserve Fund for the Design of the Portner Avenue/Battle Street/Main Street Storm Sewer Improvements Project (Bergeron) | 5 Minutes Page 29 |
| 7. Resolution 2013-26-R Amending the FY 2013 Budget by Budgeting and Appropriating \$9,430 for the Litter Prevention and Recycling Grant from the Department of Environmental Quality (Bergeron) | 2 Minutes Page 35 |
| 8. Resolution 2013-25-R Amending the FY 2013 Budget by Transferring \$6,250 from General Fund Contingency for the Engagement of Thomas A. Dick to Serve as a Legislative Representative During the 2012/2013 State Legislative Session (Budesky) | 2 Minutes Page 39 |

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9. Resolution 2013-29-R Budgeting, Appropriating, and Amending the FY 2013 Budget by \$537,000 of Federal Funds for the Survey, Engineering, and Design of the Route 28 Widening Project (Moore) **5 Minutes**

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10 City Manager's Time

ADJOURNMENT

PAW/bgj

cc: Mayor
Council Members
John A. Budesky

Pat Weller
Diane Bergeron
Tamara Sturm

AGENDA STATEMENT

PAGE NO. 1

ITEM NO. 1

MEETING DATE: October 24, 2012 – Finance Committee

TIME ESTIMATE: 10 Minutes

AGENDA ITEM TITLE: Update on the Progress of the Manassas City and Schools Joint Staff Capital Improvement Planning Team

**DATE THIS ITEM WAS
LAST CONSIDERED
BY COUNCIL:** August 13, 2012 Resolution #R-2013-12

**SUMMARY OF
ISSUE/TOPIC:** As stipulated by Resolution #R-2013-12, the City Manager will update the Finance Committee on the progress of the Manassas City and Schools Joint Staff Capital Improvement Planning Team.

**STAFF
RECOMMENDATION:** INFORMATION ITEM ONLY. REPORT WILL BE SHARED AT THE MEETING.

**BOARD/COMMISSION/
COMMITTEE:**

RECOMMENDATION: ☐ Approve ☐ Disapprove ☐ Reviewed ☐ See Comments

CITY MANAGER: ☐ Approve ☐ Disapprove ☐ Reviewed ☐ See Comments

COMMENTS:

**DISCUSSION
(IF NECESSARY):** Report is attached

**BUDGET/FISCAL
IMPACT:** N/A

STAFF: John A. Budesky, City Manager, 703-257-8212

**MINUTES OF THE CITY COUNCIL FINANCE COMMITTEE
WEDNESDAY, OCTOBER 3, 2012
SECOND FLOOR CONFERENCE ROOM
CITY HALL - MANASSAS, VA**

COMMITTEE MEMBERS PRESENT: Council Member Marc Aveni, Chairman
Vice Mayor Andrew L. Harrover
Council Member J. Stephen Randolph

COMMITTEE MEMBERS ABSENT: Council Member Mark D. Wolfe (Alternate)

OTHERS PRESENT: Mayor Harry J. Parrish II, Council Member Jonathan Way, Council Member Ian T. Lovejoy, City Manager John A. Budesky, Finance & Administration Director Pat Weiler, Airport Director Juan Rivera, Deputy Public Works Director Gene Jennings, Assistant Public Works Director Patrick Moore, Fire & Rescue Chief Brett Bowman, Emergency Management Coordinator Robert J. Halsall,

GUESTS PRESENT: Superintendent of Schools Dr. Catherine Magouyrk, Associate Superintendent of Schools Ken LaLonde, School Board Member Tim Demeria

The meeting was called to order at 5:30 PM by Chairman Aveni.

AGENDA ITEM #1 Update on Joint City / Manassas City Public Schools Capital Improvement Needs

John A. Budesky presented an update on joint City / Manassas City Public Schools capital improvement needs.

AGENDA ITEM #2 Approve Minutes of the September 5, 2012, Finance Committee Meeting

A motion was made by Council Member Randolph and seconded by Vice Mayor Harrover to approve the minutes of the September 5, 2012, Finance Committee Meeting. The Committee approved (3/0).

AGENDA ITEM #3 Resolution 2013-20-R Amending the FY 2013 Budget by Budgeting and Appropriating a \$67,897 Governor's Youth Development Academy State Grant in the Schools FY 2013 Budget

Pat Weiler presented Staff's recommendation to approve Resolution 2013-20-R amending the FY 2013 Budget by budgeting and appropriating a \$67,897 Governor's Youth Development Academy State Grant in the schools' FY 2013 Budget. The Committee approved (3/0). This item will be forwarded to the October 8, 2012, City Council meeting.

AGENDA ITEM #4 Resolution 2013-18-R Amending the FY 2013 Budget by Budgeting and Appropriating \$125,000 for the FY 2012 Urban Areas Security Initiative Subgrant Sponsored by the Department of Homeland Security

Bob Halsall presented Staff's recommendation to approve Resolution 2013-18-R amending the FY 2013 Budget by budgeting and appropriating \$125,000 for the FY 2012 Urban Areas Security Initiative Subgrant sponsored by the Department of Homeland Security. The Committee approved (3/0). This item will be forwarded to the October 8, 2012, City Council meeting.

AGENDA ITEM #5 Resolution 2013-17-R Amending the FY 2013 Budget by Budgeting and Appropriating a \$10,000 Virginia Department of Aviation Grant for the Airport Marketing Plan and Accepting the Virginia Department of Aviation Grant and Authorizing the Mayor to Sign the Grant Agreement

Juan Rivera presented Staff's recommendation to approve Resolution 2013-17-R amending the FY 2013 Budget by budgeting and appropriating a \$10,000 Virginia Department of Aviation Grant for the Airport Marketing Plan and accepting the Virginia Department of Aviation Grant and authorizing the Mayor to sign the Grant Agreement. The Committee approved (3/0). This item will be forwarded to the October 8, 2012, City Council meeting.

AGENDA ITEM #6 Resolution 2013-19-R Amending the FY 2013 Budget by Budgeting and Appropriating a \$680,411 Federal Aviation Administration Grant and a \$60,481 Virginia Department of Aviation Grant for the Relocate the Localizer Antenna Project at the Airport and Accepting the Grants and Authorizing the Mayor to Sign the Grant Agreements

Juan Rivera presented Staff's recommendation to approve Resolution 2013-19-R amending the FY 2013 Budget by budgeting and appropriating a \$680,411 Federal Aviation Administration Grant and a \$60,481 Virginia Department of Aviation Grant for the Relocate the Localizer Antenna Project at the Airport and accepting the Grants and authorizing the Mayor to sign the Grant Agreements. The Committee approved (3/0). This item will be forwarded to the October 8, 2012, City Council meeting.

AGENDA ITEM #7 Resolution R-2013-18 Approving the FY 2014 Virginia Department of Transportation Revenue Sharing Program Application for Funding

Gene Jennings presented Staff's recommendation to approve Resolution R-2013-18 Approving the FY 2014 Virginia Department of Transportation Revenue Sharing Program Application for Funding. The Committee approved (3/0). This item will be forwarded to the October 8, 2012, City Council meeting.

AGENDA ITEM #8 Resolution R-2013-14 Authorizing the Potomac and Rappahannock Transportation Commission (PRTC) to Unappropriate \$43,864.58 from the City's Use of Gas Tax Funds for Capital Projects

Pat Weiler presented Staff's recommendation to approve Resolution R-2013-14 authorizing the Potomac and Rappahannock Transportation Commission (PRTC) to unappropriate \$43,864.58 from the City's use of Gas Tax Funds for Capital Projects. The Committee approved (3/0). This item will be forwarded to the October 8, 2012, City Council meeting.

AGENDA ITEM #9 2013 Finance Committee Calendar

Pat Weiler presented the CY 2013 Finance Committee Calendar. The Committee approved (3/0).

AGENDA ITEM #10 Resolution 2013-21-R Amending the FY 2013 Budget by Budgeting and Appropriating \$150,000 from General Fund Balance to Carryover the Unspent FY 2012 Training Program Funds

Pat Weiler presented Staff's recommendation to approve Resolution 2013-21-R amending the FY 2013 Budget by budgeting and appropriating \$150,000 from General Fund Balance to carryover the unspent FY 2012 Training Program Funds. The Committee approved (3/0). This item will be forwarded to the October 8, 2012, City Council meeting.

AGENDA ITEM #8 City Manager's Time – No Items

The meeting was adjourned at 7:00 PM by Chairman Aveni.

**MINUTES OF THE CITY COUNCIL FINANCE COMMITTEE
WEDNESDAY, OCTOBER 10, 2012
SECOND FLOOR CONFERENCE ROOM
CITY HALL - MANASSAS, VA**

COMMITTEE MEMBERS PRESENT: Council Member Marc Aveni, Chairman
Council Member J. Stephen Randolph
Council Member Mark D. Wolfe (Alternate)

COMMITTEE MEMBERS ABSENT: Vice Mayor Andrew L. Harrover

OTHERS PRESENT: Mayor Harry J. Parrish II, Council Member Ian T. Lovejoy, City Manager John A. Budesky, Finance & Administration Director Pat Weiler, Budget Manager Diane V. Bergeron

GUESTS PRESENT: School Board Member Tim Demeria, School Board Member Pamela Sebesky

The meeting was called to order at 5:30 PM by Chairman Aveni.

AGENDA ITEM #1 FY 2012 General Fund and Fire Rescue Fund FY 2012 Pre-Audit Report

Pat Weiler presented the FY 2012 General Fund and Fire Rescue Fund FY 2012 pre-audit report.

Mayor Parrish requested the past history of meals tax revenue.

The Committee asked Staff to prepare the General Fund Departmental Expenditures worksheet without the allocation of the Lake Vacancy Rate (\$457,870).

AGENDA ITEM #2 FY 2014 Five Year Forecast

Pat Weiler and Diane Bergeron presented the FY 2014 Five Year Forecast.

The Committee directed Staff to:

- Develop realistic projections of assessed value increases per year for real estate (residential and commercial) using Prince William County and other surrounding jurisdictions
- Review the assumption of 1% increase for new construction of real estate and develop more realistic projections using Prince William County and other surrounding jurisdictions

- Review the assumptions for other taxes and develop more realistic projections using Prince William County and other surrounding jurisdictions
- On the forecast, show the real estate tax rates and projected real estate taxes in four lines:
 - Current real estate tax revenue
 - Additional real estate revenue from new construction
 - Additional real estate tax from increased assessed value
 - Additional real estate tax from increase in tax rate
- On one report, show the total real estate tax revenue and real estate tax rates (general and fire/rescue levy)
- Council will review this information at the October 24 City Council Work Session and give staff direction for the scenarios they would like developed
- Staff will then develop the Council scenarios and present them to the Council at the City Council Work Session (date TBD but prior to the November 19 City Council Meeting).

