



Legislation Text

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City of Alexandria, Virginia

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MEMORANDUM

**DATE:** OCTOBER 3, 2018

**TO:** THE HONORABLE MAYOR AND MEMBERS OF CITY COUNCIL

**FROM:** MARK B. JINKS, CITY MANAGER

**DOCKET TITLE:**

Consideration of a Lease Extension Between the City of Alexandria and Northern Virginia Regional Parks Authority (“NOVA Parks”) for the use of the Cameron Run Park Property.

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**ISSUE:** Consideration of a lease extension between the City of Alexandria and Northern Virginia Regional Parks Authority (“NOVA Parks”) for the use of the Cameron Run Park property.

**RECOMMENDATION:** That City Council:

1. Receive the staff recommendation to extend the current lease agreement between the City of Alexandria and NOVA Parks by seven and one-half years (7.5), beginning on July 1, 2021 and ending on December 31, 2018, only after NOVA Parks meets specific conditions outlined in Lease Amendment #2 (Attachment 1) before June 30, 2021, the end of the current lease period; and
2. Schedule a Public Hearing on October 13, 2018, and after the Public Hearing has ended, authorize the City Manager to execute the Second Modification of the Lease between the City of Alexandria and NOVA Parks and to take any other actions that are necessary to implement the agreement.

**BACKGROUND:** In 1981, Northern Virginia Regional Parks Authority entered into a 40-year lease agreement with the City of Alexandria for 53 acres of City-owned land on Eisenhower Avenue later named the Cameron Run Regional Park for the nominal amount of ten dollars. Since then the amount of City-owned and subject to NOVA Parks lease land has been reduced to about 26 acres. Conditions of the 1981 lease included development of a “wave action swimming pool and associated support facilities, landscaping and lake improvements”, as well as many other improvements. The current lease is set to expire in 2021, and NOVA Parks has requested a new or extended lease of the property to continue operations of their Regional Park on the site which include a wave pool, spray area, water slides, children’s play areas, mini golf course, batting cage, picnic pavilions and related amenities.

In the fall of 2014, The Department of Recreation, Parks and Cultural Activities (“RPCA”) informed the Park & Recreation Commission (the “Commission”) of the desire by NOVA Parks to extend its current lease at the Cameron Run Regional Park property by 40 years. On January 15, 2015, the Commission approved the Cameron Run Recreational Area Coordinated Park and Open Space Plan. This plan, considered the current and future needs of City residents, as identified in the 2013 Needs Assessment conducted by RPCA and public comment. The Commission recommended at this time that City Council not extend NOVA Parks’ lease.

In the first half of 2016, the City resumed discussions with NOVA Parks on a lease extension for the Cameron Run Regional Park and scheduled a City Council Public Hearing on the lease extension. On Saturday, June 18, 2016, City Council held a public hearing to receive input on a request by NOVA Parks to issue a new (replacement) lease for the Cameron Run Regional Park for a period of twenty (20) years ending in 2036. City Council deferred action and directed staff to develop a planning process, to consider alternative uses at the park, and to bring the issue of the future status of the Cameron Run park back to Council for consideration.

RPCA staff, in coordination with the Park and Recreation Commission, outlined a public process to identify potential alternative future use of the Cameron Run Regional Park site. The Commission endorsed the planning process on July 21, 2016 following a Commission public hearing on June 23, 2016. On August 23, 2016, RPCA issued a Request for Proposals (RFP) to seek consultant services to develop, recommend and implement a Public Planning Process and provide alternative Conceptual Plan(s) for the NOVA Parks Cameron Run Regional Park site. The City subsequently executed a contract with Michael Baker International for planning services. On December 15, 2016, the Park & Recreation Commission endorsed the Cameron Run Park Public Planning Process developed by RPCA in coordination with Michael Baker International. On January 10, 2017, City Council authorized the City Manager to direct RPCA to proceed with the proposed planning process.

At City Council’s Legislative Meeting on November 14, 2017, staff presented the Cameron Run Park Planning and Conceptual Design final report. On December 16, 2017, City Council directed the City Manager to further explore partnership opportunities with NOVA Parks in cooperation with the Alexandria Park & Recreation Commission. In addition, future negotiations and planning based on all options stated above would address the seven (7) priorities identified by the community listed later in this memo.

City Council further declared that if partnership negotiations were unsuccessful by September 30, 2018, then the existing lease would expire on July 1, 2021 and the Cameron Run parkland would revert to City control and custody for use for public park and recreation purposes with the goal that it become a recreational complex providing year-round active and passive uses including but not limited to natural areas, walking trails, aquatics, indoor or outdoor fields, multi-use courts, and community gathering spaces.

**DISCUSSION:** In January 2018, City staff and representatives from NOVA Parks began monthly meetings to develop a partnership to provide recreational opportunities consistent with City Council direction on December 16, 2017. Specifically, the partnership would address the seven (7) highest and best uses identified by residents and stakeholders provided in the Cameron Run Park Cameron Run Park Planning & Conceptual Design Final Report:

1. A park that serves the needs of Alexandria residents;
2. A space that provides year-round activities through creative uses of the existing infrastructure including the parking area such as festivals, temporary ice skating, temporary sports fields, sports “Bubble” structures, and community program;
3. A park that provides natural paths with environmental signage that are also suitable for recreational/fitness biking, walking and running;

4. A park that provides family entertainment for a reasonable cost, and some amenities for no cost;
5. A park that is well maintained;
6. A park that contains an aquatic facility which could include the existing facilities or new indoor facilities; and
7. A park that provides these amenities without undue burden on the City's resources, and/or generates revenue to offset operating and capital.

