

RESOLUTION NO. 11924-09

A RESOLUTION TO REQUEST THE INCLUSION OF UNDERGROUNDING OF OVERHEAD UTILITIES IN THE PROGRAMMING OF CERTAIN URBAN IMPROVEMENT PROJECTS BY THE VIRGINIA DEPARTMENT OF TRANSPORTATION.

WHEREAS, the Council is required to request that the Virginia Department of Transportation (VDOT) program Urban Improvement Program Projects as a part of the planning and funding process leading to the construction of such projects; and

WHEREAS, the Council has previously approved resolutions requesting specific projects, but these resolutions did not request that undergrounding of overhead utilities be made a part of such projects; and

WHEREAS, the Council is of the opinion that utility undergrounding should be a part of the projects and wishes to formally request that VDOT make utility undergrounding a part of the projects.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Newport News, Virginia, that it desires to, and hereby does, request that the Virginia Department of Transportation make the undergrounding of overhead utilities a part of the Urban Improvement Program Projects listed below:

- a. Middleground Boulevard Extension project from Jefferson Avenue to Warwick Boulevard (four lanes divided); VDOT UPC 11816 previously approved by Council Resolutions 6802-91, 8029-95, 9580-00 and 11844-09.
- b. Atkinson Boulevard project from Jefferson Avenue to Warwick Boulevard (four lane divided); VDOT UPC 4483, previously approved by Council Resolutions 5282-86, 5418-87 and 11569-08.
- c. Relocated Route 60 project from Fort Eustis Boulevard to the James City County Line (four lane divided); VDOT UPC14598, previously approved by Council Resolutions 1696 (December 10, 1973), 1997 (June 28, 1976) and 6144-05.

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

1. That the Council acknowledges that it must comply with the "Virginia Department of Transportation Policy on Placing Utility Facilities Underground" (The VDOT Policy) for each project and hereby assures that it will do so. This means, among other things, that future utility facilities required for any of the projects, including street lighting, shall not be permitted to be placed overhead within any section of a street or roadway where utility facilities were placed underground in accordance with the VDOT Policy.

2. That the Council hereby assures that it has the financial resources available to pay its share of the costs to place facilities underground. It understands and agrees that cost-sharing shall be governed by the VDOT Policy.

3. That the Council hereby authorizes and directs the Acting City Manager to execute and the City Clerk to attest, in behalf of the City, an agreement between each utility owner, the City

and VDOT to accomplish necessary underground components of the projects cited herein.

4. That the Council hereby requests that VDOT acquire all rights-of-way necessary for the projects; the Council requests that VDOT deed such rights-of-way to the City upon completion of each project.

PASSED BY THE COUNCIL OF THE CITY OF NEWPORT NEWS ON OCTOBER 27, 2009

Mabel Washington Jenkins, CMC
City Clerk

Joe S. Frank
Mayor

A true copy, teste:

City Clerk