AGENDA ITEM #3 City Manager's Time

John A. Budesky reminded the Committee of the Citizen Engagement Meeting on October 16 at 6:30 p.m. at Mayfield Intermediate School.

Chairman Aveni asked Pat Weiler to distribute the Prince William County Juvenile Curfew brochure to the City Council and City Clerk.

The meeting was adjourned at 7:15 p.m. by Chairman Aveni.

AGENDA STATEMENTPAGE NO. 9ITEM NO. 3**MEETING DATE:** October 24, 2012 – Finance Committee**TIME ESTIMATE:** 2 Minutes**AGENDA ITEM TITLE:** Resolution 2013-27-R Amending the FY 2013 Budget by Budgeting and Appropriating \$20,000 from the Federal Government Passed Through the Virginia State Police**DATE THIS ITEM WAS
LAST CONSIDERED
BY COUNCIL:** N/A**SUMMARY OF
ISSUE/TOPIC:**

The City of Manassas Police Department is renewing its Memorandum of Understanding with the Virginia State Police allowing for the City's continued participation in the Internet Crimes Against Children (ICAC) Task Force. The Virginia State Police funded this position through an ARRA grant for FY 2010 and FY 2011, and offered \$20,000 in reimbursement for FY 2012. For FY 2013, the Virginia State Police are again only able to reimburse up to \$20,000. This was anticipated during the FY 2013 budget process and as such, the City used year-end carryover monies to fund the position assigned to the ICAC Task Force, less the \$20,000 revenue. Since no grant had officially been awarded to the Virginia State Police at that time, the revenue has not been budgeted and appropriated.

This resolution will budget and appropriate \$20,000 of Federal Grant revenue in the General Fund.

**STAFF
RECOMMENDATION:** Approve Resolution 2013-27-R**BOARD/COMMISSION/
COMMITTEE:****RECOMMENDATION:** ☐ Approve ☐ Disapprove ☐ Reviewed ☐ See Comments**CITY MANAGER:** ☐ Approve ☐ Disapprove ☐ Reviewed ☐ See Comments**COMMENTS:** _____**DISCUSSION
(IF NECESSARY):****BUDGET/FISCAL
IMPACT:**  \$20,000 – Federal Grant Revenue**STAFF:** Captain Quentin F. Lawler, (703) 257-8003

RESOLUTION 2013-27-R

Adopted:

BE IT RESOLVED by the Council of the City of Manassas meeting in regular session this day of 19th day of November, 2012, that the following funds be budgeted and appropriated as shown.

| <u>ACCOUNT NO.</u> | | <u>AMOUNT</u> |
|----------------------|-----------------------|---------------|
| GENERAL FUND | | |
| <u>Revenues:</u> | | |
| 100-0000-333-18-47 | ICAC Task Force Grant | \$ 20,000 |
| <u>Expenditures:</u> | | |
| 100-1847-421-11-00 | ICAC Officer Salary | \$ 12,000 |
| 100-1847-421-20-00 | ICAC Officer Benefits | \$ 8,000 |

For: ICAC Task Force Grant

This resolution shall take effect upon its passage.

Harry J. Parrish II MAYOR
On Behalf of the City Council
of Manassas, Virginia

ATTEST:

Andrea P. Madden City Clerk



Colonel W. S. (Steve) Flaherty
Superintendent

(804) 674-2000

COMMONWEALTH of VIRGINIA
DEPARTMENT OF STATE POLICE

Lt. Col. Robert B. Northern
Deputy Superintendent

P. O. BOX 27472, RICHMOND, VA 23261-7472

October 2, 2012

Chief Douglas W. Keen
Manassas City Police Department
9518 Fairview Avenue
Manassas, VA 20110

Dear Chief Keen:

I am pleased to inform you that we have received the 2012 Office of Juvenile Justice and Delinquency Prevention Continuation Grant Award for the Northern Virginia / District of Columbia Internet Crimes Against Children (NOVA/DC ICAC) Task Force. This award affords us the opportunity to continue our fight to combat child exploitation across the region.

Our ongoing collaboration has been instrumental in protecting children and educating parents. As we discussed several months ago, it is our intention to sub-award monies to your agency in support of this worthwhile endeavor. As such, I have attached the Memorandum of Agreement for your review and signature. Also, enclosed is a copy of the latest ICAC Operational and Investigative Standards, which are referenced in the agreement. Upon signing, it is requested that the original document be returned to my attention at the above address. I will then sign and return a copy for your records.

I sincerely appreciate your continued support in this worthwhile endeavor and look forward to our future successes. If you have any questions, please do not hesitate to contact me at (804) 674-2696.

Sincerely,

Kirk S. Marlowe
Captain Kirk S. Marlowe
Division Commander
Bureau of Criminal Investigation
High-Tech Crimes Division

KSM
Attachments

C: Lieutenant Colonel Herman C. Davis

MEMORANDUM OF AGREEMENT
Between The
Virginia State Police for the
Northern Virginia / District of Columbia (NoVA/DC)
Internet Crimes Against Children Task Force (ICAC)
And The
City of Manassas (Virginia) Police Department
Under A Grant From
The United States Department of Justice,
Office of Juvenile Justice and Delinquency Prevention

October 2, 2012

This Memorandum of Agreement ("MOA") is entered into by the Virginia State Police (VSP) and the City of Manassas (Virginia) Police Department (MCPD).

WHEREAS, the VSP has been designated as the recipient of grant funds (grantee) by the Department of Justice, Office of Juvenile Justice and Delinquency Prevention (DOJ/OJJDP) for the purpose of detecting, investigating, and preventing internet crimes against children; and

WHEREAS, the MCPD (sub-grantee) has provided ongoing expertise and assistance with these activities and efforts in previously funded ICAC Program grants managed by VSP; and

WHEREAS, it is the express intent of both VSP and MCPD, as well as the OJJDP that this partnership continue especially as it relates to a Police Officer – Detective who is highly trained and experienced in the field of child pornography and child exploitation investigations or who possesses the potential for expertise; and

WHEREAS, OJJDP will provide VSP with additional grant funds for this program, of which VSP intends to allocate a **maximum of \$20,000** to offset the costs (salaries, fringe benefits, overtime, vehicle, equipment, fuel, and any other expense specifically related to the ICAC task force's overall mission of combating Internet crimes against children) of one (1) full-time Police Officer (Detective) over a twelve (12) month period, and

WHEREAS, the VSP has the authority to execute this MOA including any amendments and/or revisions thereof in order to distribute funds provided under this grant in a manner consistent with the intent of said award and in furtherance of the ICAC program administered by the United States DOJ/OJJDP; and

NOW THEREFORE, it is agreed by the parties hereto that:

- A.** MCPD shall assign one (1) Police Officer (Detective) on a full-time basis to the ICAC project for the current grant period of twelve (12) months.

MCPD shall invoice VSP on a quarterly basis for an amount not to exceed \$5,000.00 per

quarter for the twelve (12) month period, while the Detective is assigned to the ICAC project. The invoices shall be submitted by the 15th of the month following the end of the quarter. **The maximum allowable amount shall be \$20,000.00 for the twelve (12) month period, as articulated in this agreement.**

- B. VSP shall make every effort to process the invoices in a timely manner and consistent with prompt payment procedures, so that MCPD is reimbursed at the agreed-upon rate and as soon after the conclusion of the reporting quarter as feasible. Reimbursement to MCPD will be limited to actual expenses documented and submitted to VSP. Supporting documentation shall be made available by MCPD upon request to comply with OJJDP grant documentation requirements and/or audits. The grantee (VSP) is responsible for submitting quarterly reports to OJJDP within 10 days of the conclusion of the quarter. Accordingly, required Performance Measure documentation must be submitted to the ICAC Task Force Coordinator within 5 days of the completion of the quarterly reporting period in order for MCPD to receive reimbursement.
- C. The effective dates of this MOA shall correspond to the grant dates specified in the OJJDP Grant Award Documents. MCPD, as a sub-grantee agrees to comply with performance measure reporting requirements as it relates to the assigned Detective. The primary reporting measures for the MCPD Detective shall be those outlined in the OJJDP 2012 Continuation Funding for the Internet Crimes Against Children Task Force Program Grant Solicitation; specifically those listed under ICAC Program Performance Measures. This grant solicitation may be found at <http://www.ojp.usdoj.gov/funding/solicitations.htm>.
- D. MCPD, as a sub-grantee, agrees to comply with any additional requirements such as those delineated in the grant solicitation or special conditions which OJJDP may require in the grant award (copy attached). MCPD agrees to comply with any "subrecipient monitoring" and financial reporting requirements that VSP may require including timesheet documentation for the assigned Detective. A certification that work performed and grant funded is dedicated to the Northern Virginia / DC ICAC shall be submitted with the quarterly invoice and/or payroll documentation.
- E. As noted above, a copy of the OJJDP Grant Award Documents are attached and become a part hereof. In the event the grant is terminated by OJJDP or the participation of MCPD is altered substantially, this MOA shall become null and void.
- F. This MOA may be modified only by a written document signed by all parties, and no oral understanding or agreement shall be binding on the parties.

ADDITIONAL STIPULATIONS:

A. MCPD as Independent Contractor; Indemnification and Hold Harmless Agreement.

MCPD shall perform the services outlined in this MOA as an independent Contractor and will not be an agent or employee of the VSP or Commonwealth of Virginia. MCPD shall not represent or otherwise hold out itself or any of its directors, officers, partners, employees, or agents to be an agent or employee of the VSP or Commonwealth of Virginia unless provided with documented authority as an agent of the VSP. MCPD agrees to defend, indemnify, protect, and hold the VSP and Commonwealth of Virginia and its agents, officers, and employees harmless from and against any and all claims asserted or liability established for damages or injuries to any person or property, including injury to MCPD's employees, agents, or officers which arise from or are connected with or are caused or claimed to be caused by the acts or omissions of MCPD, and its agents, officers, or employees, in performing the work or services herein, and all expenses of investigating and defending against same; provided, however, that MCPD's duty to indemnify and hold harmless shall not include any claims or liability arising from the established sole negligence or willful misconduct of the VSP, its agents, officers, or employees.

