



City of Alexandria

City Council Chambers at Del
Pepper Community Resource
Center
4850 Mark Center Drive
Alexandria, VA 22311

Legislation Details (With Text)

File #: 19-1761 **Name:** License agreement
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On agenda: 4/9/2019 **Final action:**
Title: Consideration of a Short-Term License Agreement between the City of Alexandria and the Tall Ship Providence Foundation to Dock and Conduct Business Operations Temporarily in the Alexandria City Marina.
Sponsors:
Indexes:
Code sections:
Attachments: 1. 19-1761_TSPF License Agreement, 2. 19-1761_CostRecoveryPolicy

Date	Ver.	Action By	Action	Result
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City of Alexandria, Virginia

MEMORANDUM

DATE: APRIL 3, 2019
TO: THE HONORABLE MAYOR AND MEMBERS OF CITY COUNCIL
FROM: MARK B. JINKS, CITY MANAGER /s/

DOCKET TITLE:

Consideration of a Short-Term License Agreement between the City of Alexandria and the Tall Ship Providence Foundation to Dock and Conduct Business Operations Temporarily in the Alexandria City Marina.

ISSUE: City Council consideration of a Short-Term License Agreement between the City of Alexandria and the Tall Ship Providence Foundation to dock and conduct business operations temporarily in the Alexandria City Marina.

RECOMMENDATION: That City Council:

1. Receive this report recommending a one-year license agreement (Attachment 1) with the Tall Ship Providence Foundation for docking the Tall Ship Providence and conducting business operations from the G/H Pier in the Alexandria City Marina; and
2. Schedule this proposed one-year license agreement for public hearing on Saturday, April 13, 2019, and after the public hearing is concluded authorize the City Manager to enter into a one-year license agreement with the Tall Ship Providence Foundation for docking the Tall Ship Providence from the G/H Pier in the Alexandria City Marina.

BACKGROUND: The Tall Ship Providence Foundation is a 501(c)(3) organization formed to purchase and preserve the historic Tall

Ship Providence. The docking of a historic tall ship is consistent with the City Council approved Waterfront Small Area Plan. The restoration of the Tall Ship Providence is near completion and is expected to arrive in the City in mid-June and would begin temporary operations in the City Marina beginning in July 2019. The approved FY 2019 Capital Improvement Budget included funding for improvements to the Waterfront Park area to facilitate short-term docking at the Waterfront Park bulkhead until such time as the planned City flood mitigation project requires relocation during this project construction. Interim docking is on-going with the Departments of Project Implementation and Recreation, Parks & Cultural Activities.

The long-term docking of a historic ship, consistent with Waterfront Small Area Plan, will be facilitated through a legally required competitive City Request for Proposal (RFP) process. The timing of a long-term docking RFP will be coordinated with the flood mitigation construction project schedule. The implementation of the City flood mitigation project is being considered in the FY 2020 Operating and Capital Improvement Program budget approval process.

DISCUSSION: Consistent with the City Council approved Waterfront Small Area Plan, City staff have been working with the Tall Ship Providence Foundation (“the Foundation”) to dock a replica tall ship at the Alexandria City Marina. The Foundation was formed after the purchase of the Tall Ship Providence and has been under restoration for approximately one year. As discussions continue on the design and implementation of interim improvements to Waterfront Park and bulkhead, the City is proposing to dock the Tall Ship Providence at the Alexandria City Marina G/H Pier. It is anticipated that the docking arrangement on the G/H Pier would be for up to one year from June 1, 2019 through May 31, 2020.

The Foundation plans to operate the Tall Ship Providence solely and exclusively as a living history museum and tourist attraction open to the public and may schedule public cruises and private charters. All business operations will occur from the G/H pier allowing for unimpeded access through the Alexandria City Marina. In addition, access will continue for licensed slip holders and transient use on the G/H Pier. The Foundation may operate a small gift shop on the ship or from G/H Pier in conjunction with the docking. The Foundation is not permitted to conduct any activity or business operation from the Founders Park shore adjacent to the G/H Pier.

Under the terms of this license agreement, the Foundation’s business operations are proposed as follows:

- Public tours from 9 a.m. to 8 p.m. Monday through Friday, and from 11 a.m. to 5 p.m. Saturday, Sunday & Holidays;
- Private craft beer cruise from 6 p.m. to 10 p.m. on Friday;
- Private pirate cruise from 8:30 a.m. to 10:30 a.m. on Saturday & Sunday and pirate or sunset cruise from 6 p.m. to 10 p.m. on Saturday & Sunday;
- Private charters from 5 p.m. to 12 a.m. (midnight) daily; and
- Lectures, classes and other educational activities from 8 a.m. to 11 a.m. on Saturday & Sunday.

FISCAL IMPACT: A \$15,000 annual license fee is proposed. The license fee represents a 50% below market rate for commercial slip rentals of this size and is consistent with the City Council approved Resource Allocation and Cost Recovery Policy (Attachment 2) for City affiliate organizations. The Foundation is considered an affiliate organization as it will work closely with the City in supporting tourism, as well as providing history education.

ATTACHMENTS:

1. Proposed One-Year License Agreement
2. Resource Allocation and Cost Recovery Policy

STAFF:

Debra Collins, Deputy City Manager
James Spengler, Director, Recreation, Parks & Cultural Activities
Jack Browand, Division Chief, Recreation, Parks & Cultural Activities
Karen Snow, Assistant City Attorney