

**RESOLUTION  
AUTHORIZING EXECUTION OF  
AGREEMENT TO MAINTAIN STORMWATER MANAGEMENT FACILITIES  
FOR THE BOTANICAL GARDENS OF THE PIEDMONT PROJECT**

**WHEREAS**, the City is the fee simple owner of real property described as Albemarle County Parcel ID No. TMP 061000000193A (“Property”), and;

**WHEREAS**, the Botanical Gardens Project includes a stormwater best management practice (BMP) facility that spans the jurisdictional boundary between the City of Charlottesville and Albemarle County, and;

**WHEREAS**, portions of the BMP are located on the City-owned land (Property) that lies within Albemarle County, and;

**WHEREAS**, to clarify ownership, regulatory responsibility, access, and long-term maintenance for this cross-jurisdictional facility, staff has prepared an Agreement to Maintain Stormwater Management Facilities with Albemarle County. The Agreement recognizes the City’s ownership interests within the Counties jurisdiction, establishes access and inspection rights for the BMP, and clarifies responsibilities under the Virginia Erosion and Stormwater Management Program (VESMP), including post-construction SWM procedures and ongoing maintenance obligations, and;

**WHEREAS**, in 2024, the Commonwealth of Virginia consolidated erosion and sediment control with stormwater management into the unified Virginia Erosion and Stormwater Management Program (VESMP). Local programs were updated to reflect these changes and integrate permitting, inspection, and long-term maintenance requirements. Owners are required to maintain BMPs, and localities such as the City and County are responsible for administering VESMP requirements. This Agreement ensures consistent administration across jurisdictional boundaries and supports the City’s compliance obligations.

**NOW, THEREFORE BE IT RESOLVED**, by City Council that it hereby reaffirms support for the Botanical Gardens Project; and

**BE IT FURTHER RESOLVED** that City Council hereby moves to adopt this resolution authorizing execution of the Agreement to Maintain Stormwater Management Facilities with Albemarle County for the Botanical Gardens Project and authorizes the City Manager to execute said Agreement, which shall be approved as to form by the City Attorney’s Office.