B. Conflict of Interest. MCPD shall be subject to all federal, state and local conflict of interest laws, regulations and policies as the assigned Detective may have been prior to the establishment of this MOA. Such laws include Code of Virginia Sections 2.2-3100 – 3131. If it is determined that a conflict of interest code applies to the MCPD Detective, he/she will complete one or more statements of economic interest disclosing relevant financial interests as required by law, regulation or policies.

C. Compliance with Controlling Law. MCPD shall comply with all laws, ordinances, regulations, and policies of the federal, state, and local governments applicable to this MOA. The laws of the Commonwealth of Virginia shall govern and control the terms and conditions of this MOA.

D. Non-Assignment. MCPD shall not assign the obligations under this MOA, whether by express assignment or by changes to the organization, without the VSP's prior written approval and subsequent approval of OJJDP. Any assignment in violation of this paragraph shall constitute a default and is grounds for immediate termination of this MOA, at the sole discretion of the VSP. In no event shall any putative assignment create a contractual relationship between the VSP and any putative assignee.

E. Termination. Subject to applicable provisions of state law, either party may terminate its participation in this MOA by giving written notice of such termination to the other party. Such notice shall be delivered by certified mail with return receipt for delivery to the other party. The termination of the services shall be effective upon receipt of the notice. After termination of this MOA, MCPD shall complete any and all additional work necessary for the orderly closing of the MCPD's services under this MOA. For services rendered in completing the work, MCPD shall be entitled to fair and reasonable

compensation, not to exceed the maximum authorized amount of this MOA, for the services performed by MCPD before the effective date of termination.

F. Authority and Dispute Resolution. The partners hereby agree that each shall maintain its own existing lines of authority for activities and decisions which are distinctly its own. None of the partners shall have cause to require or demand operational modifications to activities that are rightfully the province of another partner. The partners agree to work jointly in good faith to ensure that activities are mutually supportive of the overall program goals. In the event of a dispute in program operations, the partners agree that they shall provide representation in problem-solving efforts, the goals of which shall be the effectiveness and sustenance of the partnership and the grant program.

G. Signatures. All terms and conditions set forth in this Addendum are hereby incorporated by reference into the MOA and are in full force and effect upon signatures of authorized representatives of the parties to the MOA.

Captain Kirk S. Marlowe
NOVA/DC ICAC Commander
Virginia State Police

Date

Chief Douglas W. Keen
Chief of Police
City of Manassas Police Department

Date

AGENDA STATEMENT

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ITEM NO. 4

MEETING DATE: October 24, 2012 – Finance Committee

TIME ESTIMATE: 2 Minutes

AGENDA ITEM TITLE: Resolution 2013-24-R Amending the FY 2013 Budget by Transferring Funds Within the Family Services Fund to Align the City's Budget with the Virginia Department of Social Services FY 2013 Budget

**DATE THIS ITEM WAS
LAST CONSIDERED
BY COUNCIL:** May 14, 2012 – Adoption of the FY 2013 Budget

**SUMMARY OF
ISSUE/TOPIC:**

The Virginia Department of Social Services Budget is not finalized until May. Therefore the City uses estimates for Social Service programs when preparing its Budget. The FY 2013 Budget adopted by City Council on May 14, 2012 contains these estimates.

This Resolution transfers funds within the Family Services Fund to align the City's Adopted Budget with the Virginia Department of Social Services Budget. The attached worksheet summarizes the transfers.

**STAFF
RECOMMENDATION:** Approve Resolution 2013-24-R

**BOARD/COMMISSION/
COMMITTEE:**

RECOMMENDATION: _____ Approve _____ Disapprove _____ See Comments

CITY MANAGER: _____ Approve _____ Disapprove _____ See Comments

COMMENTS:

**DISCUSSION
(IF NECESSARY):**

**BUDGET/FISCAL
IMPACT:**

STAFF: *RAJ*
Ron King, Family Services Director, 703-257-2329
LaTanya Bell, Fiscal Services Manager, 703-257-2330
Pat Weiler, Finance & Administration Director, 703-257-8234

RESOLUTION 2013-24-R

Adopted:

BE IT RESOLVED by the Council of the City of Manassas meeting in regular session this day of 19th day of November, 2012, that the following funds be budgeted and appropriated as shown.

| <u>ACCOUNT NO.</u> | | <u>AMOUNT</u> |
|-----------------------------|--------------------------------------|-------------------|
| FAMILY SERVICES FUND | | |
| <u>Revenues:</u> | | |
| 102-0000-324-27-33 | Auxiliary Grants | 11,274 |
| 102-0000-324-27-59 | IV-E Foster Care | 31,666 |
| 102-0000-324-27-61 | IV-E Adoption Subsidy | 18,652 |
| 102-0000-324-27-17 | Family Preservation SSBG | 27 |
| 102-0000-324-27-77 | VIEW Purchased Services | 965 |
| | Subtotal State Revenue | <u>\$ 62,584</u> |
| 102-0000-333-27-59 | IV-E Foster Care | 28,687 |
| 102-0000-333-27-61 | IV-E Adoption Subsidy | 12,782 |
| 102-0000-333-27-17 | Family Preservation SSBG | 4,516 |
| 102-0000-333-27-77 | VIEW Purchased Services | 1,399 |
| 102-0000-333-27-31 | IV-E Foster/Adoption Parent Training | 4,004 |
| | Subtotal Federal Revenue | <u>\$ 51,388</u> |
| | Total Revenue | \$ 113,972 |
| <u>Expenditures:</u> | | |
| 102-2771-444-57-02 | Auxiliary Grants | 14,092 |
| 102-2771-444-57-06 | IV-E Foster Care | 57,374 |
| 102-2771-444-57-04 | IV-E Adoption Subsidy | 25,565 |
| 102-2773-444-57-28 | Family Preservation SSBG | 5,376 |
| 102-2775-444-57-42 | VIEW Purchased Services | 2,794 |
| 102-2773-444-55-31 | IV-E Foster/Adoption Parent Training | 11,000 |
| 102-2701-444-95-02 | Salary / Wage Contingency | (2,229) |
| | Total Expenditures | \$ 113,972 |

For: Align the Family Services Budget with the State Social Services Budget

This resolution shall take effect upon its passage.

Harry J. Parrish II MAYOR
On Behalf of the City Council
of Manassas, Virginia

ATTEST:

Andrea P. Madden City Clerk

AGENDA STATEMENT

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ITEM NO. 5

MEETING DATE: October 24, 2012 – Finance Committee

TIME ESTIMATE: 10 Minutes

AGENDA ITEM TITLE: Resolution 2013-22-R Amending the FY 2013 Budget by Budgeting and Appropriating \$2,000,000 of Sewer Rate Stabilization Funds for the Sanitary Sewer Infiltration & Inflow Program (CMOM Compliance Capacity Improvements Project)

**DATE THIS ITEM WAS
LAST CONSIDERED
BY COUNCIL:** N/A

**SUMMARY OF
ISSUE/TOPIC:**

Staff is requesting approval to budget and appropriate Sewer Rate Stabilization Funds in the amount of \$2,000,000 for this previously approved I&I Project in lieu of the bond issuance, therefore, avoiding additional Sewer Fund Debt service.

On October 11, 2011, the Sewer Department staff presented to the Utility Commission the current Infiltration and Inflow (I&I) program. The Water & Sewer Department began a formalized I&I program in 2005 to identify and reduce sources of extraneous water entering the City's sanitary sewer collection system and eliminating it through various rehabilitation projects, thereby recapturing valuable sewer capacity for the City. The City has 8.67 million gallons per day (mgd) capacity & currently, the City's 48 month peak flow is 8.275 mgd based on a 30 day rolling average. Exceeding our capacity allocation will result in substantial assessed surcharge fees from UOSA. Recognizing the potential to exceed the City's allocated capacity and to preclude future I&I increases, the Utility Commission and the City Council voted to accelerate the program and increase funding for the next two years.

This resolution will budget and appropriate \$2,000,000 of Sewer Rate Stabilization funds in the Sewer Capital Projects Fund.

**STAFF
RECOMMENDATION:** Approve Resolution 2013-22-R

**BOARD/COMMISSION/
COMMITTEE:** Utility Commission – October 11, 2012

RECOMMENDATION: X Approve Disapprove Reviewed See Comments

CITY MANAGER: Approve Disapprove Reviewed See Comments

COMMENTS:

**DISCUSSION
(IF NECESSARY):**

UOSA Debt Service Status & Impact of Using Rate Stabilization Fund

UOSA Annual Debt Service increases average of \$250,000 per year from FY 13 to FY 21 before increases stop.

**DISCUSSION
(IF NECESSARY):**

Total City share of UOSA annual debt service FY 2012 was \$2,171,000, annual debt service in FY 2022 is projected to be \$4,510,000. Cost of UOSA debt per thousand annual increase per year is approximately \$0.23 added each year.

Applying approximately \$200,000 (or more if available) per year toward the UOSA Annual Debt Service will mitigate approximately \$0.18 per thousand of cost to the City of Manassas rate-payer.

Use of the full \$2,000,000 to fund the CMOM project from Fund Balance/Rate Stabilization and accelerate the potential savings of treatment costs could mean an additional margin of 100,000 gallons per day (0.1 MGD) to 200,000 gallons per day (0.2 MGD) in the margin of safety against our capacity limitations.

The current balance in this rate stabilization fund is \$2.3 million. This fund will be built back up in the next two years via tap fees from development.

In order to ease the burden on our rate-payers, the Utility Commission set aside by policy. A "Rate Stabilization Fund" and further agreed to add to this fund excesses of availability fees collected annually. Amounts would be taken from this Rate Stabilization fund annually to mitigate large increases from year to year in the UOSA cost component.

The Utility Commission now recommends that use of the \$2,000,000 set aside for mitigation of the increase in debt from UOSA should be applied to the CMOM S-12 Wastewater project and therefore avoid the long term debt that would be imposed on the City Rate-Payer. Additionally, it is recommended that contributions to the Rate Stabilization Fund by policy continue and excess amounts be applied to the mitigation of the increase in debt of approximately \$200,000 per year.

