

AGENDA ITEM SUMMARY SHEET
VILLAGE COUNCIL MEETING
May 27, 2020

Agenda Item:

State Highway Lighting, Maintenance, and Compensation Agreement and Resolution No. 2020-04 A Resolution of the Village of Estero, Florida, Approving the State Highway Lighting, Maintenance, and Compensation Agreement Between the Village of Estero and State of Florida, Department of Transportation; Authorizing the Village Mayor to Execute the Agreement; and Providing an Effective Date

Description:

The Village of Estero currently maintains 452 street lights along US 41. The street lights were built and are owned by FDOT. As a condition of installing the street lights, The Village operates and maintains the street lights. In exchange for operating and maintaining the street light, the Florida Department of Transportation (FDOT) pays the Village a flat fee per street light.

The original agreement covering the street lights was executed in 2016. FDOT is in the process of updating all of their agreements with maintaining agencies. FDOT has requested the Village execute the attached agreement. Following are some of the changes to the agreement.

- The term of this agreement will be seven years. (Item 1 Section E)
- Either party may terminate the Agreement by a written Notice of Termination. The Maintaining Agency must provide this Notice two years prior to the effective date of termination. The notice will need to be endorsed by the elected body under which the Agency operates. (Item 1 Section E)
- Prior to the beginning of each fiscal year, the Maintaining Agency shall submit an amended Exhibit A or a certification of no change to the Exhibit A. (Item 2)
- The Maintaining Agency may pursue all claims and causes of actions against the third parties responsible for the damage. (Item 2)
- The Exhibit A was changed to list all lighting that will be included in the agreement.

This agreement does not change the maintenance requirements on the Village.

The reimbursement cost will be 90% of the per-light unit rate of \$300.10. For the 452 street lights along US-41 this equals \$122,080.68.

Action Requested:

Adopt Resolution No. 2020-04 and authorize the Village Mayor to execute the agreement on behalf of the Village of Estero Council.

Financial Impacts:

The Village of Estero will be paid \$122,080.68 to operate and maintain the street lights along US 41 for the 2020-2021 fiscal year. This is a reimbursement for the costs the Village incurs operating and maintaining the street lights.

Attachments:

1. 2016 State Highway Lighting, Maintenance, and Compensation Agreement
2. 2020 State Highway Lighting, Maintenance, and Compensation Agreement
3. Resolution 2020-04 Approving State Highway Lighting, Maintenance, and Compensation Agreement