

RESOLUTION NO. 14-2022

Introduced by Matt Grieves


A RESOLUTION AMENDING RESOLUTION 2010-46, ADOPTED JUNE 22, 2010, AUTHORIZING AN AGREEMENT WITH THE ARMY CORPS OF ENGINEERS PERTAINING TO A TWENTY-FIVE YEAR PARKS AND RECREATION LEASE FOR PUBLIC USE OF THE U.S. WEST PIER IN THE CITY OF HURON

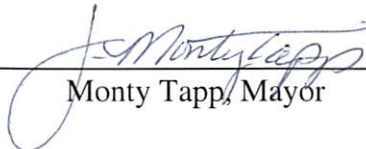
BE IT RESOLVED BY THE COUNCIL OF THE CITY OF HURON, OHIO:

SECTION 1. That the City Manager is authorized and directed to enter into an amendment to the agreement with the Corps of Engineers relating to a Twenty-Five Year Lease Agreement of the U.S. Pier area, which agreement shall be substantially in the form of Exhibit "A" attached hereto and made a part hereof.

SECTION 2. That this Council hereby finds and determines that all formal actions relative to the adoption of this Resolution were taken in an open meeting of this Council and that all deliberations of this Council and of its Committees, if any, which resulted in formal action, were taken in meetings open to the public in full compliance with applicable legal requirements, including O.R.C. §121.22.

SECTION 3. That this Resolution shall be in full force and effect from and immediately after its adoption.

ATTEST: 
Clerk of Council


Monty Tapp, Mayor

ADOPTED: 11 JAN 2022

**DEPARTMENT OF THE ARMY
BUFFALO DISTRICT, CORPS OF ENGINEERS
SUPPLEMENTAL AGREEMENT NO. 3
TO DEPARTMENT OF THE ARMY
LEASE NO. W911XK-1-10-1003**

THIS SUPPLEMENTAL AGREEMENT entered into this 27th day of JANUARY,
2022 by and between **THE CITY OF HURON, OHIO**, hereinafter called the **Lessee**,
and the **SECRETARY OF THE ARMY**, hereinafter called the **Government**.

WITNESSETH:

WHEREAS, the parties hereto entered into Department of the Army Lease No. W911XK-1-10-1003, executed on 3 August 2010, which authorized park and recreational use of the U.S. West Pier at Huron Harbor Federal Navigation Project, Ohio, as more accurately described in the original lease; and,

WHEREAS, Supplemental Agreements No. 1-2, executed on 13 June 2012 and 17 March 2015, respectively, modified certain terms and conditions of the lease; and,

WHEREAS, the Lessee has requested that the leased premises be expanded to include the installation, operation, and maintenance of railings, safety ladders, and pier safety devices along on the U.S. West Pier; and,

WHEREAS, the Government has no objection to amending the lease.

NOW, THEREFORE, effective immediately, the license is modified in the following particulars, but in no others:

All references to the "Real Estate Division" are **REPLACED** with "Real Estate Office."

Exhibit "E" is **ADDED** hereto and made part of the lease.

Conditions No. 36b and 36c. ("Special Provisions") will be **REPLACED** in their entirety, hereto and made part of the lease.

"36b. This lease will also include use of the pier for active recreational activities, such as the Lake Erie Boat Week race events. Dates for any events and subsequent details involving the use of the pier, including any construction, must be coordinated with the by the current Chief of the Operations and Technical Support Section of the Buffalo District. The current Chief of the Operations and Technical Support Section is Mr. Robert Remmers who can be contacted by email at Robert.W.Remmers@usace.army.mil or by phone at (716) 879-4277.

36c. All construction and activities on the premises related to the aforementioned authorized uses and improvements specified in this real estate outgrant agreement, including any detailed construction plans and specifications, must be coordinated with and approved by the current Chief of the Operations and Technical Support Section of the Buffalo District. The current Chief of the Operations and Technical Support Section is Mr. Robert Remmers who can be contacted by email at Robert.W.Remmers@usace.army.mil or by phone at (716) 879-4277. This review is required to ensure that the Lessee's activities and use of the site is consistent with the purpose and integrity of the Huron Harbor Federal Navigation Project and is not intended as a detailed engineering review. The Federal Government assumes no responsibility or liability for the technical sufficiency of the Lessee's plans or construction."

