

Proposed by:	Administration
Attorney Review:	09/27/2019
Vote:	6 Aye 0 Nay 0 Absent

**MUNICIPALITY OF SKAGWAY, ALASKA
RESOLUTION NO. 19-30R**

**A RESOLUTION OF THE MUNICIPALITY OF SKAGWAY, ALASKA SUPPORTING
ROCKFALL MITIGATION WORK BY WHITE PASS.**

WHEREAS, the Municipality of Skagway acknowledges the need to address rockfall hazards on the waterfront through monitoring and mitigation; and

WHEREAS, White Pass and Yukon Route (White Pass) is soliciting submittals from experienced rockfall mitigation contractors to perform rockfall scaling and rock fence repair mitigation work; and

WHEREAS, the Municipality expects to be involved and informed of activities related to rockfall mitigation that occur on municipal property; and

WHEREAS, the Municipality of Skagway supports efforts by White Pass to monitor and mitigate rockfall hazards on the waterfront through a contractor that will conduct rockfall scaling and rock fence repair; and

WHEREAS, the Municipality of Skagway, as to work on municipal property, needs assurance that the Municipality will be protected from any liability related to that work, and deems it reasonable that in the agreement between White Pass and its contractor, the Municipality is listed as an additionally insured party on the general liability policy and pollution liability policy on the policies of White Pass and its contractor, and that White Pass and its contractor agree to defend and indemnify the Municipality from any and all claims arising from the contracted work, including any and all environmental events; and

WHEREAS, the approval of work conducted on municipal property will be contingent on White Pass and its contractor agreeing to contractually provide the above protections to the Municipality;

NOW THEREFORE BE IT RESOLVED THAT: the Skagway Borough Assembly supports efforts by White Pass to monitor and mitigate rockfall hazards on the waterfront through rockfall scaling and rock fence repair, with protections in place in the contractor's agreement to defend and indemnify the Municipality and as to the other protections specified in this resolution.

PASSED AND APPROVED by a duly constituted quorum of the Borough Assembly of the Municipality of Skagway this 3rd day of October, 2019.

ATTEST:

Emily A. Deach, Borough Clerk

(SEAL)



Andrew Cremata, Mayor