



Legislation Details (With Text)

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On agenda: 2/8/2023 **Final action:** 2/8/2023
Title: Resolution to Approve an Encroachment Agreement Pursuant to Hampton City Code § 34-86 Between the City of Hampton and Transportation District Commission of Hampton Roads (Also Known as Hampton Roads Transit or HRT) to Allow an Encroachment Onto City Property and City Right-of-Way for Construction/Installation of Bus Stop Shelters at Two Existing Bus Stops Located on E. Pembroke Avenue and Located on N. King Street

Sponsors:

Indexes: DO NOT USE - 21 - Good Government

Code sections:

Attachments: 1. Encroachment Agreement, 2. Presentation

Date	Ver.	Action By	Action	Result
2/8/2023	1	City Council Legislative Session	approved	Pass

Resolution to Approve an Encroachment Agreement Pursuant to Hampton City Code § 34-86 Between the City of Hampton and Transportation District Commission of Hampton Roads (Also Known as Hampton Roads Transit or HRT) to Allow an Encroachment Onto City Property and City Right-of-Way for Construction/Installation of Bus Stop Shelters at Two Existing Bus Stops Located on E. Pembroke Avenue and Located on N. King Street

PURPOSE/BACKGROUND:

Transportation District of Hampton Roads, also known as Hampton Roads Transit, (“HRT” and the “Licensee”) currently operates two existing bus stops: one located on E. Pembroke Avenue (“Bus Stop #2217”) being adjacent to the Hampton General District Court, and one located on N. King Street (“Bus Stop #2046”) being adjacent to the Hampton Juvenile & Domestic Relations Court (collectively the “HRT Bus Stops”). The HRT Bus Stops are individually illustrated on Exhibit “A” (3 Sheets) attached to the Encroachment Agreement presented to Council for approval. The City of Hampton (the “City”) is owner of the property located at 220 N. King Street, Hampton Virginia 23669 upon which the Hampton Juvenile & Domestic Relations Court is situate (the “JDR Building”), and property located at 236 N. King Street, Hampton, Virginia 23669 upon which the Hampton General District Court is situate (the “General District Court”) (both addresses identified as LRSN: 2003238) (collectively, the “City Property”). Licensee has requested that the City grant Licensee permission to encroach into a 250 +/- square foot area (10’ x 25’) adjacent to the General District Court (the “Licensed Area #1”), and to encroach into a 250 +/- square foot area (10’ x 25’) adjacent to JDR Building (the “Licensed Area #2”), all areas more or less the “Licensed Area.” The purpose of the encroachment is to install new HRT Bus Stops, including the installation of concrete pads and covered bus shelters (the “Licensed Improvement”), within the areas as illustrated on the aforesaid Exhibit “A” attached to the Encroachment Agreement presented to Council for approval.

The request was routed to City staff and local utility companies, and none had any objections, but some recommend certain conditions that are included in the attached Encroachment Agreement.

Therefore, pursuant to Hampton City Code § 34-86, City staff recommend approval of the Encroachment Agreement.

Discussion:

See Purpose/Background above.

Impact:

See Purpose/Background above.

Recommendation:

Approve the Resolution.

WHEREAS, Transportation District of Hampton Roads, also known as Hampton Roads Transit, (“HRT” and the “Licensee”) currently operates two existing bus stops: one located on E. Pembroke Avenue (“Bus Stop #2217”) being adjacent to the Hampton General District Court, and one located on N. King Street (“Bus Stop #2046”) being adjacent to the Hampton Juvenile & Domestic Relations Court (collectively the “HRT Bus Stops”);

WHEREAS, the City of Hampton (the “City”) is owner of the property located at 220 N. King Street, Hampton Virginia 23669 upon which the Hampton Juvenile & Domestic Relations Court is situate (the “JDR Building”), and property located at 236 N. King Street, Hampton, Virginia 23669 upon which the Hampton General District Court is situate (the “General District Court”) (both addresses identified as LRSN: 2003238) (collectively, the “City Property”);

WHEREAS, Licensee has requested that the City grant Licensee permission to encroach into a 250 +/- square foot area (10’ x 25’) of the City Property adjacent to the General District Court (the “Licensed Area #1”), and to encroach into a 250 +/- square foot area (10’ x 25’) of the City Property adjacent to JDR Building (the “Licensed Area #2”), all areas more or less the “Licensed Area,” to install new HRT Bus Stops, including the installation of concrete pads and covered bus shelters (the “Licensed Improvement”), within the areas as individually illustrated on Exhibit “A” (3 Sheets) attached to the Encroachment Agreement presented to Council for approval; and

WHEREAS, City staff have reviewed the request and recommend granting the Licensee a non-exclusive revocable license, subject to certain terms and conditions and the execution of the Encroachment Agreement attached hereto.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Hampton, Virginia, as follows:

1. That the Encroachment Agreement between the City of Hampton and Transportation District Commission of Hampton Roads, also known as Hampton Roads Transit, is hereby approved; and
2. That the City Manager, or her authorized designee, is hereby authorized to execute the Encroachment Agreement, in substantially the same form as set forth in this Resolution, and to take any and all actions necessary to carry out the purposes of this Resolution, subject to approval by the City Attorney.

