

RESOLUTION 24-107

A RESOLUTION DECLARING JURISDICTIONAL CHANGE OF A PORTION OF 34TH AVENUE AND 30TH STREET (THE LANDFILL ROAD)

BE IT RESOLVED by the City Council of the City of Brookings, South Dakota (the "City"), as follows:

WHEREAS, in 1991 the City of Brookings agreed by Resolution 44-91 to construct a suitable access road within the County of Brookings to the new City Landfill, and to maintain the newly constructed road; and

WHEREAS, in 2019, the Department of Transportation, pursuant to Executive Order 2019-1 removed the aforementioned road from the County of Brookings Primary Highway System; and

WHEREAS, a portion of 34th Avenue and 30th Street is currently under the jurisdictional control of the County of Brookings; and

WHEREAS, the County of Brookings has adopted a resolution requesting the jurisdictional transfer of a portion of 34th Avenue from the intersection of US Highway 14 Bypass north to the intersection of 30th Street, (consisting of approximately one mile), and 30th Street from the intersection of 34th Avenue east to the intersection of 46th Avenue, (consisting of approximately 0.96 miles); and

WHEREAS, the purpose of this resolution is to accept the jurisdictional control by the City of Brookings for the portions of 34th Avenue and 30th Street described above; and

WHEREAS, SDCL §31-17-17 allows for assignment of responsibility for boundary line highways between municipalities and board of county commissioners. In addition, SDCL §9-45-1 authorizes a municipality to construct, maintain and repair roads within its jurisdiction.

NOW, THEREFORE, BE IT RESOLVED, the City of Brookings hereby accepts responsibility for the portion of highway described herein pursuant to applicable law, thereby including the above-described highway within the jurisdiction of the City of Brookings; and

The City of Brookings hereby reconfirms its commitment to maintaining the aforementioned portion of 34th Avenue and 30th Street, inclusive of crack sealing, pothole repair, snow removal, chip sealing, Right-of-Way ditch maintenance, street signage, and street markings; and

The City of Brookings further agrees to assume responsibility for the issuance of driveway approach permits and Right-of-Way drainage permits along the

aforementioned portion of 34th Avenue and 30th Street.

Passed and Approved this 26th day of November, 2024.

CITY OF BROOKINGS, SD

Oepke G. Niemeyer, Mayor

ATTEST:

Bonnie Foster, City Clerk