

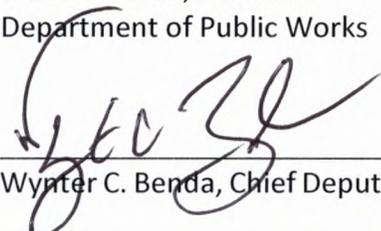


To the Honorable Council
City of Norfolk, Virginia

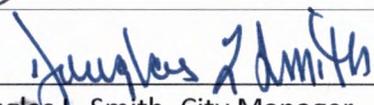
January 8, 2019

From: Richard Broad, Director
Department of Public Works

Subject: Resolution authorizing Norfolk
to obtain land use permits from the
Virginia Department of Transportation

Reviewed: 
Wynter C. Benda, Chief Deputy City Manager

Ward/Superward: Citywide

Approved: 
Douglas L. Smith, City Manager

Item Number: R-02

I. **Recommendation:** Adopt Resolution

II. **Applicant:** City of Norfolk

III. **Description:**

This agenda item is a resolution to allow the City of Norfolk (the "City") to execute land use permit applications from the Virginia Department of Transportation ("VDOT") in compliance with § 24VAC30-151-720 of the Land Use Permit Regulations. Land use permits shall be obtained to install, construct, maintain and operate certain public works and public utilities projects along, across, over and upon highway systems of the Commonwealth of Virginia.

IV. **Analysis**

- The City is required to obtain land use permits from VDOT to complete various City infrastructure projects, the installation, construction or maintenance of which are along, across, or adjacent to VDOT highway systems.
- In lieu of providing a bond to VDOT, the City will take responsibility for complying with the conditions of the permit or permits that have been or will be granted to the City by VDOT.

V. **Financial Impact**

Permit applications will be submitted on a project by project basis with each project's budget covering applicable permit fees and scope of work that is covered by the permit.

VI. **Environmental**

N/A

VII. Community Outreach/Notification

Coordination with civic leagues, the Bicycle and Pedestrian Task Force and adjacent businesses will be made prior to project implementation. Public notification for this agenda item is conducted through the City's agenda notification process.

VIII. Board/Commission Action

N/A.

IX. Coordination/Outreach

This resolution has been coordinated with the City Attorney's Office and the Department of Public Works.

Form and Correctness Approved:

By Nathaniel Seaman
Office of the City Attorney

RAH

Contents Approved:

By Richard Board
DEPT. Public Works

NORFOLK, VIRGINIA

Resolution

A RESOLUTION ASSURING THE VIRGINIA DEPARTMENT OF TRANSPORTATION OF THE CITY OF NORFOLK'S COMPLIANCE WITH SECTION 24VAC30-151-720 OF THE LAND USE PERMIT REGULATIONS AND AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE ALL SUCH LAND USE PERMIT APPLICATIONS AND RELATED DOCUMENTS ON BEHALF OF THE CITY OF NORFOLK.

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WHEREAS, it becomes necessary from time to time for the City of Norfolk ("City") to obtain land use permits from the Virginia Department of Transportation ("VDOT") to install, construct, maintain and operate certain public works and public utilities projects along, across, over and upon highway systems of the Commonwealth of Virginia; and

WHEREAS, expense, damage or injury may be sustained by the Commonwealth of Virginia as a result of granting such permits to the City; now, therefore

BE IT RESOLVED by the Council of the City of Norfolk:

Section 1:- That in accordance with the provisions of Section 24VAC30-151-720 of the Land Use Permit Regulations of VDOT, the City does hereby confirm that it shall comply with all of the conditions of the permit or permits that have been, or will be, granted to the City by VDOT, with the exception of the procurement of a bond and the procurement of insurance, the City being self-insured, and guarantees the successful completion of the work, or, if appropriate, restoration of the right of way to its original condition.

Section 2:- That the City Manager, or his designee, be, and hereby is, authorized to execute on behalf of the City, as he deems appropriate in his discretion, all land use permit applications and related documents relative to the installation, construction, maintenance and operation of certain public works and public utilities projects along, across, over and upon highway systems of the Commonwealth of Virginia.

Section 3:- That in lieu of providing a bond to VDOT, the City shall take responsibility for ensuring that the work performed within any state maintained right-of-way is properly completed under the terms of the land use permit issued for that purpose.

Section 4:- That this Resolution shall be a continuing resolution and shall not be revoked unless and until sixty (60) days written notice of any proposed revocation has been submitted to VDOT.

Section 5:- That this Resolution shall be in effect from and after the date of its adoption.