

May 22, 2017

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHARLOTTE AUTHORIZING THE CITY MANAGER AND/OR HIS DESIGNEES TO NEGOTIATE AND EXECUTE A MUNICIPAL AGREEMENT WITH THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION TO FURTHER THE CHARLOTTE GATEWAY STATION PROJECT.

A motion was made by _____ and seconded by _____ for the adoption of the following Resolution, and upon being put to a vote was duly adopted:

WHEREAS, pursuant to Section 136-18 of Chapter 136 of the North Carolina General Statutes, as amended, the North Carolina Department of Transportation (the Department) and units of local government of this State are authorized to enter into agreements with each other in order to further transportation infrastructure in this State; and

WHEREAS, the Department and the City of Charlotte (City) have plans to jointly advance the property acquisition and construction of a multi-modal transportation facility known as the Charlotte Gateway Station Project (CGS Project). The CGS Project will be located in the general vicinity of Graham and Trade Streets and the Norfolk Southern Railroad (NSR) tracks in uptown Charlotte; and

WHEREAS, this proposed Municipal Agreement outlines an understanding of the Department, doing business through its Public Transportation Division and Rail Division, and the City, doing business through its public transit department, the Charlotte Area Transit System ("CATS"), (hereinafter referred to as the "Parties") concerning the planning, design, construction and operation of the Project; and

WHEREAS, this proposed Municipal Agreement supersedes and replaces in total the Municipal Agreement(s) signed by the Parties in May 2009 and in May 2015 as well as modified by an Addendum signed by the Parties in October 2016;

NOW, THEREFORE, BE IT RESOLVED that the City Council of Charlotte, North Carolina hereby:

1. Authorizes the City Manager and/or his designees to negotiate and execute the Municipal Agreement consistent with the terms as presented to City Council with such technical corrections and modifications as may be necessary to effect the spirit and intent of the Municipal Agreement;
2. Authorizes the Chief Executive Officer of the Charlotte Area Transit System to undertake all activities and measures necessary to fulfill the obligations of the City pursuant to the Municipal Agreement;
3. Directs that this resolution and its adoption be reflected in the minutes of the Charlotte City Council.