RESOLUTION No. 1085
Adopted by The Sacramento City Council on date of
November 25, 1969

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SACRAMENTO:

That subject to the conditions set forth herein, a revocable permit is hereby approved to moor the "Delta King" at the open crane dock at the west end of O Street in the Sacramento River to be located so that the bow of said ship will not extend further north than the north property line of O Street produced. The conditions of said revocable permit are as follows:

1. This permit is revocable at any time for any reason by the City of Sacramento, and in any event said permit shall terminate on July 1, 1970.

2. Riverboat's Comin' Inc., a non-profit corporation, shall indemnify and hold the City of Sacramento, its officers, agents, and employees, harmless from any and all claims, losses or damages resulting from the death or injury to any person or damages to any property resulting from the issuance of this permit or the mooring of the Delta King at the open crane dock as described herein.

3. Riverboat's Comin' Inc., shall obtain liability insurance protecting the City of Sacramento at all times during the term of this permit against any and all losses or damages to persons or property with maximum limits of $500,000 single limit and shall obtain a certificate of insurance naming the City of Sacramento, its officers, agents, and employees, as additional insureds under said policy. Said policy shall require no less than 10 days notice to the City of Sacramento prior to cancellation. At no time are more than 300 persons to be let aboard the "Delta King" without Riverboat's Comin' Inc. first having secured an additional policy of liability insurance protecting the City of Sacramento in the amount of $1,000,000 additional for each occurrence. Said additional policy shall also comply with the other provisions of this paragraph.

4. Riverboat's Comin' Inc., shall obtain fire and casualty insurance in the amount of $500,000 protecting the owners of the Delta King against any and all loss due to fire, or other casualty to said ship.

5. Certificates of insurance indicating compliance with paragraphs 3 and 4 shall be furnished to the City prior to the effective date of the revocable permit.

6. Riverboat's Comin' Inc., shall repair the open crane dock so that it is safe for use by members of the public and shall erect adequate railings around the edge of said dock. Riverboat's Comin' Inc. shall furnish the City of Sacramento with the certification of a licensed, qualified engineer that said dock is safe for use by members of the public for access to the "Delta King."
7. Riverboat's Comin' Inc. shall obtain all necessary permits from other governmental agencies required for the mooring of said ship at the location referred to herein. The issuance of this permit shall in no way eliminate the requirement for compliance with the regulations of other governmental agencies. Said approval and compliance shall include, but not be limited to, the U.S. Corps of Engineers and the County Health Department. If the U.S. Corps of Engineers requires a permit prior to mooring the Delta King at the proposed location, then such permit shall be obtained prior to the time that the permit issued pursuant to this resolution becomes effective.

8. Riverboat's Comin' Inc. will securely moor the Delta King at all times during the term of this permit. Said moorage shall be approved and certified in writing as to safety by a qualified and licensed engineer to withstand sustained periods of high water and to constitute a safe moorage for the purpose for which the moorage is intended.

9. No anchorage or stress shall be placed on the dolphin immediately upstream from the open crane dock, which dolphin was installed for the protection of the storm water discharge pipes at this location.

10. The permittee shall recognize and not interfere with the rights granted under that certain revocable permit by City of Sacramento Resolution No. 185, April 13, 1968, to the State Division of Highways to install, maintain and have access to river gauging station on the subject dock.

11. No event or public gathering shall be held on board the "Delta King" if the Sacramento River exceeds an elevation of twenty-five feet above sea level.

12. The provisions of the Sacramento City Building Code shall apply to the "Delta King" and said ship shall comply, prior to holding any event or public gathering on the "Delta King," with the occupancy and exit requirements of said Code and with the requirements imposed by the Fire Chief acting pursuant to the Sacramento City Fire Code. The Fire Chief of the City of Sacramento shall designate the maximum number of people permitted to be aboard the Delta King at any one time.

This revocable permit shall become effective only after Riverboat's Comin' Inc. has accepted in writing all of the conditions expressed herein and has furnished the City with the necessary liability, fire and casualty insurance as required by this resolution.

The Delta King shall be moved from its present moorage at the City-owned River Lines warehouse by no later than December 10, 1969. If Riverboat's Comin' does not accept in writing all the conditions expressed herein nor furnish the necessary liability, fire and casualty insurance as required by this resolution by December 10, 1969, then the revocable permit authorized by this resolution shall not become effective and Riverboat's Comin' Inc. shall immediately thereafter remove the "Delta King" from its present moorage at the River Lines warehouse.

ATTEST:  

[Signature]

MAYOR

[Signature]

CITY CLERK

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