The following special conditions is **ADDED** hereto and made part of the lease:

"36h. The Lessee is authorized to include the installation, operation, and maintenance of railings, emergency ladders, and pier safety devices on the U.S. West Pier. The pier safety devices may include any combination of items, including safety ladders, lifesaving rings, throw bags (rescue bags), emergency call boxes, safety signs, and/or other related devices with appurtenances.

36i. The Lessee is responsible for inspection and maintenance, at intervals determined in its discretion, to determine that the pier safety devices are present and in good operable condition. The Lessee shall also be responsible for installing replacements as necessary, in its discretion, so that the pier safety devices are available when it deems seasonally appropriate.

36j. If the District Engineer determines that any pier safety device(s) interfere with the operations and/or maintenance of the Federal navigation project, the Lessee shall alter, modify, or remove the device(s), as necessary.

36k. Any pier safety devices that include the display of lights or signals shall comply with applicable requirements as prescribed by the United States Coast Guard or the District Engineer."

36l. All references to the former Lease No. W911XK-1-10-1003 will be changed to the current Lease No. DACW35-1-10-1003.

EXCEPT AS MODIFIED ABOVE, all other terms and conditions of the lease remain in full force and effect.

Supplemental Agreement No. 3
Former Lease No. W911XK-1-10-1003
Current Lease No. DACW35-1-10-1003
U.S. West Pier, Huron Harbor, OH
City of Huron, park and recreational lease improvements

IN WITNESS WHEREOF, the parties hereto have executed this Supplemental Agreement No. 3 on the date first above written.

THE CITY OF HURON, OHIO



(signature)

Matthew Lasko (printed name)

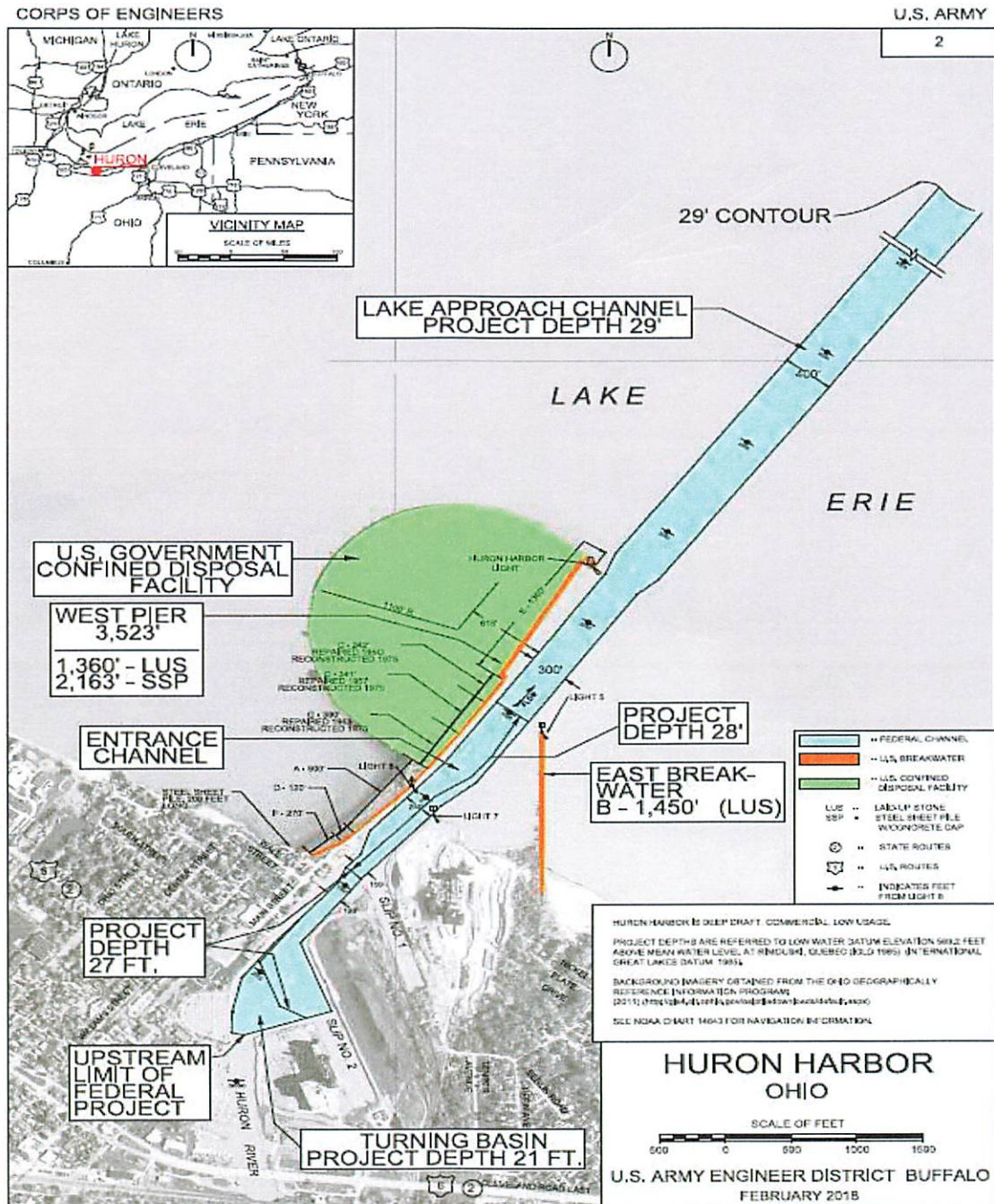
City Manager (title)