**BUDGET/FISCAL
IMPACT:**

\$2,000,000 – Sewer Rate Stabilization Funds

STAFF:

Tony H. Dawood, Deputy Director of Water & Sewer, (703) 257-8382
Mark LeRoy, Utilities Finance Manager, 703-257-8356

RESOLUTION 2013-22-R

Adopted:

BE IT RESOLVED by the Council of the City of Manassas meeting in regular session this 19th day of November, 2012, that the following funds be budgeted and appropriated as shown.

| <u>ACCOUNT NO.</u> | | <u>AMOUNT</u> |
|------------------------------------|--|---------------|
| SEWER FUND | | |
| <u>Revenues:</u> | | |
| 520-0000-317-10-60 | UOSA Cost Recovery | \$ (200,000) |
| 520-0000-346-04-01 | Reserved Fund Balance/Rate Stabilization | \$ 2,000,000 |
| <u>Expenditures:</u> | | |
| 520-3599-501-81-01 | Debt Service | \$ (200,000) |
| 520-3599-501-92-51 | Transfer to Sewer Capital Projects Fund | \$ 2,000,000 |
| SEWER CAPITAL PROJECTS FUND | | |
| <u>Revenues:</u> | | |
| 525-0000-345-20-00 | CP3633 Transfer from Sewer Fund | \$ 2,000,000 |
| <u>Expenditures:</u> | | |
| 525-3633-505-39-00 | CP3633 CMOM Compliance | \$ 2,000,000 |

For: Reserved Fund Balance/Rate Stabilization for CMOM Compliance Project and Apply Expenditure to Reduction of UOSA Debt Service Cost Recovery

This resolution shall take effect upon its passage.

Harry J. Parrish II MAYOR
On Behalf of the City Council
of Manassas, Virginia

ATTEST:

Andrea P. Madden City Clerk

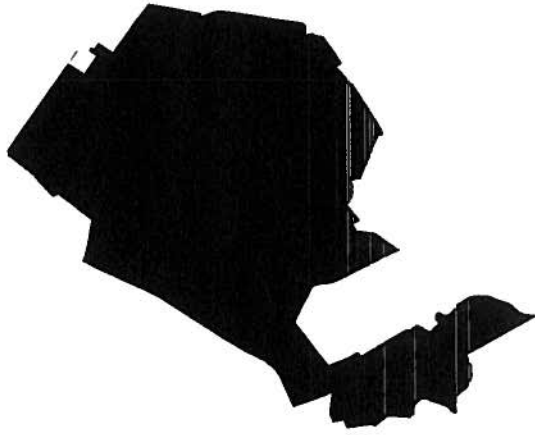
City of Manassas

Total Debt Service (includes Existing and Projected Debt Service)

| Total Debt Service | | | | Existing Debt Service | | | |
|--------------------|------------|--------------|-------------|-----------------------|------------|--------------|------------|
| FY | Principal | Net Interest | Total | FY | Principal | Net Interest | Total |
| 2012 | 72,798,305 | 63,050,585 | 135,848,890 | 2012 | 44,992,318 | 35,821,396 | 80,813,714 |
| 2013 | 72,798,305 | 63,050,585 | 135,848,890 | 2013 | 44,992,318 | 35,821,396 | 80,813,714 |
| 2014 | 484,144 | 1,686,849 | 2,170,993 | 2014 | 484,144 | 1,686,849 | 2,170,993 |
| 2015 | 507,558 | 1,915,857 | 2,423,415 | 2015 | 507,558 | 1,915,857 | 2,423,415 |
| 2016 | 808,978 | 1,916,819 | 2,725,797 | 2016 | 808,978 | 1,916,819 | 2,725,797 |
| 2017 | 938,905 | 1,974,965 | 2,913,869 | 2017 | 938,905 | 1,851,980 | 2,790,884 |
| 2018 | 990,959 | 2,054,226 | 3,045,185 | 2018 | 990,959 | 1,808,256 | 2,799,215 |
| 2019 | 1,117,626 | 2,323,825 | 3,441,451 | 2019 | 1,037,676 | 1,761,445 | 2,799,121 |
| 2020 | 1,163,082 | 2,594,837 | 3,757,918 | 2020 | 1,079,360 | 1,719,886 | 2,799,246 |
| 2021 | 1,415,229 | 2,546,947 | 3,962,176 | 2021 | 1,122,808 | 1,676,015 | 2,798,822 |
| 2022 | 1,476,279 | 2,714,663 | 4,190,942 | 2022 | 1,168,884 | 1,629,817 | 2,798,702 |
| 2023 | 1,516,846 | 2,879,009 | 4,395,855 | 2023 | 1,194,479 | 1,580,969 | 2,775,448 |
| 2024 | 1,694,833 | 2,813,988 | 4,508,821 | 2024 | 1,209,453 | 1,531,422 | 2,740,875 |
| 2025 | 1,768,181 | 2,740,263 | 4,508,444 | 2025 | 1,259,784 | 1,480,995 | 2,740,779 |
| 2026 | 1,845,905 | 2,662,884 | 4,508,789 | 2026 | 1,312,932 | 1,428,018 | 2,740,951 |
| 2027 | 1,930,792 | 2,581,631 | 4,512,423 | 2027 | 1,372,439 | 1,372,349 | 2,744,788 |
| 2028 | 2,046,140 | 2,496,178 | 4,542,318 | 2028 | 1,460,800 | 1,313,697 | 2,774,496 |
| 2029 | 2,132,625 | 2,409,698 | 4,542,323 | 2029 | 1,519,543 | 1,255,313 | 2,774,856 |
| 2030 | 2,223,405 | 2,319,226 | 4,542,631 | 2030 | 1,580,169 | 1,194,269 | 2,774,438 |
| 2031 | 2,317,913 | 2,224,549 | 4,542,462 | 2031 | 1,644,574 | 1,130,467 | 2,775,040 |
| 2032 | 2,358,730 | 2,125,497 | 4,484,227 | 2032 | 1,652,069 | 1,063,736 | 2,715,805 |
| 2033 | 2,462,540 | 2,021,829 | 4,484,369 | 2033 | 1,723,364 | 993,987 | 2,717,351 |
| 2034 | 2,571,120 | 1,913,076 | 4,484,196 | 2034 | 1,795,457 | 920,715 | 2,716,172 |
| 2035 | 2,652,233 | 1,799,410 | 4,451,643 | 2035 | 1,839,280 | 844,281 | 2,683,560 |
| 2036 | 2,663,589 | 1,682,042 | 4,345,631 | 2036 | 1,811,788 | 765,934 | 2,577,721 |
| 2037 | 2,711,641 | 1,562,415 | 4,274,056 | 2037 | 1,819,383 | 687,193 | 2,506,577 |
| 2038 | 2,831,873 | 1,441,449 | 4,273,322 | 2038 | 1,896,796 | 609,056 | 2,505,852 |
| 2039 | 2,957,807 | 1,315,082 | 4,272,889 | 2039 | 1,978,303 | 527,573 | 2,505,876 |
| 2040 | 3,091,052 | 1,182,203 | 4,273,254 | 2040 | 2,063,955 | 441,710 | 2,505,665 |
| 2041 | 3,230,804 | 1,043,307 | 4,274,111 | 2041 | 2,153,752 | 352,114 | 2,505,867 |
| 2042 | 3,383,616 | 890,178 | 4,273,794 | 2042 | 2,255,000 | 250,684 | 2,505,684 |
| 2043 | 3,192,009 | 695,311 | 3,887,320 | 2043 | 2,009,468 | 109,990 | 2,119,459 |
| 2044 | 1,877,427 | 528,558 | 2,405,985 | 2044 | 637,794 | - | 637,794 |
| 2045 | 1,960,797 | 469,056 | 2,429,853 | 2045 | 662,464 | - | 662,464 |
| 2046 | 1,361,003 | 406,736 | 1,767,739 | 2046 | - | - | - |
| 2047 | 1,426,839 | 341,408 | 1,768,247 | 2047 | - | - | - |
| 2048 | 1,494,233 | 272,920 | 1,767,153 | 2048 | - | - | - |
| 2049 | 1,241,370 | 201,197 | 1,442,566 | 2049 | - | - | - |
| 2050 | 1,300,062 | 141,611 | 1,441,672 | 2050 | - | - | - |
| 2051 | 524,576 | 79,208 | 603,784 | 2051 | - | - | - |
| 2052 | 549,518 | 54,028 | 603,546 | 2052 | - | - | - |
| 2053 | 576,069 | 27,651 | 603,720 | 2053 | - | - | - |
| 2054 | - | - | - | 2054 | - | - | - |
| 2055 | - | - | - | 2055 | - | - | - |

Site:

Citywide

**Service Impact Narrative:**

Sanitary sewer evaluations conducted by the City's Water and Sewer Department have identified locations of high levels of groundwater termed as infiltration and inflow which can be economically removed from the city's sanitary sewer system. Sanitary sewer rehabilitation will reduce infiltration and inflow, restore structural integrity of the sanitary sewer system, and maintain desired levels of service and regulatory compliance. Currently, CMOM Regulation is under federal review for implementation; however, the USEPA has directed its Regional Offices to interpret the requirements of the current Clean Water Act as granting the regions the authority to enforce the requirements drafted in CMOM. Region 2 has begun enforcing and Region 3 is considering enforcement in the Mid-Atlantic States.

Comprehensive Plan Conformance:

The project is in conformance with the Comprehensive Plan.

Year Introduced in CIP: 2005

| Project Timeline | FY 12 Prior | FY 13 | FY 14 | FY 15 | FY 16 | FY 17 | Future |
|------------------|-------------|-------|-------|-------|-------|-------|--------|
| Planning/Design | • | • | | | | | |
| Land Acquisition | | | | | | | |
| Construction | • | • | | | | | • |

Associated / Coordinated Projects:

N/A

Project Description:

New EPA regulation entitled Capacity Management, Operations, and Maintenance (CMOM) will require collection system owners to eliminate Sanitary Sewer Overflows (SSO's). This project will identify and rehabilitate the city's sanitary sewer infrastructure experiencing high levels of infiltration and inflow which can be economically removed from the sanitary sewer system.

This infiltration and inflow reduction project will not only reduce sewage overflow occurrences, but will recapture valuable sewer capacity needed by the City. By taking a proactive approach in addressing infiltration and inflow, the City will decrease the volume sent to UOSA and, thereby, reduce the treatment cost.

