

**CITY OF CHARLOTTESVILLE, VIRGINIA
CITY COUNCIL AGENDA**



Agenda Date:	December 7, 2009
Action Required:	Approval of Memorandum of Understanding and Appropriation of Grant Funds
Presenter:	Kristel Riddervold, Environmental Administrator
Staff Contacts:	Kristel Riddervold, Environmental Administrator Missy Creasy, Planning Manager Leslie Beauregard, Director, Budget and Performance Management
Title:	Rivanna River Basin Commission Grant and Memorandum of Understanding - \$73,984

Background: The Rivanna River Basin Commission (RRBC) is a regional organization formed in 2007, tasked with recommending programs for the enhancement of the water and natural resources of the Rivanna River and its watershed. The four jurisdictions participating in the RRBC include Albemarle, Fluvanna, and Greene Counties and the City of Charlottesville. City Council approved a letter of support on February 17, 2009 for a grant proposal from the RRBC to the National Fish and Wildlife Foundation (NFWF) to work with each of its member localities to develop comprehensive stormwater management solutions within the Rivanna basin. In April 2009, RRBC was awarded the NFWF grant.

Discussion:

The City of Charlottesville, as a partner in the grant, has been awarded \$73,984 in cash plus additional services from this NFWF grant to support the development of stormwater management demonstration retrofit projects at the Charlottesville High School Martin Luther King Jr. Performing Arts Center (CHS MLK PAC), including a biofilter and a large rainwater harvesting system. These grant funds will reimburse a portion of the construction cost for these projects and will support evaluation of the effectiveness of these best management practices. Similar funding support for project construction and monitoring is being made available to the other participating localities.

Funding from this grant opportunity will also help with public education and outreach for the specific demonstration projects at CHS and with workshops, seminars, and roundtables for City staff and community stakeholders to identify opportunities and incentive programs to increase the use of innovative stormwater management practices in Charlottesville and other localities within the Rivanna Watershed.

A Memorandum of Understanding (MOU) has been developed to outline the roles and responsibilities of the RRBC and its City of Charlottesville partner in the implementation of various components of the NFWF grant in Charlottesville. A copy of the proposed MOU is attached.

Budgetary Impact: This award has no impact on the General Fund. The financial match to the proposed grant award comes from appropriated funds designated for stormwater demonstration projects. Funds will be appropriated to the Water Resources Protection Program project in the Capital Improvement Program.

Recommendation: Staff recommends approval of the MOU and appropriation of funds.

Alternatives: N/A

Attachments:

- February 17, 2009 letter of support from City of Charlottesville for RRBC proposal to the National Fish and Wildlife Foundation (NFWF)
- NFWF Letter of Award
- Memorandum of Understanding
- Appropriation

Memorandum of Understanding (MOU)
between Rivanna River Basin Commission and the City of Charlottesville

This Memorandum of Understanding (“MOU”) is made this ___ of _____, 2009, by and between the Rivanna River Basin Commission (“RRBC”) and the City of the Charlottesville (“the City”).

WHEREAS, the Rivanna River Basin Commission (RRBC) has received a “Pulling Together: A Watershed Approach for the Rivanna” Grant from the National Fish and Wildlife Foundation (NFWF) in the amount of \$725,000 in Federal Funds; and

WHEREAS, the City is one of four participating RRBC member localities partnering in this grant; and

WHEREAS, the City signed a letter of support for the grant and indicated a commitment of a local cash match of \$68,000 to supplement the grant funding to complete the installation of stormwater best management practices (BMP) demonstration projects and additional in-kind match towards this overall grant; and

WHEREAS, the City will be responsible to:

1. Submit an itemized invoice to RRBC requesting reimbursement of **\$73,984** towards construction of the BMPs at the Charlottesville High School Martin Luther King Jr. Performing Arts Center (CHS MLK PAC) with appropriate backup material and a letter from the City's project manager certifying that the BMPs were installed according to the design specification and are operational during rain events according to the design specifications. The invoice seeking reimbursement will be sent directly to the Rivanna River Basin Commission at 706 G Forest Street, Charlottesville, VA 22903.
2. Provide documentation of overall project costs for the stormwater BMPs and in-kind effort suitable for use by RRBC in documenting non-Federal match for the NFWF grant.
3. Provide technical specifications of the BMPs, as installed, and photo-documentation of installation and operation of the BMPs under wet-weather conditions.
4. Coordinate with the RRBC regarding access to the site for periodic monitoring for at least the duration of the grant performance period.
5. Coordinate with the RRBC on the educational signage content and installation at the site.
6. Coordinate press coverage regarding the stormwater features at the site with RRBC and provide RRBC with notice of and digital and paper copies, web-links, and email announcements of all press coverage of the project.
7. Provide project status information to RRBC for use in interim and annual reports due from the RRBC to NFWF on October 31st of 2009; January 1st and October 31st of 2010; and January 1st and October 31st of 2011.
8. Acknowledge in print, signage, and web materials and press, dedication events, and reports the RRBC partnership and the Federal grant monies from NFWF and its sponsors (Environmental Protection Agency and Chesapeake Bay Program).
9. Be responsible for the operations and maintenance of the BMPs.
10. Work with RRBC and its Technical Advisory Committee (TAC) on identifying barriers to accelerating innovative stormwater management practices on private City lands by co-hosting

workshops, seminars, and roundtables for City staff and community stakeholders.

11. Work with RRBC and its TAC on identifying incentives for developers to utilize innovative stormwater management practices by co-hosting workshops, seminars, and roundtables for City staff and community stakeholders.

WHEREAS, the RRBC will be responsible to:

1. Provide project management and overall coordination with City staff of NFWF grant project activities.
2. Upon receipt of the itemized invoice referenced above and upon RRBC receipt of funding from NFWF for this grant component, provide reimbursement to the City for up to **\$73,984** in costs associated with design and construction of demonstration stormwater retrofits at the CHS MLK PAC.
3. Request permission of the City and CHS for all access by RRBC and its guests, contractors, and partners to the site for monitoring, project documentation, and any official tours.
4. Monitor the effectiveness of stormwater management practices at the site using methods determined by the RRBC and its TAC through December 2011, and provide monitoring data to the City as requested.
5. Provide durable educational signage regarding the NFWF stormwater management project at the site in accordance with NFWF grant requirements and with input from the City.
6. Provide support to City staff in identifying barriers to and opportunities for incentives that will accelerate the implementation of innovative stormwater BMPs on private lands by co-hosting workshops, seminars, and roundtables for City staff and community stakeholders.

WHEREAS, the grant award period covers the period January 1, 2009 through August 31, 2011.

IN WITNESS WHEREOF, RRBC and the City of Charlottesville have executed this MOU effective the last date written below.

For the City of Charlottesville:

Gary O'Connell, City Manager

Date

For Rivanna River Basin Commission:

Leslie B. Middleton, Executive Director

Date