1/12/2022 (date)

**BY AUTHORITY OF THE
SECRETARY OF THE ARMY**



Michael B. Rohde
Chief, Real Estate Office
Real Estate Contracting Officer



USACE Project Map

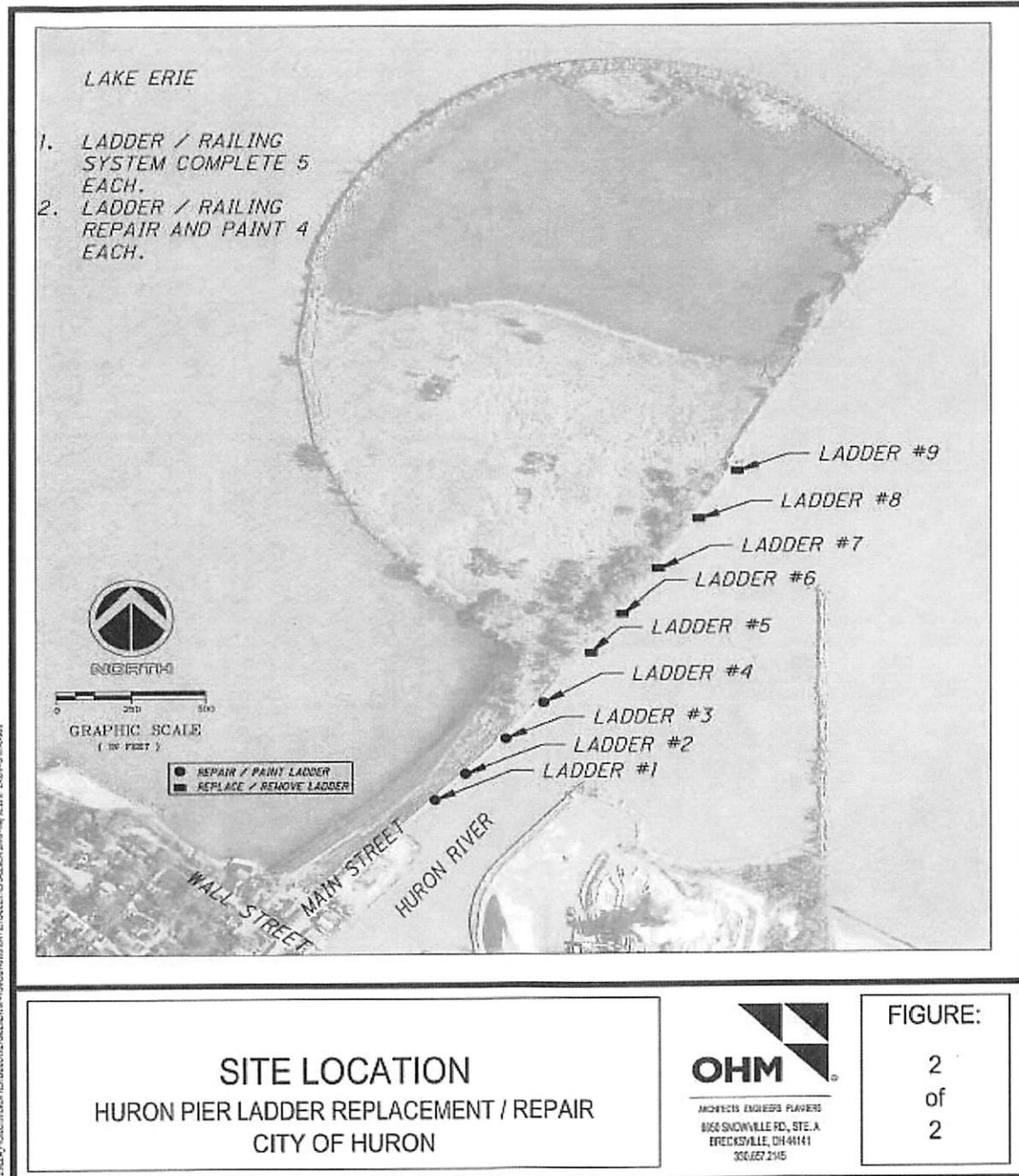
Exhibit "E"

