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City Council Document Tracking Sheet

<b>Meeting Date:</b>	3/14/2012
<b>Sponsor(s):</b>	Emanuel, Rahm (Mayor)
<b>Type:</b>	Ordinance
<b>Title:</b>	License extension for tour boats
<b>Committee(s) Assignment:</b>	Committee on License and Consumer Protection



OFFICE OF THE MAYOR  
CITY OF CHICAGO

RAHM EMANUEL  
MAYOR

March 14, 2012

TO THE HONORABLE, THE CITY COUNCIL  
OF THE CITY OF CHICAGO

Ladies and Gentlemen:

At the request of the Commissioner of Transportation, I transmit herewith an ordinance authorizing a license extension for tour boats.

Your favorable consideration of this ordinance will be appreciated.

Very truly yours,

A handwritten signature in cursive script that reads "Rahm Emanuel".

Mayor

## ORDINANCE

WHEREAS, the City Council, pursuant to an ordinance passed on March 9, 2005 (appearing at pages 43788 through 44069 of the Journal of Proceedings of the City Council of the City of Chicago) (the "Ordinance"), authorized two agreements for the docking of tour boats on the Chicago River, e.g., (i) a license agreement with Mercury Skyline Yacht Charters, Inc. and Mercury Sightseeing Boats, Inc. (collectively, "Mercury"), and (ii) a license agreement with Wendella Sightseeing Company Incorporated ("Wendella") ("Mercury" and "Wendella" shall be collectively known as the "Companies"); and

WHEREAS, on March 9, 2005, agreements with the Companies (known collectively as the "Original Agreements") were entered into pursuant to the Ordinance, which were for a five year term with 2 one-year extension options; and

WHEREAS, to provide continuity of service, the City, pursuant to Section 2-40-030(l), on March 9, 2012, extended the date of the Original Agreements, pursuant to a Right of Entry Amended License Agreement, for an additional 30 day period, subject to further extension (upon written notice to the Companies, and provided that they are not in default), for an additional 60 day period, for a maximum extension period of 90 days that will expire on June 6, 2012 ("March 2012 Extension"); and

WHEREAS, pursuant to the March 2012 Extension, both Mercury and Wendella agreed to increases in the amounts that they paid to the City for the license agreements, e.g., Mercury agreed to pay the City, for the 2012 season, a yearly license fee of \$169,453.26 ( a 5 % increase over the 2011 fee), and Wendella agreed to pay the City, for the 2012 season, a yearly license fee of \$281,419.95 (also a 5% increase over the 2011 fee); and

WHEREAS, notwithstanding Section 4-250-080, the City and the Companies now wish to extend the Original Agreements for an additional period, beginning when the March 2012 Extension expires, and ending no later than December 31, 2012; and

WHEREAS, such new extension will be on the same terms and conditions as the Original Agreements, but will be for the increased amounts in the March 2012 Extensions, as provided above; and

WHEREAS, during the term of the March 2012 Extension, 30% of the yearly license fee due under the Agreement will be due and payable by the Companies, and therefore, provided it is paid, the remaining 70% of such amount will be due and payable under the new extensions authorized by this Ordinance (\$118,596.28 for Mercury, and \$196,993.97 for Wendella); and

WHEREAS, if the extensions are entered into for a period ending before December 31, 2012, the Commissioner of CDOT and the Companies may agree to such lesser amounts to be paid by the Companies;

NOW THEREFORE, be it ordained by the City Council of the City as follows:

1. Incorporation of Recitals. The above recitals are incorporated into the Ordinance as if fully set forth herein.
2. Approval of Extension of the Agreements. The Original Agreements are extended from the expiration of the March 2012 Extensions, through no later than December 31, 2012, on the same terms and conditions, with the exception of the increased license fee payments, as described in the above recitals.
3. Effective Date. This Ordinance is effective upon its passage and approval.