

Presented by:
Acting Port Director
Action Taken:
Yes ___
No ___
Abstain ___

CITY OF NOME, ALASKA

RESOLUTION NO. 25-01-01

A RESOLUTION AUTHORIZING MAYOR JOHN HANDELAND TO EXECUTE AN ESCROW AGREEMENT WITH THE UNITED STATES ARMY CORPS OF ENGINEERS AND NORTHRIM BANK FOR THE PURPOSE OF OBLIGATING CONSTRUCTION FUNDS AS REQUIRED BY ARTICLE IV C (1) OF THE PROJECT PARTNERING AGREEMENT FOR THE PORT OF NOME MODIFICATIONS PROJECT

WHEREAS, The City of Nome (“Nome”) and the Department of the Army (“the Government”) are parties to that certain Project Partnership Agreement (“PPA”) for the Port of Nome Modifications Project (“Project”); and

WHEREAS, the PPA identifies the City of Nome as the “Non-Federal Sponsor” of the Project, and thereby responsible for ten percent of the cost of constructing the general navigation features, and 100% of the cost of constructing the local service facilities related to the Project (“Non-Federal Cost Share”); and

WHEREAS, Article IV C(1) of the PPA states payment of the Non-Federal Cost share may be made by “verifying to the satisfaction of the Government” that Nome “had deposited such funds in an escrow or other account acceptable to the Government with interest accruing” to Nome; to be used for payment of future Non-Federal Cost Share contributions for the Project; and

WHEREAS, through R-24-11-01, the Nome Common Council authorized the opening of an account (“the Account”) at Northrim Bank to house the Non-Federal Cost share funds, thereby meeting the PPA requirement that funds be made accessible to the Government prior to solicitation of the construction contract; and

WHEREAS, the Government, Nome and Northrim Bank must now execute an escrow agreement (“the Agreement”) as drafted by the Government, outlining the purpose and function of the Account, and obligations of each party; and

WHEREAS, under NCO 2.20.010(c), the Nome Common Council may authorize the Mayor to execute official documents and the Agreement requires an authorized signature on behalf of Nome;

NOW, THEREFORE, BE IT RESOLVED the Nome Common Council hereby authorizes the Mayor to execute the Agreement with the Government and Northrim Bank to meet Nome's Non-Federal Cost share obligations to the Government under the PPA for construction of the Port of Nome Modifications Project.

APPROVED and **SIGNED** this 13th day of January, 2025.

JOHN K. HANDELAND
Mayor

ATTEST:

DAN GRIMMER
City Clerk/Treasurer