City of Alexandria, Virginia

MEMORANDUM

DATE: JUNE 7, 2022

TO: THE HONORABLE MAYOR AND MEMBERS OF CITY COUNCIL

THROUGH: JAMES F. PARAJON, CITY MANAGER /s/

FROM: JAMES B. SPENGLER, DIRECTOR, RECREATION, PARKS AND CULTURAL ACTIVITIES
JACK BROWAND, DEPUTY DIRECTOR, RECREATION, PARKS AND CULTURAL ACTIVITIES

DOCKET TITLE:
Consideration of a License Extension, Amendment No. 5, between the City of Alexandria and the Tall Ship Providence Foundation for the Docking of the Tall Ship Providence in the City Marina.

ISSUE: Consideration of a license extension, Amendment No. 5, between the City of Alexandria and the Tall Ship Providence Foundation.

RECOMMENDATION: That City Council:

1. Schedule the proposed License Extension, Amendment No. 5 (Attachment 1), for public hearing on Saturday, June 18, 2022; and

2. After the public hearing approve this proposed License Extension and authorize the City Manager to execute the attached twelve month License Extension, Amendment No. 5, with the Tall Ship Providence Foundation.

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 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.

DISCUSSION: The Tall Ship Providence Foundation and the City of Alexandria wish to amend the current License Agreement (Attachment 2) to provide a twelve month extension. In 2019 the City initiated a franchise award process and the Tall Ship Providence Foundation was the sole responsive bidder. At the October 2, 2019 City Council meeting, staff was directed to negotiate a franchise agreement with the Tall Ship Providence Foundation. However these negotiations have been delayed and impacted by ongoing effects of the COVID-19 pandemic with the capital fundraising campaign by the Tall Ship Providence Foundation for final design and permit

submission. The Tall Ship Providence Foundation is anticipating a winter/spring 2023 completion of the docking facilty at the Waterfront Park bulkhead, located at 1A Prince Street.

The Tall Ship Providence Foundation received approval to implement the construction of a docking facility at the Waterfront Park bulkhead consistent with SUP 2019-00113 approved in March 2020. In response to impacts resulting from COVID-19, the Licensee will not build a docking facility consistent with SUP 2019-00113 and received approval for an amended docking facility consistent with SUP 2021-0001 in March 2021. The City will resume negotiations and completion of a long-term franchise agreement following the Tall Ship Providence Foundation's ability to raise the capital funding required and the submission and approval of all appropriate permit applications.

FISCAL IMPACT: The license fee is consistent with the City Council approved April 15, 2019 license agreement between the City of Alexandria and the Tall Ship Providence Foundation. The fee structure will be applied as follows:

1. COVID-19 license payback per month (July 1, 2022 to June 30, 2023): $500.71
2. Per 24-hour docking rate (July 1, 2022 to October 31, 2022): $45.50
3. Monthly rate (November 1, 2022 to June 30, 2023): $1,365

ATTACHMENTS:

1. Amendment No. 5 to Current License Agreement
2. Current License Agreement City of Alexandria and Tall Ship Providence Foundation

STAFF:

Debra Collins, Deputy City Manager
Emily A. Baker, Deputy City Manager
James B. Spengler, Director, Recreation, Parks and Cultural Activities
Jack Browand, Deputy Director, Recreation, Parks and Cultural Activities
Faye Maslaki, Division Chief, Recreation, Parks & Cultural Activities
Karen Snow, Senior Assistant City Attorney