



London N. Breed, Mayor
Philip A. Ginsburg, General Manager

Date: September 6, 2018

To: Recreation and Park Commission
Operations Committee

Through: Philip A. Ginsburg, General Manager
Dana Ketcham, Director of Property Management, Permits and Reservations

From: Jackie Suen, Property Manager

Subject: Memorandum of Understanding with the Port of San Francisco

Agenda Item Wording:

Discussion and possible action to authorize the Department to enter into a memorandum of understanding with the Port of San Francisco (MOU M-13773) to allow the Department to sublease a launching dock and the land beneath it, and provide access over a portion of the Hyde Street Pier, that are under Port jurisdiction to the South End Rowing Club, with terms substantially in the same form as the draft agreement dated August 15, 2018.

Strategic Plan:

Objective 1.2: Strengthen the quality of existing parks and facilities

Objective 2.3: Work with partners and neighborhood groups to activate parks through organized events, activities and unstructured play

Background:

Under the Burton Act and San Francisco Charter Section 4.114, the administration and control of the Burton Act real property transferred to the City of San Francisco by the State of California is vested in the Port of San Francisco. This area includes the Hyde Street Pier and the portion of Aquatic Park launching docks.

The San Francisco Recreation and Park Department has the jurisdiction over the real property at 500 Jefferson Street, which includes a building and a portion of a launching dock. The Department leases 500 Jefferson Street to the South End Rowing Club (SERC) to provide access to the waters of San Francisco Bay to their club members and to the public, as a valuable public benefit, during certain hours.

The end portion of 500 Jefferson Street launching dock and the land beneath it (the "Premises") extends into Port's jurisdiction. The Port is willing to allow the Department to sublease the Premises to SERC for access to the waters of the San Francisco Bay for SERC members and for the public.

The Port is also willing to have the Department give SERC a non-exclusive access license over the portion of the Hyde Street Pier ("Hyde Access Area") between the rear service entrance of 500 Jefferson Street and Jefferson Street.



Overview of the Memorandum of Understanding:

Premises

The Premises consist approximately of 2,061 square feet of launching dock space, 3,248 square feet of beach area and the surrounding 8,380 square feet of submerged lands within Port's jurisdiction near the intersection of Hyde Street and Jefferson Street as shown in Exhibit B. The Department will accept the Premises and the Hyde Access Area in their "as is" condition.

Term

The Term of this MOU is for 25 years with an extension option for 24 years. Following the expiration of the Term, the MOU will continue on a month-to-month basis at which point either party may terminate the MOU with 30-days' prior written notice. The Department can also terminate the MOU on any termination of the SERC lease.

Permitted Use

The Department shall have the right to sublease the Premises to SERC for club member and public access to the San Francisco Bay, and to give SERC a non-exclusive access license over the Hyde Access Area.

Maintenance and Surrender of Premises

The Port is not required to provide maintenance, repairs or security for the Premises or the Hyde Access Area. Through the lease between the Department and SERC, SERC will be responsible for the security, maintenance and repair of the Premises and repairing any damage it causes to the Hyde Access Area. At the expiration or termination of the MOU, the Department shall surrender the Premises in at least as good condition as when received (other than normal wear and tear), clean and free of any items stored on the Premises and shall repair any damage to the Premises.

Staff Recommendation:

Department staff recommends that the Commission authorize the General Manager to negotiate and enter into on behalf of the Department an MOU with the Port of San Francisco.

Next Steps

Staff of the Port will take the MOU to the Port Commission for approval.

Supported By:

Vicky Lee, San Francisco Port
SERC Board of Directors
Superintendent Kevin Hendricks, National Park Service

Opposed By:

No known opposition

Attachments:

Exhibit A – Map of Premises

Exhibit B – Draft MOU dated August 15, 2018