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Aerial View

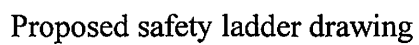
Exhibit "E"
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Aerial view of the safety ladder replacement locations.

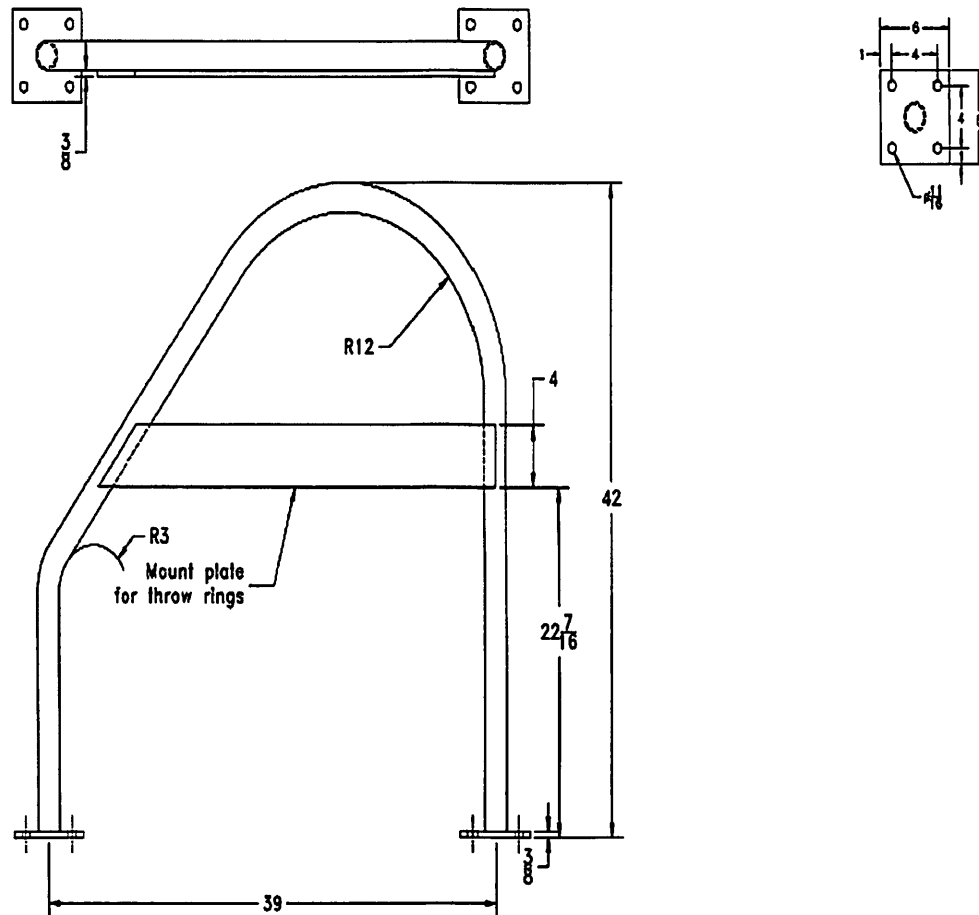
Exhibit "E"
(Sheet 3 of 7)

Call 800 453 0777 for more information. See www.453.com



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1-1/2" sch 40 mild steel pipe
3/8" base plate and throw ring mount plate

LATANICK EQUIPMENT INC. 720 RIVER RD. HURON, OH 44839 PH (419) 433-2200 FX (419) 433-6261			
The drawing and all information herein are the property of Latanick Equipment Inc. The drawing is made to the best of our knowledge and belief.			
ASSM.	City of Huron		
SUB. ASSM.	Safety rails for pier		
PART	X		
SCALE	X	DISK	DWG.
REV.	DESCRIPTION	DATE	DWN. BY RDP

D-2531

Proposed railing drawing

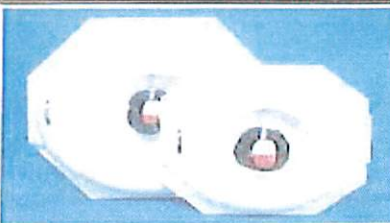
Exhibit "E"
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JIM-BUOY

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Life Ring Cabinets

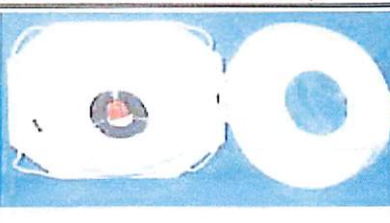


Available for: 24" and now 30" diameters.