Resulting from these discussions, the City and NOVA Parks Team developed a Term Sheet for the Cameron Run Lease Extension (Attachment 2) outlining the conditions for NOVA Parks to meet for Cameron Run Lease Extension. The NOVA Parks Board endorsed the term sheet on September 5, 2017 (Attachment 3) and the Park & Recreation Commission endorsed the term sheet following a public hearing on September 20, 2018. The following is a summary of the lease amendment:

- A. Reduce current lease area to 14.59 acres consisting of the parking areas & shelters, batting cage, play structure, mini-golf, and aquatics facility, therefore excluding Lake Cook, Lake Cook Park and Ward's Woods.
- B. Lease extension from July 1, 2021 (end of current lease) to December 31, 2028 (7.5-year extension) pending implementation of mutually agreed upon Program Enhancements & Site Improvements as follows:
  1. **Winter Village:**
    - a. Before June 30, 2021, NOVA Parks will create a "Winter Village" inside the waterpark that will include the following (or comparable) features: Ice skating rink; Winter themed Light Displays; Children's activities such as rides, play equipment and game tables; Food service; Winter themed lighting in mini-golf area; and program support areas such as a heated admissions/rest room building and hospitality tent.
  2. **Community Aquatics:**
    - a. **Learn to Swim Program:** Between Memorial Day and Labor Day during the pool season, NOVA Parks will provide Learn to Swim classes for young children in the morning beginning no earlier than 8 a.m. NOVA Parks reserves the right to extend Learn to Swim classes beyond Labor Day.
    - b. **Dedicated Lap Swimming:** Between Memorial Day and Labor Day during the pool season, NOVA Parks will make the wave pool available for dedicated roped swim lanes for lap swimming from July 1 through August 31 Lap swim scheduling will be only by organized swim clubs scheduled through the City. The City will retain all revenue generated.
  3. **Parking Lot Enhancements:**
    - a. Before July 1, 2021, NOVA Parks will patch and reseal the parking lot, and replace permanent bump stops with temporary bump stops in the west area of the parking lot to accommodate a mini-pitch facility managed by the City or a City sponsor through a partnership.
  4. **Site Maintenance Enhancements:**

- a. NOVA Parks will employ at least one full-time maintenance staff, 40-hours per week, dedicated to Cameron Run Regional Park.
- C. Should NOVA Parks not implement enhancements and improvements identified in Item B. above, the lease will end on June 30, 2021 (end of current lease), unless otherwise delayed due to regulatory processes outside NOVA Parks control.
- D. Prior to December 31, 2028, both parties may discuss either a short-term lease extension, or long-term lease replacement. It is recognized by both NOVA Parks and the City that a long-term lease replacement beyond 2028 would be a joint vision where NOVA Parks would partner with the City and make substantial capital investments towards new and current facilities.

In addition to the NOVA Parks program enhancements & site improvements, the Term Sheet transfers Lake Cook, the largely undeveloped land east of Lake Cook and the Wards Woods Natural Area to the City and allow the City to program the parking lot in the offseason. A summary of the City's activities includes:

- A. **Off-season use of the parking lot:**
  - a. NOVA Parks shall allow the City, or through a partnership agreement, purchase and install a seasonal mini portable multi-use synthetic turf field on the parking lot. The City will retain all revenue generated.
- B. **Community Park:**
  - a. City will plan Lake Cook Park, the area to the east of Lake Cook, through the Pocket Park Planning process.
- C. **Ward's Wood:**
  - a. The City will provide general maintenance improvements and install a trail and interpretive signage.

NOVA Parks and the City will work together on additional temporary or seasonal activities such as farmers markets, food truck rodeos and other temporary use of the parking lot during the aquatics off-season. By agreement, the City and NOVA Parks shall determine the revenue share generated by cooperative programs.

**Lease Process:** After further review by the City Attorney's Office, Virginia Code section 15.2-5704(12) provides that an Authority (ie NOVA Parks) has additional powers with regard to the transfer of property notwithstanding other provisions of law including but not limited to the franchise process. This statute explicitly authorizes City Council, who is a participating locality with an authority "notwithstanding any other provision of law, is authorized and empowered to ... lease upon the request of the Authority, upon such terms and conditions as the governing body of such locality may agree with the authority as reasonable and fair.." Therefore, the City may lease the Cameron Run Park property to NOVA Parks for a lease of any term without utilizing the franchise process.

**FISCAL IMPACT:** \$35,000 (\$20,000 initial investment and \$15,000 annual maintenance). Recreation, Parks & Cultural Activities would make an initial investment in Wards Wood of \$20,000 and annual maintenance of \$5,000; and annual grounds maintenance of \$10,000 around Lake Cook. Transportation & Environmental Services, through previous discussions with NOVA Parks, would maintain Lake Cook following its renovation.

**ATTACHMENTS:**

- 1. Second Modification of the Deed of Lease Agreement Between the City of Alexandria and NOVA Parks

2. Term Sheet for Cameron Run Lease Extension
3. NOVA Parks Board Endorsement of Term Sheet
4. Presentation

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