

RESOLUTION NO. 202

- SUBJECT:** Resolution authorizing expenditure of funds by the Northern Virginia Transportation Commission.
- WHEREAS:** A certain Memorandum of Agreement dated September 5, 1972, was executed by and between the State Highway Commission of Virginia; the Governing Bodies of the Counties of Arlington and Fairfax, the Cities of Alexandria, Fairfax and Falls Church; and the Northern Virginia Transportation Commission, a copy of which is attached hereto and made a part hereof; and
- WHEREAS:** Section 33.1-46.1, of the Code of Virginia, as amended, by an act of the General Assembly of 1972 (H-665), provides that the Commission may contract with the local Governing Bodies comprising a transportation district for the accomplishment of a project to which funds have been allocated for highway aid to mass transit facilities and may make such funds available to the contracting governing bodies in annual increments which may be used for other transit purposes until such funds are needed for the project for which allocated; and
- WHEREAS:** the aforesaid Memorandum of Agreement authorized the State Highway Commission to pay annual Allocations pursuant to its revised ten year program ("Virginia Roads and Streets, 1972-1982") in the total amount of Thirty-five Million Dollars (\$35,000,000) to the Northern Virginia Transportation Commission for use for transit purposes as permitted by Section 33.1-46.1 of the Code of Virginia; and
- WHEREAS:** Pursuant to the aforesaid Memorandum of Agreement, the Northern Virginia Transportation Commission has received Three Million (\$3,000,000) from the State Highway Commission during fiscal year 1973; and
- WHEREAS:** The Northern Virginia Transportation Commission authorizes the Executive Director to obtain a loan in an amount not to exceed Eight Million Dollars (\$8,000,000); and
- WHEREAS:** The aforesaid funds are needed to help pay Northern Virginia's share of the Nine Million Seven Hundred Thousand Dollars (\$9,700,000) of the cost of acquisition by the Washington Metropolitan Area Transit Authority of the four bus companies serving the metropolitan Washington area, in addition to One Million Dollars (\$1,000,000) for necessary capital improvements:
- NOW, THEREFORE, BE IT RESOLVED,** that the City of Alexandria hereby expressly authorizes the Northern Virginia Transportation Commission to pay to the Washington Metropolitan Area Transit Authority the aforementioned monies, in an amount not to exceed \$10,700,000, for the purpose stated herein; said City of Alexandria also agrees to pay its share of interest, as allocated by NVTC pursuant to a formula subsequently agreed to by the City of Alexandria, on monies borrowed for the purposes stated herein; and the said City of Alexandria further agrees that payment to WMATA by the Northern Virginia Transportation Commission of the monies referred to herein shall not create any obligations or liability now or at any further date by or on behalf of the Northern Virginia Transportation Commission to the City of Alexandria and the City of Alexandria further agrees to indemnify and save harmless the Northern Virginia Transportation Commission against a percentage share of any claims by the State Highway Commission for repayment, at any future date, of all or a portion of the aforementioned \$10,700,000, provided that Alexandria's percentage share of the total required repayment shall not be greater than the smaller of the following percentage shares: 1) Alexandria's percentage share of the net project costs allocated to the local jurisdictions in Northern Virginia for constructing the rail transit system, or 2) if a formula is subsequently agreed to by Alexandria for

allocating all or a portion of the \$10,700,000 among the Northern Virginia jurisdictions, Alexandria's percentage share of the Northern Virginia cost for such improvements.

Adopted April 10, 1973

Mrs. Helen Vickers, Clerk of the
City of Alexandria, Virginia