



**Joint Resolution Establishing a Written Policy Regarding the Operations
and Maintenance of the Street Lighting System
Within the Jurisdictional Boundaries of the City of Traverse City**

Because, Traverse City Light & Power (“TCL&P”) is a component unit of the City of Traverse City and, under Section 175 of the Charter for the City of Traverse City, is responsible for the development, production, purchase and distribution of lighting services within the City of Traverse City as referenced in the City Attorney’s opinion; and

Because, pursuant to its responsibility under Section 175 of the City Charter, TCL&P shall manage all aspects of the street lighting system within the City of Traverse City’s jurisdictional boundaries (the “System”), including all costs of operation and maintenance. The City shall reimburse TCL&P annually an amount equal to 5% of the street lighting revenues recorded on TCL&P’s financial statements; and

Because, TCL&P has the knowledge, expertise, and ability to manage and operate the System; therefore, be it

Resolved, that the TCL&P Board and the City of Traverse City adopt the following written policy regarding the operations and maintenance of the System as follows:

1. Street Lighting Defined. A lighting system consisting of one or more luminaries with the intended use for public roadway lighting that is open to the State of Michigan or any political subdivision or agency having jurisdiction over public streets or roadways. No private property applications would be considered part of the System.
2. Engineering & Design. TCL&P shall be responsible for the engineering and design of the System including any new additions. When appropriate, TCL&P shall coordinate installation/replacement of any new or existing street lighting services with the appropriate city department(s).

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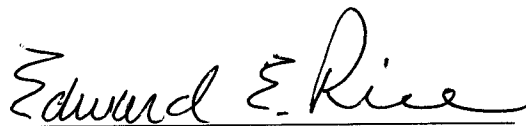
2

3. Charges for Service. The charges for street lighting services shall be charged to the appropriate local unit of government in accordance with the tariff rates established by TCL&P. For street lights within the System, TCL&P is the appropriate local unit of government.
4. Addition of Street Lights. Any additions to the System shall be at the sole discretion of TCL&P. In the event that the City requests an addition to the System, such request shall be made by the City Manager or his or her designee and the City will agree to pay a one-time fee per light as agreed to by the parties. In all cases, TCL&P retains the right to self fund lighting projects it deems in the best interests of the community or the Light & Power Department.
5. Decorative Street Lighting. Public decorative street lighting shall be available along public streets including neighborhoods and business districts; the process for obtaining approval of a new decorative lighting project shall be governed by the TCL&P Decorative Street Lighting Policy.
6. Security Lighting. From time to time, citizens may request that lighting be installed in a public right of way, such as an alley, for security reasons. These private party requests shall be directed to the City Police Department who may recommend to the City Manager that lighting be installed. This type of lighting shall be subject to the Private Area Lighting Rate or "Security Lighting" offered by TCL&P. Monthly fees for this service shall be billed to the appropriate unit of government, or to the requesting party as directed by the City Manager, through the utility billing system. TCL&P shall not be considered the appropriate unit of government for this type of lighting.

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3

7. Removal. The removal of street lights shall be the responsibility of TCL&P. Any City request to remove street lights shall be made in writing by the City Manager. Any liability that may arise as a result of the removal of street lighting as requested by the City shall be the responsibility of the City.



Edward E. Rice
Executive Director and Secretary
Traverse City Light and Power Board

I hereby certify that the above Resolution was adopted at the June 21, 2010, Regular Meeting of the City Commission held in the Commission Chambers, Governmental Center, 400 Boardman Avenue, Traverse City, MI 49684.



Benjamin C. Marentette, Deputy City Clerk