PROJECT: S-12 CMOM Compliance Capacity Improvements

525-3633

↓ Sum of Prior Years and Estimate to Complete

↓ Sum of FY 2013--FY 2017 ↓ Sum of FY 2012 ↓ Sum of FY 2013--Future Years

FY 2013 Total FY 2012 and all Estimate to

CIP Total Project Prior Years Complete FY 2013 FY 2014 FY 2015 FY 2016 FY 2017 Future
Years

Project Estimate:

| | | | | | | | | | | |
|-----------------------|--------------|--------------|--------------|--------------|--------------|---|---|---|---|------------|
| Planning/Design | 150 | 190 | 40 | 150 | 150 | - | - | - | - | - |
| Land | - | - | - | - | - | - | - | - | - | - |
| Construction | 1,850 | 3,093 | 1,043 | 2,050 | 1,850 | - | - | - | - | 200 |
| Total Estimate | 2,000 | 3,283 | 1,083 | 2,200 | 2,000 | - | - | - | - | 200 |

Funding Sources:

| | | | | | | | | | | |
|----------------------|--------------|--------------|--------------|--------------|--------------|---|---|---|---|------------|
| General Fund | - | - | - | - | - | - | - | - | - | - |
| Municipal Fund | - | 1,283 | 1,083 | 200 | - | - | - | - | - | 200 |
| State Fund | - | - | - | - | - | - | - | - | - | - |
| Bonds | 2,000 | 2,000 | - | 2,000 | 2,000 | - | - | - | - | - |
| Other Local Gov | - | - | - | - | - | - | - | - | - | - |
| State | - | - | - | - | - | - | - | - | - | - |
| Federal | - | - | - | - | - | - | - | - | - | - |
| Gas Tax | - | - | - | - | - | - | - | - | - | - |
| Proffers/Other | - | - | - | - | - | - | - | - | - | - |
| Total Funding | 2,000 | 3,283 | 1,083 | 2,200 | 2,000 | - | - | - | - | 200 |

Operating Impacts (Life Cycle Costs):

| | | | | | | | | | | |
|--------------------------------|-------|---------|---|---------|---|-------|-------|-------|-------|---------|
| Operating Revenue | - | - | - | - | - | - | - | - | - | - |
| Facility Operating Cost | - | - | - | - | - | - | - | - | - | - |
| Program Operating Cost | (500) | (4,000) | - | (4,000) | - | (50) | (100) | (150) | (200) | (3,500) |
| Debt Service | 800 | 4,000 | - | 4,000 | - | 200 | 200 | 200 | 200 | 3,200 |
| Total Costs | 300 | - | - | - | - | 150 | 100 | 50 | - | (300) |
| Net Revenue (Subsidy) Required | (300) | - | - | - | - | (150) | (100) | (50) | - | 300 |

AGENDA STATEMENTPAGE NO. 29ITEM NO. 6**MEETING DATE:** October 24, 2012 – Finance Committee**TIME ESTIMATE:** 5 Minutes**AGENDA ITEM TITLE:** Resolution 2013-28-R Amending the FY 2013 Budget by Budgeting and Appropriating \$60,000 from the Capital Reserve Fund for the Design of the Portner Avenue/Battle Street/Main Street Storm Sewer Improvements Project**DATE THIS ITEM WAS
LAST CONSIDERED
BY COUNCIL:** N/A**SUMMARY OF
ISSUE/TOPIC:** The design of the Portner Avenue/Battle Street/Main Street Storm Sewer Improvements project was approved in the FY 2013 CIP to be funded with bond proceeds through a reimbursement resolution for the proposed 2014 Bond Issue. The recommendation of the Finance & Administration Director is to instead use \$60,000 from Capital Reserve Funds for the design of this project in the current year as it is too early in the FY 2014 Bond Process for City Council to adopt a bond reimbursement resolution.

This resolution will budget and appropriate \$60,000 of Capital Reserve Funds in the Storm Water Management Capital Projects Fund.

**STAFF
RECOMMENDATION:** Approve Resolution 2013-28-R**BOARD/COMMISSION/
COMMITTEE:****RECOMMENDATION:** ☐ Approve ☐ Disapprove ☐ Reviewed ☐ See Comments**CITY MANAGER:** ☐ Approve ☐ Disapprove ☐ Reviewed ☐ See Comments**COMMENTS:**
_____**DISCUSSION
(IF NECESSARY):****BUDGET/FISCAL
IMPACT:** \$60,000 – Capital Reserve Fund**STAFF:**  Diane V. Bergeron, Budget Manager, (703) 257-8272

RESOLUTION 2013-28-R

Adopted:

BE IT RESOLVED by the Council of the City of Manassas meeting in regular session this day of 19th day of November, 2012, that the following funds be budgeted and appropriated as shown.

| <u>ACCOUNT NO.</u> | | <u>AMOUNT</u> |
|---|---|---------------|
| GENERAL FUND | | |
| <u>Revenues:</u> | | |
| 100-0000-346-01-01 | Capital Reserve Funds | \$ 60,000 |
| <u>Expenditures:</u> | | |
| 100-9600-491-92-31 | Transfer to Capital Projects Fund | \$ 60,000 |
| STORM WATER MANAGEMENT CAPITAL PROJECTS FUND | | |
| <u>Revenues:</u> | | |
| 350-0000-345-10-00 CP5130 | Transfer from General Fund | \$ 60,000 |
| <u>Expenditures:</u> | | |
| 350-5130-505-31-00 CP5130 | Portner/Battle/Main Storm Sewer Project | \$ 60,000 |

For: Capital Reserve for Portner/Battle/Main Storm Sewer Project Design

This resolution shall take effect upon its passage.

Harry J. Parrish II MAYOR
On Behalf of the City Council
of Manassas, Virginia

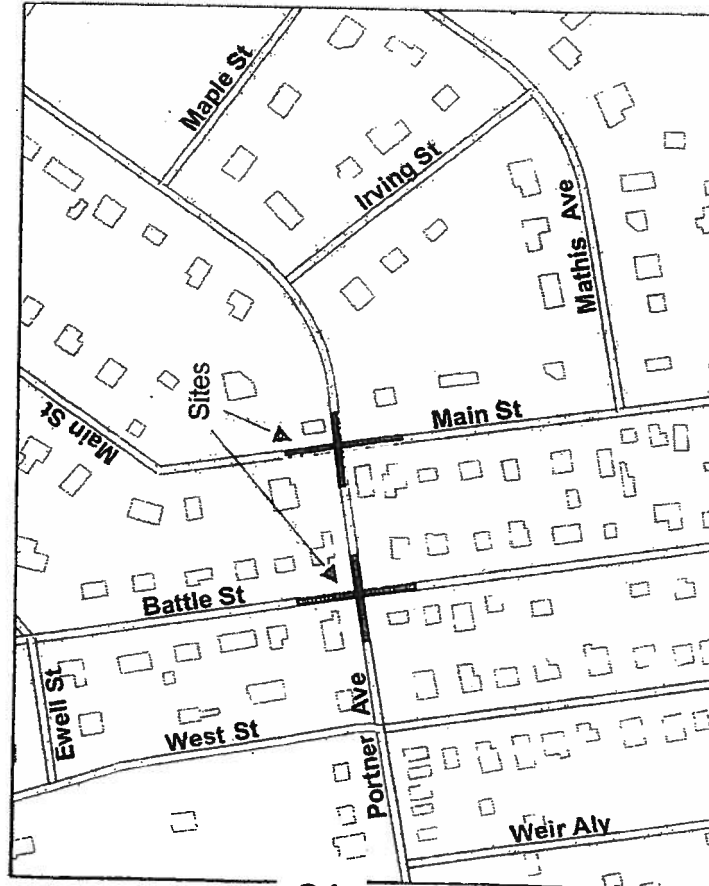
ATTEST:

Andrea P. Madden City Clerk

PROJECT: D-23 Portner Ave/Battle St/Main St Storm Sewer Improvements DEPARTMENT: Public Works

Site:

Intersections of Portner Avenue/Battle Street and Portner Avenue/Main Street



Service Impact Narrative:

This project has been developed in response to recent flooding events in this area. It appears that much of the runoff from the Old Town area is affecting this area. The current stormwater system is inadequate to convey the stormwater to appropriate outfalls. Heavy storms have caused flooding and property damage to homes of local residents. This project is aimed at providing some relief to these citizens.

Comprehensive Plan Conformance:

The project is in conformance with the Comprehensive Plan.

Year Introduced in CIP: 2013

| Project Timeline | FY 12 Prior | FY 13 | FY 14 | FY 15 | FY 16 | FY 17 | Future |
|------------------|-------------|-------|-------|-------|-------|-------|--------|
| Planning/Design | | • | | | | | |
| Land Acquisition | | | • | | | | |
| Construction | | | • | | | | |

Associated / Coordinated Projects:

N/A

Project Description:

Install/replace existing storm sewer system to serve Portner Avenue, Battle Street, and Main Street to improve storm water conveyance through this area.

PROJECT: D-23 Portner Ave/Battle St/Main St Storm Sewer Improvements

• V V Sum of Prior Years and Estimate to Complete

↓ Sum of FY 2013--FY 2017 FY 2012 ↓ Sum of FY 2013--Future Years

FY 2013 Total and all Estimate to

| CIP Total | Project | Prior Years | Complete | FY 2013 | FY 2014 | FY 2015 | FY 2016 | FY 2017 | Future Years |
|------------|------------|-------------|------------|-----------|------------|----------|----------|----------|--------------|
| 60 | 60 | - | 60 | 60 | - | - | - | - | - |
| 50 | 50 | - | 50 | - | 50 | - | - | - | - |
| 840 | 840 | - | 840 | - | 840 | - | - | - | - |
| 950 | 950 | - | 950 | 60 | 890 | - | - | - | - |

Project Estimate:

Planning/Design

Land

Construction

Total Estimate

Funding Sources:

General Fund

Waste Fund

Water Fund

Bonds

Other Local Gov

State

Federal

Gas Tax

Proffers/Other

Total Funding

Operating Impacts (Life Cycle Costs): Base Budget Supports Annual Operating Impacts

