



## Text File

**Introduced:** 3/22/2019

**Bill No:** 2019-1516, **Version:** 1

**Committee:** Committee on Public Works

**Status:** Passed Finally

Resolution authorizing the Mayor and the Director of the Department of Public Works and the Director of the Department of Finance to enter into a License and Maintenance Agreement with Just Ducky Tours, Inc. for the use of property located at the Monongahela Wharf Landing.

**Be it resolved by the Council of the City of Pittsburgh as follows:**

**Section 1. WHEREAS**, the City is the owner of the Monongahela Wharf Landing (“the Wharf”), a tract of land located along the right bank of Monongahela River (“the River”) containing, among other things, a boat ramp with a steel grate ramp at the edge thereof leading into the River (the “Boat Ramp”), a pedestrian path and an asphalt parking area in the City of Pittsburgh, Allegheny County, Pennsylvania, (the “Property”); and

**WHEREAS**, Just Ducky Tours (“JDT”) desires permission to use the Property and Boat Ramp as River access for the operation of its guided sightseeing amphibious vehicle tours; and

**WHEREAS**, the City agrees to allow JDT amphibious vehicles to drive over and through the Property and to use the Boat Ramp for the purpose of entering and exiting the River; and

**WHEREAS**, the City’s top priority is ensuring public safety and JDT has represented to the City that it has spent time and effort into making Just Ducky tours safe for all, and will continue to identify and vigorously address safety issues on an ongoing basis; and

**WHEREAS**, JDT and the City now wish to enter into a License and Maintenance Agreement to define the scope of the services to be provided.

**Section 2.** Intending to be legally bound, for and in consideration of the mutual premises hereinafter set forth, the parties hereto agree as follows:

The Mayor and the Director of the Department of Public Works and the Director of the Department of Finance are hereby authorized to enter into a License and Maintenance Agreement with JDT pursuant to which JDT will use the Property and Boat Ramp as River access for the operation of its guided sightseeing amphibious vehicle tours. Any and all funds shall be deposited to the Public Works Trust Fund 28043.4000284300.43709.2019. The License and Maintenance Agreement shall be approved by the City Solicitor as to form and substance.