

RESOLUTION NO. _____

A RESOLUTION APPROVING AN AGREEMENT WITH THE TENNESSEE DEPARTMENT OF TRANSPORTATION FOR A DIRECT APPROPRIATION TOWARDS CONSTRUCTION OF A DOWNTOWN PEDESTRIAN BRIDGE AND AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT AND ALL OTHER DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THE AGREEMENT

WHEREAS, in conjunction with the Brickyard Park Development efforts have been undertaken to improve the connection between downtown and the development for pedestrians and to increase safety; and

WHEREAS, plans have been made to construct a pedestrian bridge over the CSX railway to achieve this goal; and

WHEREAS, The Tennessee Department of Transportation (TDOT) has an appropriation grant in the amount of \$500,000.00 which can be used as matching funds for other grants received to construct the project; and

WHEREAS, there is no matching local funds required.

Now therefore,

BE IT RESOLVED BY THE BOARD OF MAYOR AND ALDERMEN AS FOLLOWS:

SECTION I. That the Letter of Agreement with TDOT for a direct appropriation of funds for the construction of the pedestrian bridge over the CSX railway connecting Centennial Park with Brickyard Park, is approved.

SECTION II. That the mayor, or in his absence, incapacity, or failure to act, the vice-mayor, is authorized and directed to execute, in a form approved by the city attorney and subject to the requirements of Article X, Section 10 of the Charter of the City of Kingsport, the Letter of Agreement TDOT, to deliver the agreement and take any and all action as may be required on the part of the city to carry out, give effect to, and consummate the transactions contemplated by the agreement and this resolution as set out below:

**LETTER OF AGREEMENT:
DIRECT APPROPRIATION GRANT
FOR GOVERNMENTAL ENTITIES**

Date: 07/17/2025

To: **Paul W. Montgomery, Mayor
City of Kingsport
415 Broad Street
Kingsport, TN 37660**

From: **Will Reid, Commissioner**

The State's budget for the fiscal year beginning July 1, 2025, includes a direct appropriation grant payable to your organization.

This appropriation is in addition to any other funding or appropriation provided to you by the State of Tennessee. Section 61, Item 25, of the 2025 Appropriations Act reads as follows:

Section 61, Item 25 Transportation - City of Kingsport - used as **\$500,000**
matching funds for a TDOT grant to construct a pedestrian bridge to provide safe access from Centennial Park to a new housing development

If you choose to accept this award:

1. Sign this agreement (include your taxpayer identification number and a daytime phone number) in the space provided as your acceptance of the following terms and conditions:

a) If you fail to fulfill your obligations under this agreement, the State shall have the right to seek restitution, pursuant to the laws of the State of Tennessee, from you for payments made to you under this agreement.

b) Your records and documents, insofar as they relate to the performance of your obligations or to payments received under this agreement, shall be maintained in a manner consistent with the accounting procedures of the Comptroller of the Treasury, pursuant to T.C.A. 4-3-304 and applicable rules and regulations thereunder.

c) The funds received shall be placed in an interest bearing account until such time as they are needed for the purposes set out in the Appropriations Act. In the event that any portion of the funds is not expended, the unexpended portion plus any accrued interest shall be returned to the State.

d) You must complete the attached Substitute W-9 Form and return it with this signed Letter of Agreement. You are responsible for and assume the liability for failure to provide the correct taxpayer identification number for IRS purposes.

2. Return to the State agency head the following materials together:

a) This signed Letter of Agreement; and

b) Substitute W-9 Form.

We encourage you to return these materials as soon as possible. The State is prepared to process this agreement and issue payment in a timely fashion, upon receipt of these materials.

If you should have any questions or comments or need any assistance responding to this request, please contact **Matt Burcham (615-532-4416)** Matt.burcham@tn.gov

Please retain a copy of this letter for your records. Payment status and accounting inquiries may be directed to the following staff of this department:

Kenitha Reed, Director of Finance (615-741-7773) Kenitha.Reed@tn.gov

Matt Burcham, Team Lead, Local Programs Community Investments, (615-532-4416)

Matt.Burcham@tn.gov

[Acknowledgements Deleted for Inclusion in this Resolution]

SECTION III. That the mayor is further authorized to make such changes approved by the mayor and the city attorney to the agreement set out herein that do not substantially alter the material provisions of the agreement, and the execution thereof by the mayor and the city attorney is conclusive evidence of the approval of such changes.

SECTION IV. That the board finds that the actions authorized by this resolution are for a public purpose and will promote the health, comfort and prosperity of the citizens of the city.

SECTION V. That this resolution shall take effect from and after its adoption, the public welfare requiring it.

ADOPTED this the 16th day of September, 2025..

PAUL W. MONTGOMERY, MAYOR

ATTEST:

ANGELA MARSHALL, DEPUTY CITY RECORDER

APPROVED AS TO FORM:

RODNEY B. ROWLETT, III, CITY ATTORNEY