Operating Revenue

Facility Operating Cost

Program Operating Cost

Debt Service

Total Costs

Net Revenue (Subsidy) Required

**City of Manassas
Proposed Uses
Capital Reserve Fund**

Current Balance \$3,673,890

| Description | FY 2013 | FY 2014 | FY 2015 | FY 2016 | FY 2017 |
|---|------------------|------------------|------------------|------------------|------------------|
| Portner/Battle/Main Storm Sewer (D-23) | (60,000) | | | | |
| Park Maintenance & Improvements (R-31) | | (167,000) | | | |
| Jackson Avenue Drainage (D-19) | | (320,000) | | | |
| School Playground Equipment (R-7) | | (30,000) | (30,000) | (30,000) | (30,000) |
| Sumner Lake Pond Bank Restoration (D-22) | | | (490,000) | | |
| Park Playground Equipment (R-25) | | | (30,000) | (30,000) | (30,000) |
| Fort Place Drainage (D-20) | | | | (190,000) | |
| Hazel Drive Channel (D-21) | | | | (45,000) | |
| Peabody Street/Early Street Drainage (D-11) | | | | | (372,000) |
| Total Use | (60,000) | (517,000) | (550,000) | (295,000) | (432,000) |
| Estimated Balance | 3,613,890 | 3,156,890 | 2,606,890 | 2,311,890 | 1,879,890 |

**City of Manassas
Capital Reserve Fund
FY 2013**

| Date | Action | Description | Amount | Balance |
|-------------|---------------|--------------------------------------|---------------|----------------|
| 7/1/2009 | | Balance | \$ - | |
| 9/14/2009 | 2010-23-R | Close capital projects | 920,136 | |
| 10/26/2009 | 2010-46-R | Close capital projects | 1,149,412 | 2,069,548 |
| | | Reallocate Transportation Projects | | |
| 12/21/2009 | 2010-65-R | Funding | 2,100,000 | 4,169,548 |
| 12/21/2009 | 2010-65-R | DMV Land Purchase | (2,100,000) | 2,069,548 |
| 1/25/2010 | 2010-66-R | GIS Implementation Plan Phase I | (73,795) | 1,995,753 |
| 4/12/2010 | 2010-83-R | Brinkley Lane Traffic Signal | (30,000) | 1,965,753 |
| 4/26/2010 | 2010-86-R | City Hall Generator Relocation | (24,800) | 1,940,953 |
| 4/26/2010 | 2010-90-R | Bike Trails | (51,651) | 1,889,302 |
| 6/30/2010 | | Fund Balance in excess of 13% | 1,450,761 | 3,340,063 |
| 7/1/2010 | 2011-08-R | Community Development Software | (192,000) | 3,148,063 |
| | | Additional 2007 UASI Grant Funds for | | |
| 9/13/2010 | 2011-26-R | Computer Aided Dispatch & Livescan | 100,021 | 3,248,084 |
| 2/28/2011 | 2011-73-R | Sesquicentennial | (409,800) | 2,838,284 |
| 3/28/2011 | 2011-86-R | 911 Calling System | (367,000) | 2,471,284 |
| 6/30/2011 | | Fund Balance in excess of 13% | 2,244,828 | 4,716,112 |
| 7/1/2011 | 2012-01-R | Byrd Park Restrooms (R-23) | (240,000) | 4,476,112 |
| 7/1/2011 | 2012-01-R | Stonewall Park Restrooms (R-29) | (260,000) | 4,216,112 |
| 7/1/2011 | 2012-01-R | Park Maintenance & Improvements (R- | (74,000) | 4,142,112 |
| 7/1/2011 | 2012-01-R | Tennis Court Improvements (R-32) | (150,000) | 3,992,112 |
| 7/1/2011 | 2012-01-R | Calvary Run Parking Lot (R-33) | (50,000) | 3,942,112 |
| 7/1/2011 | 2012-04-R | Close Capital Projects | 216,948 | 4,159,060 |
| 12/12/2011 | 2012-40-R | Centerville Road and Route 28 | 234,076 | 4,393,136 |
| 12/12/2011 | 2012-45-R | Close Capital Projects | 36,806 | 4,429,942 |
| 12/12/2011 | 2012-45-R | Close Capital Projects | 1,458 | 4,431,400 |
| 12/12/2011 | 2012-48-R | Close Capital Projects | 268,881 | 4,700,281 |
| 4/9/2012 | 2012-71-R | PWH Pond Design | (120,000) | 4,580,281 |
| 6/18/2012 | 2012-84-R | Radio Replacement | (1,635,000) | 2,945,281 |
| 6/30/2012 | 2012-92-R | Close Capital Projects | 94,774 | 3,040,055 |
| 6/30/2012 | 2012-94-R | Close Capital Projects | 121,503 | 3,161,558 |
| 6/30/2012 | 2012-94-R | Close Capital Projects | 327,114 | 3,488,672 |
| 6/30/2012 | 2012-94-R | Close Capital Projects | 105,518 | 3,594,190 |
| 6/30/2012 | | Fund Balance in excess of 13% | 735,700 | 4,329,890 |
| 7/1/2012 | 2013-01-R | Roof Replacements (G-10) | (405,000) | 3,924,890 |
| 7/1/2012 | 2013-01-R | 31) | (51,000) | 3,873,890 |
| 7/1/2012 | 2013-01-R | Public Safety Facility Study (G-15) | (95,000) | 3,778,890 |
| 7/1/2012 | 2013-01-R | School Playground Equipment (R-7) | (30,000) | 3,748,890 |
| 7/3/2012 | 2013-01-R | Dean Park Master Plan (R-17) | (75,000) | 3,673,890 |

AGENDA STATEMENT

PAGE NO. 35

ITEM NO. 1

MEETING DATE: October 24, 2012 – Finance Committee

TIME ESTIMATE: 2 Minutes

AGENDA ITEM TITLE: Resolution 2013-26-R Amending the FY 2013 Budget by Budgeting and Appropriating \$9,430 for the Litter Prevention and Recycling Grant from the Department of Environmental Quality

**DATE THIS ITEM WAS
LAST CONSIDERED
BY COUNCIL:** N/A

**SUMMARY OF
ISSUE/TOPIC:** The City has been awarded the Litter Prevention and Recycling Grant for FY 2013 in the amount of \$9,430.

This resolution will budget and appropriate \$9,430 of State Grant revenue in the Solid Waste Fund.

**STAFF
RECOMMENDATION:** Approve Resolution 2013-26-R


**BOARD/COMMISSION/
COMMITTEE:**

RECOMMENDATION: ☐ Approve ☐ Disapprove ☐ Reviewed ☐ See Comments

CITY MANAGER: ☐ Approve ☐ Disapprove ☐ Reviewed ☐ See Comments

COMMENTS:

**DISCUSSION
(IF NECESSARY):**

**BUDGET/FISCAL
IMPACT:**  \$9,430 – State Grant Revenue

STAFF: Diane V. Bergeron, Budget Manager, (703) 257-8272

RESOLUTION 2013-26-R

Adopted:

BE IT RESOLVED by the Council of the City of Manassas meeting in regular session this day of 19th day of November, 2012, that the following funds be budgeted and appropriated as shown.

| <u>ACCOUNT NO.</u> | | <u>AMOUNT</u> |
|-------------------------|----------------------------|---------------|
| SOLID WASTE FUND | | |
| <u>Revenues:</u> | | |
| 590-0000-324-25-05 | State Grant Revenue | \$ 9,430 |
| <u>Expenditures:</u> | | |
| 590-2535-432-62-00 | Litter Prevention Supplies | \$ 9,430 |

For: Litter Prevention and Recycling Grant

This resolution shall take effect upon its passage.

Harry J. Parrish II MAYOR
On Behalf of the City Council
of Manassas, Virginia

ATTEST:

Andrea P. Madden City Clerk



COMMONWEALTH of VIRGINIA

DEPARTMENT OF ENVIRONMENTAL QUALITY

Street address: 629 East Main Street, Richmond, Virginia 23219

Mailing address: P.O. Box 1105, Richmond, Virginia 23218

TDD (804) 698-4021

www.deq.virginia.gov

Douglas W. Domenech
Secretary of Natural Resources

David K. Paylor
Director

(804) 698-4000
1-800-592-5482

October 2, 2012

Mr. John Budesky
Manager, City of Manassas
9027 Center Street
Manassas, Virginia 20110

Dear Mr. Budesky,

I am pleased to inform you that a grant award of **\$9,430** has been approved for the **City of Manassas** Litter Prevention and Recycling Program activities for the period July 1, 2012 to June 30, 2013. A payment for this amount should be received within the next two weeks if funds can be transferred electronically (EDI) or in thirty days if processing by check is required.

If you have any questions or need additional information, please contact me at steve.coe@deq.virginia.gov or at 804-698-4029.

Sincerely,

G. Stephen "Steve" Coe

G. Stephen Coe
Division of Land Protection & Revitalization
Recycling and Litter Programs

Cc: Grant file

AGENDA STATEMENT

PAGE NO. 39

ITEM NO. 8

MEETING DATE: October 24, 2012 – Finance Committee

TIME ESTIMATE: 2 Minutes

AGENDA ITEM TITLE: Resolution 2013-25-R Amending the FY 2013 Budget by Transferring \$6,250 from General Fund Contingency for the Engagement of Thomas A. Dick to Serve as a Legislative Representative During the 2012/2013 State Legislative Session

**DATE THIS ITEM WAS
LAST CONSIDERED
BY COUNCIL:** N/A

**SUMMARY OF
ISSUE/TOPIC:** The City has several critical legislative issues that will be decided during the upcoming legislative session and the legislative committee hearings leading up to the session. It is recommended that Thomas A. Dick, who represented the City last year, be engaged to track legislation and issues, engage our legislative delegation, and work with VML and other jurisdictional legislative representatives to achieve City legislative positions. Mr. Dick's proposal is attached. The total cost of representation will not exceed \$12,500. Half (\$6,250) will come from General Fund Contingency and half (\$6,250) will come from Utilities.

This resolution will transfer \$6,250 from Contingency in the General Fund.

**STAFF
RECOMMENDATION:** Approve Resolution 2013-25-R


**BOARD/COMMISSION/
COMMITTEE:**

RECOMMENDATION: ☐ Approve ☐ Disapprove ☐ Reviewed ☐ See Comments

CITY MANAGER: ☐ Approve ☐ Disapprove ☐ Reviewed ☐ See Comments

COMMENTS:

**DISCUSSION
(IF NECESSARY):**

**BUDGET/FISCAL
IMPACT:**  \$ 6,250 – General Fund Contingency
\$ 6,250 – Utilities FY 2013 Budget
\$12,500 Total for Legislative Representative

STAFF: John A. Budesky, City Manager, (703) 257-8212

RESOLUTION 2013-25-R

Adopted:

BE IT RESOLVED by the Council of the City of Manassas meeting in regular session this day of 19th day of November 2012, that the following funds be transferred as shown.

| <u>ACCOUNT NO.</u> | | <u>AMOUNT</u> |
|----------------------|--------------------------|---------------|
| GENERAL FUND | | |
| <u>Expenditures:</u> | | |
| 100-9600-411-95-01 | General Fund Contingency | \$ (6,250) |
| 100-0501-413-39-00 | Purchased Services | \$ 6,250 |

For: Legislative Representative for 2012/2013 Session

This resolution shall take effect upon its passage.

