

Presented by: The Manager  
Introduced: 05/06/85  
Drafted by: J.R.C.

RESOLUTION OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 1104

A RESOLUTION AMENDING RESOLUTION SERIAL NO. 956 TO CLARIFY MUNICIPAL RESPONSIBILITY FOR CERTAIN CONTINGENCIES ASSOCIATED WITH THE UNITED STATES CORPS OF ENGINEERS PROJECT FOR THE EXPANSION OF THE AURORA BASIN BOAT HARBOR.

WHEREAS, the United States Army Corps of Engineers has requested clarification of municipal responsibility for excess costs that may occur during the United States Army Corps of Engineers project for the expansion of the Aurora Basin boat harbor, and

WHEREAS, the requested amendments are technical in nature and do not affect the substance of the agreement specified in Resolution Serial No. 956;

NOW, THEREFORE, BE IT RESOLVED BY THE ASSEMBLY OF THE CITY AND BOROUGH OF JUNEAU, ALASKA:

Paragraph 1 of Resolution 956 is amended to read:

1. That the City and Borough of Juneau agrees to act as local sponsor for the proposed Aurora Basin boat harbor expansion project as defined in the Corps' final detailed project report of June 1984 and to seek funding for its share of said project. More specifically, as local sponsor, the City and Borough of Juneau agrees to:

a. Provide, without cost to the United States, all lands, easements, and rights-of-way necessary for the construction and subsequent maintenance of the project and for navigational aids, upon the request of the Chief of Engineers, including suitable areas determined by the Chief of Engineers to be required in the general public interest for initial disposal of dredged material, and including necessary retaining dikes, bulkheads, and embankments therefore, or the cost of such retaining work;

b. Accomplish, without cost to the United States, all alterations and relocations as required in

roads, utilities, and other structures, and improvements made necessary by the construction;

c. Hold and save the United States free from damages due to construction, operation, and maintenance of the project, but not including damages due to the fault or negligence of the United States or its contractors;

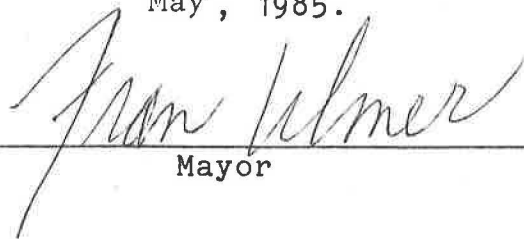
d. Assume responsibility for all project costs in excess of \$2,000,000, including overruns and amounts found due the contractor in disputes but excluding navigation aids provided by the United States Coast Guard;

e. Assume responsibility for construction and installation of the nonfederal dredged mooring basin, the appurtenant mooring facilities and services, and assume all costs for operation and maintenance of the mooring area;

f. Provide, maintain, and operate, without cost to the United States, an adequate public landing or wharf with provisions for: the sale of motor fuel and lubricants, potable water, suitable sanitary facilities, and the necessary access roads, parking areas, and other needed public use shore facilities;

g. Provide a cash contribution to be applied to the cost of federal major navigation facilities equal to 50 percent of the final construction cost allocated to recreation.

Adopted this 6th day of May, 1985.

  
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Mayor

Attest:

  
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Clerk