

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE SOUTHSIDE NETWORK AUTHORITY, PROVIDING ASSURANCES REGARDING A LAND USE PERMIT AND PROVIDING FOR CERTAIN RELATED ACTIONS.

WHEREAS, the Southside Network Authority (the “Authority”) has been formed as a body politic and corporate of the Commonwealth of Virginia by the Cities of Chesapeake, Norfolk, Portsmouth, Suffolk, and Virginia Beach, Virginia, under the provisions of the Virginia Wireless Service Authorities Act, Chapter 54.1, Title 15.2, Code of Virginia of 1950, as amended (the “Act”), as an instrumentality of the Commonwealth and of its member Cities exercising public and essential governmental functions to provide for the public health and welfare, as provided in Section 15.2-5431.11 of the Act; and

WHEREAS, it becomes necessary from time to time for the Authority to obtain land use permits from the Virginia Department of Transportation 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 growing out of granting to the Authority by the Virginia Department of Transportation of said permits for the work aforesaid;

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Southside Network Authority this 12 day of July, 2024, as follows:

Section 1: That in accordance with the provisions of Section 24 VAC 30-151-720 of the Land Use Permit Regulations of the Virginia Department of Transportation, the Southside Network Authority does hereby grant assurances to the Virginia Department of Transportation (VDOT) that it shall in all respects comply with all of the conditions of the permit or permits that have been, or will be, granted to the Southside Network Authority and that said jurisdiction does hereby certify that it will carry liability insurance, or a lawful policy of self-insurance under the Local Government Self-Insurance Pools Act, for personal injury and property damage that may arise from the work performed under permit and/or from the operation of the permitted activity as follows: up to one-million dollars (\$1,000,000) each occurrence to protect the Commonwealth Transportation Board members and the Virginia Department of Transportation’s agents or employees; seventy-five thousand dollars (\$75,000) each occurrence to protect the Commonwealth Transportation Board, the Virginia Department of Transportation or the Commonwealth of Virginia in the event of suit.

Section 2: That the Executive Director, or his or her designee, be, and hereby is authorized to execute on behalf of the Southside Network Authority all land use permits and related documents of the Virginia Department of Transportation. Further, the Executive Director is directed to ensure that all insurance coverages provided for in Section 1 are continued in effect as provided therein.

Section 3: 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 be submitted to the Virginia Department of Transportation.

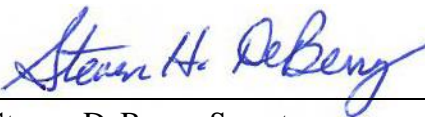
Section 4: That the Southside Network Authority shall, if requested by the Virginia Department of Transportation, provide a letter that commits to using the surety provided by its contractor or to have the contractor execute a dual obligation rider that adds the Virginia Department of Transportation as an additional obligee to the surety bond provided to the locality, with either of these options guaranteeing the work performed within state maintained right-of-way under the terms of the land use permit for that purpose. The Executive Director is further authorized and directed, without further action of the Board of Directors, to provide for, arrange, execute, and deliver such assurances or bonds.

CERTIFICATE

The foregoing Resolution was adopted by the Board of Directors of the Southside Network Authority at its regular meeting held on July 12, 2024 in the City of Chesapeake, Virginia.

Name	Yes	No	Absent	Abstain
Andria McClellan, Norfolk, Chair	X			
Peter Wallace, Virginia Beach, Vice Chair	X			
Laura Fitzpatrick, Chesapeake	X			
Charles Kiriakou, Suffolk	X			
Steven Carter, Portsmouth	X			

Attest:



Steven DeBerry, Secretary