
ALTERNATIVES

1. Adopt the resolution as submitted.
2. Amend the resolution.
3. Deny the resolution.

CONCLUSION

Alternative number 1 is recommended.

FACT SHEET PREPARED BY: Terri Anderson-Scott
City Attorney

RESOLUTION NO. _____ OF 2013

A RESOLUTION AUTHORIZING THE EXECUTION OF A STATE/ENTITY LIGHTING MAINTENANCE AGREEMENT WITH THE DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT IN REGARD TO A ROADWAY AND INTERCHANGE LIGHTING SYSTEM PROJECT ON SEGMENT K OF THE I-49 PROJECT AND TO OTHERWISE PROVIDE WITH RESPECT THERETO

BY:

WHEREAS, the Department of Transportation and Development (“DOTD”) proposes to construct and install a roadway and interchange lighting system, aesthetic lighting, and bridge inspection lighting on Segment K of the I-49 North project from I-220 to Martin Luther King Boulevard (“MLK Boulevard”) provided that upon completion of construction of the system, the City of Shreveport will assume garde (i.e. custody) and ownership of the lighting system and shall be responsible for all maintenance, operation and repair of the system at City’s sole expense for the life of the project or for as long as the right-of-way upon which the project is located remains in the State Highway System, whichever occurs first, in addition to assumption of all liability and responsibility for the system, including all future maintenance and operation costs thereof to include, but not be limited to, replacement and energy costs, excepting the bridge inspection lighting for which only the energy costs shall be assumed by the City; and

WHEREAS, installation of the system will provide enhanced lighting for this segment of the project thereby providing a benefit for the general public; and

WHEREAS, the City of Shreveport (“City”) is agreeable to the installation of the roadway/interchange, aesthetic and bridge inspection lighting system and desires to enter into a Lighting Maintenance Agreement with DOTD in regard to same.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Shreveport in due, regular and legal session convened that the Mayor be and he is hereby authorized to execute, for and on behalf of the City of Shreveport, a State/Entity Lighting Maintenance Agreement with the Department of Transportation and Development, substantially in accordance with the terms and conditions of the drafts thereof which were filed for public inspection, together with the original copy of this resolution in the office of the Clerk of Council on June 25, 2013 and to execute any and all documents necessary or required to evidence the City’s acceptance of garde and ownership of the lighting system upon completion of construction of the system.

BE IT FURTHER RESOLVED that if any provision or item of this resolution or the application thereof is held invalid, such invalidity shall not affect other provisions, items or applications of this resolution which can be given effect without the invalid provisions, items or applications and to this end the provisions of this resolution are hereby declared severable.

BE IT FURTHER RESOLVED that all resolutions or parts thereof in conflict herewith are hereby repealed.

APPROVED AS TO LEGAL FORM:

City Attorney's Office