

EVERETT CITY COUNCIL AGENDA ITEM COVER SHEET

PROJECT TITLE:

Right of Entry and Hold Harmless Agreement with Snohomish County for the control of noxious weeds at the City's Water Pollution Control Facility

- Briefing
- Proposed Action
- Consent
- Action
- First Reading
- Second Reading
- Third Reading
- Public Hearing
- Budget Advisory

COUNCIL BILL # _____
 Originating Department Utilities
 Contact Person Chris Chesson
 Phone Number 425-257-8878
 FOR AGENDA OF July 27, 2016

Initialed by:
 Department Head _____
 CAA db
 Council President _____

<u>Location</u>	<u>Preceding Action</u>	<u>Attachments</u>	<u>Department(s) Approval</u>
Water Pollution Control Facility, 4027 4th Street SE, Everett WA 98201		Agreement	Legal, Utilities

Amount Budgeted	-0-	
Expenditure Required	-0-	Account Number(s):401-5-200-111-921-480
Budget Remaining	-0-	
Additional Required	-0-	

DETAILED SUMMARY STATEMENT:

The Snohomish County Public Works Department is engaged in noxious weed control along County rights of way and has identified noxious weeds in the vicinity of the City's Water Pollution Control Facility (WPCF).

This Agreement will grant the County the right to enter the WPCF and control these noxious weeds at no cost to the City.

RECOMMENDATION (Exact action requested of Council):

Authorize the Mayor to sign the Right of Entry and Hold Harmless Agreement with Snohomish County for the control of noxious weeds at the City's Water Pollution Control Facility at no cost.

RIGHT OF ENTRY AND HOLD HARMLESS AGREEMENT
NOXIOUS WEED CONTROL

THIS AGREEMENT is made by and between Snohomish County, a political subdivision of the State of Washington and City of Everett (Name), hereinafter referred to as the "Owner", of certain real property located at Water Pollution Control Facility 4027 4th Street SE Everett WA 98201 in Snohomish County, Washington.

WHEREAS, the Public Works Department of Snohomish County is engaged in noxious weed control along County rights of way and controlling the source of noxious weeds is of paramount importance

WHEREAS, the Owner is the owner, tenant and/or is in legal control of the real property mentioned herein, and desires to have the County, after control options are explained, control listed noxious weeds on his/her real property at no cost or a predetermined agreed cost:

NOW, THEREFORE, in consideration of the mutual benefits herein:

1. The Owner hereby grants the County the right to enter the real property located at the address listed above for the purpose of noxious weed control during regular business hours (7 a.m. until 5 p.m.) weekdays, or as follows: (insert time if applicable)_____ . The Owner understands that the County will use integrated weed management techniques which may include one or more of the following methods; mowing, clipping, pulling, herbicide application, covering, or biological control. **The Owner agrees to take whatever measures are necessary to protect the individuals and personal property present during control work, including restraining any animals and restricting the activities of any children on the site.**

2. The County shall protect and save harmless, the Owner(s) from and against any and all claims, damage to, loss or destruction of property whatsoever suffered by the Owner(s), his successors and assigns caused by said control work; however, the County shall not be so obligated in the event of negligence of the Owner(s), his/hers/their successors and assigns, tenants, licensees and invitees causing damage, loss or destruction.

DATED this _____ day of _____, 2016

Owners _____

Address _____

Phone No. () _____



ACCEPTED BY _____ Date _____
Ray Stephanson, Mayor, City of Everett