

RESOLUTION NO. 2015-1

A RESOLUTION TO OUTLINE PRIOR AGREEMENTS AND FUTURE INTENTIONS RELATED TO A COMBINED LIGHTING SYSTEM ALONG SD DOT HIGHWAY 34

WHEREAS, the City of Madison approved Resolution No. 2682 on July 28, 2008, stating, among other things, that the City of Madison desires to provide street lighting along Highway 34 from the intersection of Washington Avenue and south 10th Street to the east approximately 1 mile to the eastern city limits to improve visibility and to provide a safer environment and believes the addition of lighting in the area stated above will also promote the City of Madison; and

WHEREAS, the City of Madison, hereinafter referred to as "CITY", and South Dakota Department of Transportation, hereinafter referred to as "SD DOT", entered into agreement number 613871 in February of 2012 in which, among other things, the CITY agreed to accomplish minor maintenance activity on the SD DOT lighting currently being installed by SD DOT at the intersection of SD DOT Highways 34 and 19, hereinafter referred to as "2014/2015 LIGHTING SYSTEM", and furthermore, that when 2014/2015 LIGHTING SYSTEM is connected from city limits to said intersection, that at that time, the CITY would take over the operation and maintenance of 2014/2015 LIGHTING SYSTEM; and

WHEREAS, SD DOT, as part of project number NH0034(163)387 currently planned for construction as outlined on the Statewide Transportation Improvement Plan for 2019, will design and install a lighting system, hereinafter referred to as "2019 LIGHTING SYSTEM", to the eastern city limits and additionally extend said lighting approximately one half mile to the east to the intersection of SD DOT Highways 34 and 19 at no cost to the CITY provided that the CITY is willing to accept the operation and maintenance of the combined 2014/2015 LIGHTING SYSTEM and 2019 LIGHTING SYSTEM, hereinafter referred to as "COMBINED LIGHTING SYSTEM", after it is constructed;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF MADISON, SOUTH DAKOTA:

1. That the CITY shall accept the operation and maintenance of the COMBINED LIGHTING SYSTEM, providing the SD DOT confers with the CITY regarding to the type, size and location and cost of the COMBINED LIGHTING SYSTEM.
2. That the CITY shall incur the additional costs for installing LED lights in the 2019 LIGHTING SYSTEM in lieu of the current SD DOT standard high pressure sodium lights provided that the SD DOT standard policy at the time of installation is not to install LED lights except if the SD DOT policy at the time of installation is to install LED lights, then in that event, the CITY shall not incur any additional design or installation costs.
3. That the CITY shall require that the 2014/2015 LIGHTING SYSTEM be converted to LED lighting at the CITY's cost except that the power source for the 2014/2015 LIGHTING SYSTEM shall be connected and/or converted to the power source for the 2019 LIGHTING SYSTEM at no cost to the CITY.
4. That the CITY shall anticipate
 - a) that an agreement will be proposed to CITY by SD DOT which includes the standard terms for Class 1 South Dakota cities with respect to the operation and maintenance of the COMBINED LIGHTING SYSTEM

- b) that ultimately the agreement includes, among other things, an itemization of the estimated or actual CITY costs for the COMBINED LIGHTING SYSTEM
- c) that any necessary final negotiations will proceed in good faith
- d) that approval of said agreement by either party with respect to the terms of the COMBINED LIGHTING SYSTEM will not be unreasonably withheld

Dated this 26th day of January, 2015.

CITY OF MADISON


Mayor

ATTEST: 
Finance Officer

Published once at the approximate cost of \$_.