



## Legislation Text

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File #: 19-0073, Version: 1

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Resolution Authorizing the Execution of a Revocable License Agreement Between the City of Hampton and Youth Sailing Virginia, Inc. to Use a Portion of the Mill Creek Pier

### **PURPOSE/BACKGROUND:**

The City leases from the Fort Monroe Authority ("FMA") the recreational facility located at 100 Stilwell Road (the "Rec Center"), which is adjacent to a body of water known as Hampton Mill Creek ("Mill Creek"). The City, in cooperation with FMA, obtained permission to construct a pier over the state waters of Mill Creek that attaches to land directly behind the Rec Center. Bids were solicited for the pier in 2017. Construction began in January 2018 and was completed in early fall of last year. From the beginning, it was contemplated that the City could partner with Youth Sailing Virginia, Inc. ("YSV") to provide programming for the community and, therefore, a portion of the pier was designed and built to accommodate the storage and launch of their sailboats.

YSV is a volunteer-based charitable nonprofit corporation organized to make sailing available and affordable for youth throughout greater roads Hampton Roads. YSV plans to use the area of the pier licensed to store and launch boats, offer "learn to sail" programs for the community (through the YMCA and the City's Parks, Recreation, and Leisure Services department), water sports and safety programs, and competitive sailing programs and regattas for high school-aged youth, college students, and the public. It accomplished this mission prior to the construction of the pier by using a floating pier moored in Mill Creek.

Pier construction was completed and the certificate of occupancy was issued by the State in early Fall 2018. In order to allow YSV to use the pier during the Fall Regatta season, the City and YSV entered into a short-term license agreement to facilitate the immediate use of the pier. That agreement was entered into with the knowledge that a long term agreement would be entered into as soon thereafter as possible. The consideration and approval of that long term agreement is what is presented now for consideration

The City's Parks, Recreation and Leisure Services department will also use the pier to offer kayak and paddleboat rentals to the public. No rent will be charged for the use of the licensed area. The attached license agreement is for a term of one year with annual renewals for up to four years.

### **Discussion:**

See background statement.

### **Impact:**

See background statement.

**Recommendation:**

Conduct a public hearing and approve the Resolution

**WHEREAS**, the City is the owner of that certain pier located on Hampton Mill Creek (the "Mill Creek Pier"), and fixed and adjacent to the recreational facility leased by the City from the Fort Monroe Authority located at 100 Stilwell Road;

**WHEREAS**, the City built the Mill Creek Pier for general use by the public;

**WHEREAS**, Youth Sailing Virginia, Inc. ("YSV") is a volunteer-based charitable nonprofit corporation organized to make sailing available and affordable for youth throughout greater roads Hampton Roads;

**WHEREAS**, YSV plans to use a designated area of the Mill Creek Pier (the "Licensed Area") to store and launch boats, to offer water sports, safety, and "learn to sail" programs for the community (through the YMCA and the City's Parks, Recreation, and Leisure Services department), and to allow for competitive sailing programs and regattas for high school-aged youth, college students, and the public;

**WHEREAS**, the City Manager and the Director of Parks, Recreation, and Leisure Services have determined that it is in the best interest of the City to allow YSV to use the Licensed Area for those purposes; and

**WHEREAS**, the City Council of the City of Hampton, Virginia has determined that the terms and conditions of the proposed license agreement are acceptable.

**NOW THEREFORE, BE IT RESOLVED** by the City Council of the City of Hampton, Virginia, as follows:

1. That it approves the license agreement and any revision thereto as approved by the City Attorney to lease certain designated portion of the Mill Creek Pier to Youth Sailing Virginia, Inc.; and
2. That the City Manager or her authorized designee is authorized to execute and deliver to Youth Sailing Virginia, Inc. a license agreement in substantially the same form as attached hereto.