Totally encloses a 24" or 30" life ring including a 60 ft. life line and lemon foot anchor. Unbreakable polycarbonate window with stainless steel hinge and fittings.

Model #5050 (above) - Cabinet only, fits 24" buoy, 1 per pack, ship. wt. 8 lbs. Cabinet size 27" diam. x 5" deep.

Model #5070 (above) - Cabinet only fits 30" buoy, 1 per pack, ship. Wt. 14 lbs. Cabinet size 34" diam. x 6" deep.



Safety Station - Life Ring Cabinet and Ring Buoy Combination for 24" and 30" Buoys.

Includes cabinet above with Jim Buoy GW-24" or GW-30" life ring, 60 ft. heavy line and lemon foot anchor, all mounted inside cabinet and shipped as a single unit.

Model #5050A (right) - 1 set per pack, 24" size, ship wt. 15 lbs.

Model #5070A (right) - 1 set per pack, 30" size, ship wt. 25 lbs.

Provides years of retained-new condition in a beautiful white, plastic cabinet!

[Boom Buoys](#)
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<http://www.jimbuoy.com/pages/marine/cabinets.htm>

3/20/2018

Photo of life ring & cabinet catalog sheet

Exhibit "E"
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Supplemental Agreement No. 3
Former Lease No. W911XK-1-10-1003
Current Lease No. DACW35-1-10-1003
U.S. West Pier, Huron Harbor, OH
City of Huron, park and recreational lease improvements



REPLY TO
ATTENTION OF

Technical Services Division

DEPARTMENT OF THE ARMY
BUFFALO DISTRICT, CORPS OF ENGINEERS
1776 NIAGARA STREET
BUFFALO, NEW YORK 14207-3199

October 1, 2018

SUBJECT: Request by the City of Huron to Alter the Huron Harbor, Huron, Ohio Navigation Project – Ladder Installation on West Pier

Mr. Doug Green
City Engineer
City of Huron
417 Main St.
Huron, OH 44839

Dear Mr. Green:

The U.S. Army Corps of Engineers (USACE) – Buffalo District has performed an evaluation of the City of Huron's request to alter the Huron Harbor navigation project. This evaluation was done pursuant to Section 14 of the Rivers and Harbors Act of 1899, 33 USC 408 (Section 408), and was performed in accordance with Engineer Circular (EC) 1165-2-216. Buffalo District's focus of this evaluation was to ensure that features and functionality of the navigation project are not adversely impacted by the proposed alteration.

As described in the City of Huron's request, the alteration consists of the installation of safety ladders, railings, and emergency life rings. Five new safety ladders and railings will be installed (#5-9, where existing ladders are non-existent) on the east side of the west pier. The purpose of the alteration is to improve pedestrian safety for recreational users of the Huron west pier.

Based on this evaluation, the USACE - Buffalo District grants the City of Huron permission to alter the Huron Harbor navigation project, as described herein, contingent upon the city of Huron (Requestor) signing and returning the two (2) enclosed copies of the Alteration Conditions Form. Upon receipt, the Buffalo District will also sign both Alteration Conditions Forms and return one copy to the City of Huron.

For any questions regarding this evaluation, please contact Mr. Robert Remmers, P.E., Chief of Operations and Technical Support Section, in writing at the above address, by telephone at 716-879-4277, or by e-mail at robert.w.remmers@usace.army.mil.

Sincerely,

CONBOY.DAVID.JO
SEPH.1014868786
David J. Conboy, P.E.
Chief, Technical Services Division
USACE – Buffalo District

Digitally signed by
CONBOY.DAVID.JO SEPH.1014868786
DN: c=US, o=U.S. Government, ou=DoD, ou=PEL
ou=USA, cn=CONBOY.DAVID.JO SEPH.1014868786
Date: 2018.10.01 16:47:22 -0400

Enclosures

Exhibit "E"
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