



## Legislation Text

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File #: 23-0267, Version: 1

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Resolution Authorizing Execution of an Agreement Granting a Temporary Construction Easement to the Virginia Department of Transportation (VDOT) Over Property Located at the City Landfill (100 North Park Lane) in Order to Relocate a Drainage Ditch and to Allow Installation of a Generator on VDOT's Property Adjacent to City's Property

### **PURPOSE/BACKGROUND:**

Virginia Department of Transportation ("VDOT") has requested that the City of Hampton (the "City") execute an agreement (the "Agreement") granting a temporary construction easement (the "TCE") to VDOT to use 2,635 square feet, more or less, of City-owned property located at 100 North Park Lane and commonly known as the Big Bethel Landfill or City Landfill (identified as LRSN 5000005) (the "Landfill") for the purpose of providing VDOT with additional work area to allow them to relocate a drainage ditch and to install a generator on VDOT's property adjacent to the Landfill. The Landfill encompasses 377 acres, more or less, and the portion of the Landfill to be used for the TCE would be located in an unutilized area adjacent to Interstate 64. The work that VDOT is performing in the area of the TCE is to assist in the safe and efficient flow of traffic on Interstate 64. Per the Agreement, VDOT shall restore all of the City's property affected by VDOT's project and use of the TCE to a condition that is as close as is reasonably possible to its pre-construction condition. The TCE would be provided to VDOT at no cost.

VDOT's request was routed to City staff and none had any objections. Therefore, City staff recommends approval of the TCE and Agreement. This matter requires a public hearing pursuant to §§15.2-1800 and 15.2-2100 of the Code of Virginia of 1950, as amended, which was duly advertised pursuant to Code of Virginia §15.2-1813.

### **Discussion:**

See Purpose/Background above.

### **Impact:**

See Purpose/Background above.

### **Recommendation:**

Conduct a public hearing, and approve the Resolution.

**WHEREAS**, the City of Hampton (the "City") owns property located at 100 North Park Lane, commonly known as the Big Bethel Landfill or the City Landfill, (identified as LRSN 5000005) (the "Landfill");

**WHEREAS**, Virginia Department of Transportation ("VDOT") has requested that the City execute the agreement attached to this resolution (the "Agreement") granting a temporary

construction easement (the “TCE”) to VDOT to use a portion of the Landfill adjacent to Interstate 64 totaling 2,635 square feet, more or less, for the purpose of providing VDOT with additional work area to allow them to relocate a drainage ditch and to install a generator on VDOT’s property (the “Project”);

**WHEREAS**, the proposed TCE location is shown in orange on the attached VDOT roadway plan sheets identified as Sheets 32 and 32RW, a copy of which is attached hereto as EXHIBIT “A”;

**WHEREAS**, VDOT’s Project will assist in the safe and efficient flow of traffic on Interstate 64;

**WHEREAS**, the TCE would be provided to VDOT at no cost;

**WHEREAS**, City staff recommends approval of the TCE and Agreement; and

**WHEREAS**, this matter requires a public hearing pursuant to §§15.2-1800 and 15.2-2100 of the Code of Virginia of 1950, as amended, which was duly advertised pursuant to Code of Virginia §15.2-1813.

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

1. That City Council agrees to grant the TCE to VDOT as requested at no cost; and

2. That the City Manager, or her authorized designee, is authorized to execute the Agreement granting the TCE to VDOT in substantially the same form as that which is attached to this resolution, subject to approval of the City Attorney; to execute any other related documents; and to perform other such actions as may be necessary or desirable for the purposes identified herein and that may be necessary to effectuate the intent of this resolution.