Harry J. Parrish II MAYOR
On Behalf of the City Council
of Manassas, Virginia

ATTEST:

Andrea P. Madden City Clerk

Thomas A. Dick
1108 East Main Street, Suite 1200
Richmond, VA 23219

tad_govern@msn.com
(mobile) 804-387-1197

(office) 804-330-3139
(fax) 804-330-3367

October 11, 2012

Mr. John A. Budesky
City Manager
City of Manassas
9027 Center Street
Manassas, VA 20110

Dear John:

This letter outlines legislative services that I will continue to provide the City of Manassas through June 30, 2013 (subject to your approval). These legislative services will include the following:

- Work with City staff to identify legislative and regulatory issues important to the City.
- Attend meetings the City has with area legislators to discuss major legislative issues.
- Identify and track legislation for the 2013 General Assembly that is important to the City and raise any concerns the City has with these measures.
- Work to identify opportunities for City officials to testify, as needed, on key legislation and assist in the drafting of these remarks.
- Work with Northern Virginia local government legislative liaisons on matters important to the region.
- Work with the Virginia Municipal League and Virginia Association of Counties where practical on issues of mutual interest.
- Work to secure support from state legislators and executive agency officials to further the City's legislative agenda.
- Provide a brief e-mail update on legislative matters to the City Manager or his designee along with at least one telephone contact each week the General Assembly is in session and provide a summary report on legislative matters at the conclusion of the General Assembly.

Mr. John A. Budesky
October 11, 2012

Page Two

The fee for these services will be \$1500 per month for 8 months, beginning in November of 2012. The City will reimburse for expenses not to exceed \$500. (The lobbyist registration fee is \$50 and it is anticipated that there will travel to the City). Again this year, the total cost to the City would be capped at \$12,500.

The 2013 General Assembly will consider many measures important to local governments. Machinery and Tools taxes will again be targeted. Manufacturers greatly dislike this tax and they continue to argue it hurts their competitiveness. The elimination of this tax revenue would have a much greater impact on the City than almost any other locality. The elimination of (and modifications to) the business, professional and occupational license tax (BPOL) will also be proposed.

Because of growing budget pressures elsewhere, there will be efforts made to further reduce state funding for localities. This includes proposals to modify education funding formulas shifting more of the cost burden onto localities. Transportation funding will very likely be an issue with efforts expected to attempt to divert state General Fund money into transportation. Additionally, obtaining the funding needed for the Commonwealth's Water Quality Improvement Fund to repay localities for work already done and previously approved by the state, continues to be important. Despite efforts to reduce or limit unfunded state mandates on localities, more of these types of measures will be proposed

Please call me if you have any questions or need additional information. I look forward to working with the City again this year.

Sincerely,



Thomas A. Dick



CITY OF MANASSAS

FINANCE & ADMINISTRATION DEPARTMENT

October 15, 2012

TO: John A. Budesky, City Manager

FROM: Patricia A. Weiler, Finance & Administration Director

SUBJECT: Current Status of Miscellaneous Contingency - Account #100-9600-411-9501

The following is a list of the transfers from the Miscellaneous Contingency account during Fiscal Year 2013 and the current status of that account:

| | |
|--------------------------|------------------|
| BEGINNING BALANCE | \$250,750 |
|--------------------------|------------------|

Ordinance/Resolution #

| | |
|--------------------------------------|----------|
| 2013-06-R July 23, 2012 Storm Damage | (29,160) |
|--------------------------------------|----------|

| | |
|--|-----------|
| 2013-25-R Legislative Representation for 2012-2013 Session | (\$6,250) |
|--|-----------|

| | |
|------------------------|--------------------------|
| CURRENT BALANCE | <u>\$ 215,340</u> |
|------------------------|--------------------------|

PAW/dvb

AGENDA STATEMENT

PAGE NO. 45

ITEM NO. 9

MEETING DATE: October 24, 2012 - Finance Committee

TIME ESTIMATE: 5 Minutes

AGENDA ITEM TITLE: Resolution 2013-29-R Budgeting, Appropriating, and Amending the FY 2013 Budget by \$537,000 of Federal Funds for the Survey, Engineering, and Design of the Route 28 Widening Project

**DATE THIS ITEM WAS
LAST CONSIDERED
BY COUNCIL:** N/A

**SUMMARY OF
ISSUE/TOPIC:** City staff has obtained VDOT's approval to move forward with the survey, design and design drawings for the Route 28 Nokesville Road Widening project (CIP T-42).

This project is federally funded with Regional Surface Transportation Program (RSTP) funds. The project scope includes widening Route 28 from 4 to 6 lanes from the Rte 234 bypass to the city's corporate limits and includes installation of street lights and the addition of a dual left turn lane from northbound Route 28 onto Godwin Drive.

The Resolution Budgets and Appropriates \$537,000 of Federal Funds

**STAFF
RECOMMENDATION:** Approve Resolution 2013-29-R

**BOARD/COMMISSION/
COMMITTEE:**

RECOMMENDATION: ☐ Approve ☐ Disapprove ☐ Reviewed ☐ See Comments

CITY MANAGER: ☐ Approve ☐ Disapprove ☐ Reviewed ☐ See Comments

COMMENTS:

**DISCUSSION
(IF NECESSARY):**

**BUDGET/FISCAL
IMPACT:** \$537,000 – RSTP funds

STAFF: Patrick Moore, Assistant Director of Public Works (703)257-8266

RESOLUTION 2013-29-R

Adopted:

BE IT RESOLVED by the Council of the City of Manassas meeting in regular session this day of 19th day of November, 2012, that the following funds be budgeted and appropriated as shown.

ACCOUNT NO.

AMOUNT

GENERAL CAPITAL PROJECTS FUND

Revenues:

| | | | |
|--------------------|--------|---------------------------|-----------|
| 340-0000-333-25-21 | CP5131 | Federal Pass Thru Revenue | \$537,000 |
|--------------------|--------|---------------------------|-----------|

Expenditures:

| | | | |
|--------------------|--------|--------------------------------|-----------|
| 340-5131-505-31-00 | CP5131 | Route 28 Widening Project T-42 | \$537,000 |
|--------------------|--------|--------------------------------|-----------|

For: Survey, Engineering, and Design of the Route 28 Widening Project

This resolution shall take effect upon its passage.

Harry J. Parrish II MAYOR
On Behalf of the City Council
of Manassas, Virginia

ATTEST:

Andrea P. Madden City Clerk

STANDARD PROJECT ADMINISTRATION AGREEMENT
Federal-aid Projects

| Project Number | UPC | Local Government |
|----------------|-------|------------------|
| 0234-155-S69 | 96719 | City of Manassas |
| 0028-155-270 | 96721 | |

THIS AGREEMENT, made and executed in triplicate this 20 day of June, 2001, by and between the City of Manassas, Virginia, hereinafter referred to as the LOCALITY and the Commonwealth of Virginia, Department of Transportation, hereinafter referred to as the DEPARTMENT.

WHEREAS, the LOCALITY has expressed its desire to administer the work described in Appendix A, and such work for each improvement shown is hereinafter referred to as the Project; and

WHEREAS, the funds shown in Appendix A have been allocated to finance each Project; and

WHEREAS, the LOCALITY is committed to the development and delivery of each Project described in Appendix A in an expeditious manner; and;

WHEREAS, both parties have concurred in the LOCALITY's administration of the phase(s) of work for the respective Project(s) listed in Appendix A in accordance with applicable federal, state, and local law and regulations.

NOW THEREFORE, in consideration of the mutual premises contained herein, the parties hereto agree as follows:

1. The LOCALITY shall:
 - a. Be responsible for all activities necessary to complete the noted phase(s) of each Project shown in Appendix A, except for activities, decisions, and approvals which are the responsibility of the DEPARTMENT, as required by federal or state laws and regulations or as otherwise agreed to, in writing, between the parties. Each Project will be designed and constructed to meet or exceed current American Association of State Highway and Transportation Officials standards or supplementary standards approved by the DEPARTMENT
 - b. Meet all funding obligation and expenditure timeline requirements in accordance with all applicable federal and state laws and regulations, and Commonwealth Transportation Board and DEPARTMENT policies and as identified in Appendix A to this Agreement. Noncompliance with this requirement can result in deallocation of the funding, rescinding of state funding match and/or termination of this Agreement

- c. Receive prior written authorization from the DEPARTMENT to proceed with preliminary engineering, right-of-way acquisition and utility relocation, and construction phases of each Project.
- d. Administer the project(s) in accordance with guidelines applicable to Locally Administered Projects as published by the DEPARTMENT.
- e. Maintain accurate and complete records of each Project's development and documentation of all expenditures and make such information available for inspection or auditing by the DEPARTMENT. Records and documentation for items for which reimbursement will be requested shall be maintained for no less than three (3) years following acceptance of the final voucher on each Project.
- f. No more frequently than monthly, submit invoices with supporting documentation to the DEPARTMENT in the form prescribed by the DEPARTMENT. The supporting documentation shall include copies of related vendor invoices paid by the LOCALITY and an up-to-date project summary and schedule tracking payment requests and adjustments. A request for reimbursement shall be made within 90 days after any eligible project expenses are incurred by the Locality. For federally funded projects and pursuant to the Code of Federal Regulations, Title 49, Section 18.43, violations of the provision may result in the imposition of sanctions including but not limited to possible denial or delay of payment of all or a part of the costs associated with the activity or action not in compliance.
- g. Reimburse the DEPARTMENT all Project expenses incurred by the DEPARTMENT if, due to action or inaction solely by the LOCALITY, federally funded Project expenditures incurred are not reimbursed by the Federal Highway Administration (FHWA), or reimbursements are required to be returned to the FHWA, or in the event the reimbursement provisions of Section 33.1-44 or Section 33.1-70.01 of the Code of Virginia, 1950, as amended, or other applicable provisions of federal, state, or local law or regulations require such reimbursement.
- h. On Projects that the LOCALITY is providing the required match to state or federal funds, pay the DEPARTMENT the LOCALITY's match for eligible Project expenses incurred by the DEPARTMENT in the performance of activities set forth in paragraph 2.a.
- i. Administer the Project in accordance with all applicable federal, state, or local laws and regulations. Failure to fulfill legal obligations associated with the project may result in forfeiture of federal or state-aid reimbursements
- j. Provide certification by a LOCALITY official that all LOCALITY administered Project activities have been performed in accordance with all

federal, state, and local laws and regulations. If the locality expends over \$500,000 annually in federal funding, such certification shall include a copy of the LOCALITY's single program audit in accordance with Office of Management and Budget Circular A-133.

