

**CAPITOL REGION WATERSHED DISTRICT
COOPERATIVE AGREEMENT
WITH CITY OF SAINT PAUL, DEPARTMENT OF PARKS AND RECREATION**

Agreement between Capitol Region Watershed District and the City of Saint Paul, Department of Parks and Recreation regarding Como Lake Shoreline Restoration Maintenance Cost-Share Project – Phase II for costs related to restoring and maintaining the shoreline of Como Lake.

THIS AGREEMENT, by and between the City of Saint Paul, Department of Parks and Recreation, a municipal corporation, hereinafter referred to as the “City”, and Capitol Region Watershed District, hereinafter referred to as “CRWD”.

WITNESSETH:

WHEREAS, the City, CRWD, Ramsey Conservation District (RCD) and others have collaborated on shoreline and rain garden projects that benefit parks, natural resources and water resources of Como Lake; and

WHEREAS, the City is cooperating to ensure the successful implementation and maintenance of the shoreline and rain garden projects on which CRWD, RCD and the City have collaborated.

WHEREAS, CRWD has a shoreline maintenance program as defined by CRWD’s 2010 Watershed Management Plan;

WHEREAS, several sections of the Como Lake shoreline have degraded due to erosion and loss of vegetation; and

WHEREAS, CRWD, the City and RCD seek to restore the degraded sections of Como Lake and RCD has prepared the shoreline restoration designs and budgets (the Project) (See Exhibit A);

WHEREAS, the City can provide labor through Conservation Corps Minnesota to implement the project;

WHEREAS, the City seeks financial assistance from CRWD and RCD for the material costs of restoring the shoreline; and

NOW, THEREFORE, IT IS HEREBY MUTUALLY AGREED AS FOLLOWS:

The City shall restore shoreline sections of Como Lake as indicated in Exhibit A. CRWD shall reimburse the City for 25% of material costs not to exceed \$4,900. Upon completion of the Project, the City will submit a payment request to CRWD payable in full within sixty (60) days of the billing date. The City agrees to maintain records and costs pertaining to the Project in accordance with Minnesota statutes and relevant internal record keeping and accounting procedures.

**COOPERATIVE AGREEMENT FOR COMO LAKE SHORELINE RESTORATION MAINTENANCE – PHASE II
BETWEEN CITY OF SAINT PAUL, DEPARTMENT OF PARKS AND RECREATION AND
CAPITOL REGION WATERSHED DISTRICT**

The City agrees to defend, indemnify and hold harmless CRWD against any and all claims, liability, loss, damage, or expense arising under the provisions of this Agreement, whether by the parties or by their agents, employees or contractors. Neither CRWD, or the City, if applicable, waive any immunities provided by any law or doctrine, including those of Minnesota Statutes Chapter 466. Nothing herein shall be construed to allow a claimant to obtain separate judgments or separate liability limits from the individual parties.

It is understood and agreed by the parties hereto that this agreement shall not be modified or amended except in writing duly signed by each of the parties.

This agreement shall be effective when approved by the City and CRWD. This agreement shall expire and be of no further force or effect upon completion of the project.

IN WITNESS WHEREOF, the parties have caused this agreement to be executed.

CITY OF SAINT PAUL
DEPARTMENT OF PARKS
AND RECREATION

CAPITOL REGION
WATERSHED DISTRICT

By _____
Director, CPRP
Department of Parks and Recreation
Date _____

By _____
Administrator
Date _____

By _____
City Attorney
Date: _____

Approved as to form:

Assistant County Attorney Date

By _____
Director, Financial Services
Date: _____