



Legislation Details (With Text)

File #: 18-574 **Version:** 1 **Name:** PropSF License Agreement - SR
Type: Staff Report **Status:** Filed
In control: City Council
On agenda: 11/19/2018 **Final action:** 11/19/2018
Enactment date: **Enactment #:**
Title: Staff Report for a Resolution of the City of San Leandro City Council to Approve a Non-Exclusive License Agreement with PropSF for Non-Exclusive Access to the Wes McClure Public Boat Launch and Associated Parking to Conduct Daily Private Charter Ferry Service at the San Leandro Shoreline.
Sponsors: Tom Liao
Indexes:
Code sections:
Attachments:

Date	Ver.	Action By	Action	Result
11/19/2018	1	City Council	Received and Filed	

Staff Report for a Resolution of the City of San Leandro City Council to Approve a Non-Exclusive License Agreement with PropSF for Non-Exclusive Access to the Wes McClure Public Boat Launch and Associated Parking to Conduct Daily Private Charter Ferry Service at the San Leandro Shoreline.

SUMMARY AND RECOMMENDATIONS

Staff recommends that the City Council adopt the attached Resolution that would approve a Non-Exclusive License Agreement between the City of San Leandro and PropSF for non-exclusive access to the Wes McClure public boat launch and associated parking to conduct daily private charter ferry service at the San Leandro Shoreline.

BACKGROUND

The San Leandro Shoreline area includes a number of amenities that are used by lessees and the public at large for recreation-related activities, including the Wes McClure boat launch, which is located near the intersection of Monarch Bay and Pescador Point Drives. This boat launch and its associated parking are available to the public for loading and unloading of vessels.

PropSF (“Prop”) is a commercial maritime transportation company that provides a private charter ferry service under contract to various entities who desire to travel by water, and has ongoing operations in other areas of the San Francisco Bay Area. Prop’s mission is to offer an “innovative ferry service” that provides a shorter and more consistent commute for employees throughout the Bay Area. Prop has approached the City with a request to utilize the City’s public boat launch in order to pick up and drop off passengers associated with Prop’s private charter service. In addition, Prop desires non-exclusive access for its customers to use parking spaces within the adjacent parking area, which are open and available for public parking.

Prop is currently working with Genentech, a biotechnology corporation that wants to utilize Prop's services to provide private charter boat service to help its employees commute to Genentech's headquarters in South San Francisco. The proposed boats from San Leandro would be just one part of Genentech's transportation program, which provided over 1.25 million rides in 2017 alone.

Genentech has approximately 600 employees located within a 20-minute drive time of San Leandro and has heard from a number of employees interested in a San Leandro service. With an approximate 25-minute ride across the Bay, travelling by boat greatly reduces the commute time for Genentech employees while also helping to encourage alternate means of transportation that help minimize traffic and air pollution region-wide. Prop currently provides private charter boat services for Genentech and other employers out of marinas in Emeryville, Berkeley, Richmond, Benicia, and Tiburon.

Analysis

Under the proposed Non-Exclusive License Agreement, Prop will be permitted to utilize the public dock up to eight times per weekday, with four pick-ups and four drop-offs. Prop plans to have shuttle service generally occur once per hour between the hours of 5:00 - 9:00 AM and 3:00 - 7:00 PM. Prop's boats seat 36 people, with a potential for up to 144 riders per day. Prop will be required to obtain a Business License.

Riders of the Prop boats would be able to park vehicles in a variety of public parking spaces in the Shoreline area, where free parking is available all day. There are a number of parking spaces currently available within the area surrounding the boat launch, including portions of the parking lot adjacent to the boat launch, and along Monarch Bay and Pescador Point Drives (see Exhibit B of License attached to Resolution). Prop and Genentech will work with the riders to provide them direction as to where they should park, as well as provide them with parking tags for easy identification by City staff. Signage will also be installed along Pescador Point, setting aside reserved spaces for other patrons of the boat launch as well as the Spinnaker Yacht Club.

In order to better serve users, Prop and Genentech would also make improvements to the docks at the public boat launch. Under the terms of the agreement, Prop may perform improvements and upgrades to the dock with City approval and would dedicate such improvements to the City for public use. Additional provisions are included to ensure that Prop performs such work in keeping with applicable regulations and provides appropriate insurance for the dock work as well as its ongoing operations.

The agreement is for a term of one year, with additional terms permitted on a one-year basis with City Manager approval. Amendments to the agreement are permitted with approval of both parties and there is a provision for cancellation of the agreement with 30 days' notice. Prop's initial service at the boat launch is intended to act as a pilot project, with potential for changes and additional provisions in the agreement as the Shoreline area is developed.

The City currently has an exclusive negotiating rights agreement (ENRA) with Cal-Coast Development, LLC for development of a portion of the Shoreline Property, north of Fairway Drive. Under the terms of the ENRA, the City may enter into a long-term lease of portions of the Shoreline property that will result in the relocation of the Wes McClure public dock. Staff discussed the planned redevelopment of the Shoreline area with Prop and Genentech. Additionally, Cal-Coast is aware of the proposal and open to exploring long-term options for their use that work with the planned

development.

The agreement acknowledges that the existing boat launch location, and in particular, availability of parking spaces, will likely see disruption and change as a part of the new development. Genentech provides a wide network of bus shuttle service to its employees across the Bay Area and will explore providing bus shuttle service to employees to the San Leandro Shoreline from an off-site lot in the future. Despite these proposed changes to the future facilities, Prop and Genentech remain highly interested in using the boat launch in the interim.

Utilization of Prop's proposed service from San Leandro has the potential to improve the quality of life for their riders, reducing their daily commute time and allowing them to use that time for more productive use (e.g., utilizing Prop's onboard Wi-Fi). Prop's service also has environmental benefits, reducing carbon emissions by encouraging individuals to lessen their vehicle miles travelled. .

Legal Analysis

This Agreement was reviewed by the City Attorney and approved as to form.

Fiscal Impacts and Budget Authority

This Agreement will have no cost to the City, with the licensee, PropSF, performing additional work at the Shoreline at its own cost and obtaining an annual permit to utilize the public boat launch.

ATTACHMENT(S)

Attachment to Resolution

- Non-Exclusive License Agreement

PREPARED BY: Katie Bowman, Economic Development Manager, Community Development Department