- k. If legal services other than that provided by staff counsel are required in connection with condemnation proceedings associated with the acquisition of Right-of-Way, the LOCALITY will consult the DEPARTMENT to obtain an attorney from the list of outside counsel approved by the Office of the Attorney General. Costs associated with outside counsel services shall be reimbursable expenses of the project.
 - l. For Projects on facilities not maintained by the DEPARTMENT, provide, or have others provide, maintenance of the Project upon completion, unless otherwise agreed to by the DEPARTMENT.
 - m. Ensure compliance with the provisions of Title VI of the Civil Rights Act of 1964, regulations of the United States Department of Transportation (USDOT), Presidential Executive Orders and the Code of Virginia relative to nondiscrimination.
2. The DEPARTMENT shall:
- a. Perform any actions and provide any decisions and approvals which are the responsibility of the DEPARTMENT, as required by federal and state laws and regulations or as otherwise agreed to, in writing, between the parties and provide necessary coordination with the FHWA as determined to be necessary by the DEPARTMENT.
 - b. Upon receipt of the LOCALITY's invoices pursuant to paragraph 1.f., reimburse the LOCALITY the cost of eligible Project expenses, as described in Appendix A. Such reimbursements shall be payable by the DEPARTMENT within 30 days of an acceptable submission by the LOCALITY.
 - c. If appropriate, submit invoices to the LOCALITY for the LOCALITY's share of eligible project expenses incurred by the DEPARTMENT in the performance of activities pursuant to paragraph 2.a.
 - d. Audit the LOCALITY's Project records and documentation as may be required to verify LOCALITY compliance with federal and state laws and regulations.
 - e. Make available to the LOCALITY guidelines to assist the parties in carrying out responsibilities under this Agreement.

3. Appendix A identifies the funding sources for the project, phases of work to be administered by the LOCALITY, and additional project-specific requirements agreed to by the parties. There may be additional elements that, once identified, shall be addressed by the parties hereto in writing, which may require an amendment to this Agreement.
4. If designated by the DEPARTMENT, the LOCALITY is authorized to act as the DEPARTMENT's agent for the purpose of conducting survey work pursuant to Section 33.1-94 of the Code of Virginia, 1950, as amended.
5. Nothing in this Agreement shall obligate the parties hereto to expend or provide any funds in excess of funds agreed upon in this Agreement or as shall have been included in an annual or other lawful appropriation. In the event the cost of a Project is anticipated to exceed the allocation shown for such respective Project on Appendix A, both parties agree to cooperate in providing additional funding for the Project or to terminate the Project before its costs exceed the allocated amount, however the DEPARTMENT and the LOCALITY shall not be obligated to provide additional funds beyond those appropriated pursuant to an annual or other lawful appropriation.
6. Nothing in this Agreement shall be construed as a waiver of the LOCALITY's or the Commonwealth of Virginia's sovereign immunity.
7. The Parties mutually agree and acknowledge, in entering this Agreement, that the individuals acting on behalf of the Parties are acting within the scope of their official authority and the Parties agree that neither Party will bring a suit or assert a claim against any official, officer, or employee of either party, in their individual or personal capacity for a breach or violation of the terms of this Agreement or to otherwise enforce the terms and conditions of this Agreement. The foregoing notwithstanding, nothing in this subparagraph shall prevent the enforcement of the terms and conditions of this Agreement by or against either Party in a competent court of law.
8. The Parties mutually agree that no provision of this Agreement shall create in the public, or in any person or entity other than the Parties, rights as a third party beneficiary hereunder, or authorize any person or entity, not a party hereto, to maintain any action for, without limitation, personal injury, property damage, breach of contract, or return of money, or property, deposit(s), cancellation or forfeiture of bonds, financial instruments, pursuant to the terms of this Agreement or otherwise. Notwithstanding any other provision of this Agreement to the contrary, unless otherwise provided, the Parties agree that the LOCALITY or the DEPARTMENT shall not be bound by any agreements between the either party and other persons or entities concerning any matter which is the subject of this Agreement, unless and until the LOCALITY or the DEPARTMENT has, in writing, receive a true copy of such agreement(s) and has affirmatively agreed, in writing, to be bound by such Agreement.

- 9 This Agreement may be terminated by either party upon 30 days advance written notice. Eligible Project expenses incurred through the date of termination shall be reimbursed in accordance with paragraphs 1.f, 1.g., and 2.b, subject to the limitations established in this Agreement and Appendix A. Upon termination, the DEPARTMENT shall retain ownership of plans, specifications, and right of way, unless all state and federal funds provided for the Project have been reimbursed to the DEPARTMENT by the LOCALITY, in which case the LOCALITY will have ownership of the plans, specifications, and right of way, unless otherwise mutually agreed upon in writing.
10. Prior to any action pursuant to paragraphs 1.b or 1.g of this Agreement, the DEPARTMENT shall provide notice to the LOCALITY with a specific description of the breach of agreement provisions. Upon receipt of a notice of breach, the LOCALITY will be provided the opportunity to cure such breach or to provide a plan to cure to the satisfaction to the DEPARTMENT. If, within sixty (60) days after receipt of the written notice of breach, the LOCALITY has neither cured the breach, nor is diligently pursuing a cure of the breach to the satisfaction of the DEPARTMENT, then upon receipt by the LOCALITY of a written notice from the DEPARTMENT stating that the breach has neither been cured, nor is the LOCALITY diligently pursuing a cure, the DEPARTMENT may exercise any remedies it may have under this Agreement.


THE LOCALITY and DEPARTMENT acknowledge and agree that this Agreement has been prepared jointly by the parties and shall be construed simply and in accordance with its fair meaning and not strictly for or against any party.

THIS AGREEMENT, when properly executed, shall be binding upon both parties, their successors, and assigns.


THIS AGREEMENT may be modified in writing by mutual agreement of both parties.

IN WITNESS WHEREOF, each party hereto has caused this Agreement to be executed as of the day, month, and year first herein written.

CITY OF MANASSAS, VIRGINIA:

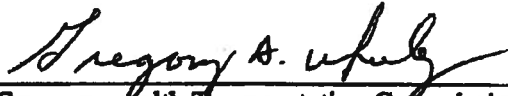


Lawrence D. Hughes
Typed or printed name of signatory

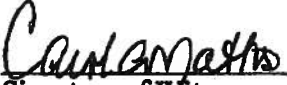
City Manager Date 5-2-11
Title

Signature of Witness Date 5-2-11

NOTE: The official signing for the LOCALITY must attach a certified copy of his or her authority to execute this Agreement.

COMMONWEALTH OF VIRGINIA, DEPARTMENT OF TRANSPORTATION:



Commonwealth Transportation Commissioner Date 6/20/11
Commonwealth of Virginia
Department of Transportation



Signature of Witness Date 6/20/11

Attachments

Appendix A (list out all App A's to be included, by UPC)

APPROVED TO CITY ATTORNEY
BY Martin R. Cimin
DATE 19 April '11

Project Number: 0028-155-270, P101, R201,
M501

Locality: City of Manassas

(UPC 96721)

| | | |
|---|--------------------------------|--|
| Project Location ZIP+4: 20110 | Locality DUNS#: 03-034-2448 | Locality Address (include ZIP+4): 8500 Public Works Drive Manassas, VA 20110 |
| Project Narrative | | |
| Scope: Widening Route 28 from 4 to 6 Lanes From: Godwin Drive To: WCL | | |
| Locality Project Manager Contact Info: Nicholas Gardner (703) 257-8266 Department Project Coordinator Contact Info: Richard Burke (703) 259-2966 | | |

| Project Costs and Reimbursement | | | | |
|---------------------------------|-------------------------|----------------------------------|--|-------------------------------------|
| Phase | Estimated Project Costs | Estimated Eligible Project Costs | Estimated Eligible VDOT Project Expenses | Estimated Reimbursement to Locality |
| Preliminary Engineering | \$700,000 | \$240,000 | \$30,000 | \$210,000 |
| Right-of-Way & Utilities | | | | |
| Construction | | | | |
| Total Estimated Cost | \$700,000 | \$240,000 | \$30,000 | \$210,000 |

| | |
|---|-----------|
| Total Maximum Reimbursement/Payment by Locality to VDOT | |
| Total Maximum Reimbursement by VDOT to Locality | \$240,000 |

| Project Financing | | | | |
|-------------------|------------|-----------|-----------------|---------------------------------|
| A | B | C | D | E |
| RSTP | RSTP Match | Local | <fund source D> | Aggregate Allocations (A+B+C+D) |
| \$192,000 | \$48,000 | \$460,000 | | \$700,000 |

| Program and Project Specific Funding Requirements | | | | |
|---|------------------------|------|----|-----------------------------|
| <ul style="list-style-type: none"> This project shall be administered in accordance with VDOT's <u>Locality Administered Projects Manual</u> This is a limited funding source and any costs above the available allocations will be the responsibility of the City unless other funding sources have been agreed upon. This project is funded with federal-aid Regional Surface Transportation Program (RSTP) funds. These funds must be obligated within 12 months of CTB allocation and expended within 36 months of the obligation. <ul style="list-style-type: none"> FY 11 - \$240,000 - Allocation by CTB 07/10, Obligation Deadline 07/11, Expenditure Deadline 07/13 | | | | |
| PROJECT COST | | | | |
| ITEM | ESTIMATED COST | TYPE | % | MUNICIPALITY'S SHARE AMOUNT |
| PE Phase | \$700,000 \$700,000 | RSTP | 0% | \$ 0 \$ 0 |

Appendix A, p. 5 of 6

This attachment is certified and made an official attachment to this document by the parties of this agreement

Authorized Locality Official and date

Lawrence D. Hughes

Typed or printed name of person signing

Authorized VDOT Official
Recommendation and date

Richard B. Bate #

Typed or

printed name of person signing

Appendix A, p. 6 of 6