

RESOLUTION NO. 11710-08

A RESOLUTION REQUESTING THE VIRGINIA DEPARTMENT OF TRANSPORTATION TO PROGRAM A CONGESTION MITIGATION AND AIR QUALITY PROJECT FOR THE WIDENING OF THE SIDEWALK ALONG JEFFERSON AVENUE TO A MINIMUM OF EIGHT FEET WIDE FROM J. CLYDE MORRIS BOULEVARD TO BUCHANAN DRIVE.

WHEREAS, the City of Newport News (the "City") supports and encourages the construction and use of wide sidewalks to encourage pedestrian activity and bicycle use as an alternate mode of transportation; and

WHEREAS, the existing sidewalk along Jefferson Avenue is inadequate to meet the needs of pedestrians and bicyclists; and

WHEREAS, federal Congestion Mitigation and Air Quality (CMAQ) grant funds are available for the construction of a sidewalk widened to a minimum of eight (8) feet wide along Jefferson Avenue from J. Clyde Morris Boulevard to Buchanan Drive ("the Project"); and

WHEREAS, this project is included in the Regional Transportation Plan and the current VDOT Six Year Improvement Program; and

WHEREAS, CMAQ funds in the amount of \$400,000.00 are programmed in FY2010 and \$600,000.00 in FY 2011; and

WHEREAS, design and construction of the Project includes acquisition of appropriate easements for the widening of said sidewalk and City approval of an agreement between VDOT and the City to administer the CMAQ grant funds; and

WHEREAS, the Council of the City supports the worthy goals of the Project and encourages its expeditious design and construction; and

WHEREAS, the Virginia Department of Transportation (VDOT) procedures require a Council resolution be made in order that VDOT program a CMAQ Project in the City of Newport News;

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

1. That it requests VDOT to establish a CMAQ Project UPC 83252 to widen the existing sidewalk to a minimum of eight (8) feet wide along Jefferson Avenue from J. Clyde Morris Boulevard to Buchanan Drive, a distance of approximately five (5) miles.

2. That it hereby agrees to pay its share of the total cost for preliminary engineering, right-of-way, and construction of this project in accordance with Section 33.1-44 of the Code of

Virginia, and that, if the City of Newport News subsequently elects to cancel this project, the City hereby agrees to reimburse the Virginia Department of Transportation for the total amount of the costs expended by the Department through the date the Department is notified of such cancellation

3. That it hereby requests that VDOT acquire all rights-of-way necessary for the Project, and upon completion of the Project, the City requests that such rights-of-way be deeded to the City of Newport News.

4. That it hereby authorizes and directs the City Manager to execute, and the City Clerk to attest on behalf of the City, any and all agreements or documents necessary to effectuate the design and construction of the Project; provided that all such agreements and documents shall first have been reviewed and approved by the City Attorney.

5. That the City Manager shall ensure that the expenditure of Project funds is carefully monitored and controlled.

6. That this resolution replaces Resolution No. 11675-08 adopted by City Council on August 12, 2008, and that Resolution No. 11675-08 is hereby repealed.

PASSED BY THE COUNCIL OF THE CITY OF NEWPORT NEWS ON
SEPTEMBER 23, 2008

Mabel V. Washington, CMC
City Clerk

Joe S. Frank
Mayor

A true copy, teste:

City Clerk