

RESOLUTION NO. 12911-16

A RESOLUTION OF THE COUNCIL OF THE CITY OF NEWPORT NEWS, VIRGINIA, AUTHORIZING THE CITY MANAGER TO EXECUTE AND THE CITY CLERK TO ATTEST, ON BEHALF OF THE CITY OF NEWPORT NEWS, VIRGINIA, FOLLOWING REVIEW AND APPROVAL BY THE CITY ATTORNEY, ALL CONTRACTS AND MEMORANDA OF AGREEMENT WITH CSXT, THE UNITED STATES ARMY CORPS OF ENGINEERS, THE NATIONAL RAILROAD PASSENGER CORPORATION (AMTRAK), THE VIRGINIA DEPARTMENT OF RAIL AND PUBLIC TRANSPORTATION, THE VIRGINIA DEPARTMENT OF TRANSPORTATION, HAMPTON ROADS SANITATION DISTRICT AND ANY OTHER GOVERNMENTAL ENTITY OR PUBLIC UTILITY TO FACILITATE THE COMPLETION OF THE NEWPORT NEWS TRANSPORTATION CENTER.

WHEREAS, Council adopted Resolution No. 11895-09, on September 8, 2009, which authorized application for a grant from the Department of Transportation for Transportation Investment Generating Economic Recovery Discretionary Grants (a "TIGER grant") to fund a project known as the Amtrak Relocation Project; and

WHEREAS, Council, in the same resolution, adopted the Amtrak Relocation Project, and found that the Amtrak Relocation Project furthered the transportation, land use and environmental goals, policies and strategies in the City's Comprehensive Plan: and

WHEREAS, Council adopted Resolution No. 12303-12 on May 8, 2012, authorizing and directing the City Manager to execute and the City Clerk to attest (1) a Master Agreement for Use of Commonwealth Transportation Funds by and between the Virginia Department of Rail and Public Transportation ("DRPT") and the City of Newport News ("the City"), (2) an Agreement for the Use of Federal Highway Administration STP/Regional Funds between DRPT and the City and (3) a Project Agreement for Use of Commonwealth Transportation Funds between DRPT and the City, for the Amtrak Relocation Project, which had been renamed the Newport News Amtrak Multimodal Station Project; and

WHEREAS, the project has been going forward under the current name of the Newport News Transportation Center; and

WHEREAS, design, construction and maintenance responsibilities and liabilities arising under the Newport News Transportation Center Project, will need to be memorialized in a series of contracts or memoranda of agreement between the City and CSXT, the Army Corps of Engineers ("USACE"), the National Railroad Passenger Corporation (Amtrak)("Amtrak"), DRPT, the Virginia Department of Transportation ("VDOT"), Hampton Roads Sanitation District ("HRSD") and other governmental entities and public utilities.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Newport News, Virginia:

1. That it endorses the Project now known as the Newport News Transportation Center Project (“the Project”).

2. That the City Manager be and is hereby authorized and directed to execute, and the City Clerk is hereby authorized and directed to attest, on behalf of the City of Newport News any contracts or memoranda of agreement with CSXT, USACE, Amtrak, DRPT, VDOT, HRSD, or any other governmental entity or public utility necessary to the design, administration, right of way acquisition by consensual sale, construction and maintenance of this Project that are first reviewed and approved by the City Attorney as being appropriate and consistent with this authorization.

3. That this Resolution shall be in effect on and after the date of its adoption, April 12, 2016.

PASSED BY THE COUNCIL OF THE CITY OF NEWPORT NEWS ON APRIL 12, 2016

Mabel Washington Jenkins, MMC
City Clerk

McKinley L. Price, DDS
Mayor

A true copy, teste:

City Clerk