

City of Alexandria, Virginia

MEMORANDUM

DATE: MARCH 11, 2015

TO: WATERFRONT COMMISSION

FROM: SUSAN K. EDDY, DEPUTY DIRECTOR, PLANNING & ZONING

SUBJECT: WATERFRONT GOVERNANCE MODELS ANALYSIS

ISSUE:

Attached you will find a Waterfront Governance Models Analysis, prepared for the City by BAE Urban Economics. Staff will provide a summary on its contents at the Waterfront Commission meeting on March 17, 2015. While no set timetable has been established for action on this issue, staff will coordinate with the Waterfront Commission when this issue moves forward for action.

BACKGROUND:

The City recently hired BAE Urban Economics to prepare background research on waterfront governance models and revenue generation options. The consultants worked closely with an interdepartmental team (see Staff Section on page 3) and met with relevant Department Directors and the City Manager's Office. The Governance Models Analysis is included as Attachment 1. The report on revenue generation options will follow later in the spring.

This investigative research is a direct implementation element of the Waterfront Plan, adopted in 2012. Pages 136-137 of the Waterfront Plan state:

The Alexandria waterfront is a unique treasure and like many of the country's most important public places, it both requires and deserves a high level of care. Implementation activities include identifying service level targets and structuring operations and maintenance activities to meet them and developing the capacity for enhanced programming of appealing activities and events at various scales and locations.

An important implementation step is developing an effective model that continues to marshal the high level of interest and expertise of waterfront stakeholders, and identifies additional leadership and financial resources to support the Plan's objectives. Both the history and art communities, through the papers attached to this Plan as appendices, call for establishment of a non-profit entity with the mission of implementing the Plan. While their suggestion focuses on the implementation of the history and art elements of the Plan, there will be an equivalent need for leadership in supporting the parks and waterside elements of the Plan.

Old Town residents have suggested that an oversight body be established to manage parking and traffic initiatives and to manage public spaces and programming.

The Plan recommends, as an implementation element, that an implementation advisory model be explored, including the potential establishment of one or more committees charged with elements of Plan implementation and/ or operations. The Waterfront Committee will be part of any implementation equation.

Similarly, the staff report to the City Council that accompanied the adoption of the Phase I Landscape and Flood Mitigation Design in June, 2014, noted:

Governance Structure - Expectations for maintenance and programming, as well as the quality of architectural design and materials for the public buildings and commissioned works of art will be much higher than the norm for City parks, and will likely not be possible under the current City structure. In order to advance a financially sustainable Waterfront, during Phase II of this project the City will be working with consultants to explore options for the governance, revenue sources, management and programming of the Waterfront. Options to be studied will include the current multi-departmental management by the City, a new City department, a public/private partnership, a land trust and other entities. The consultants will be evaluating the legal status, taxing authority, bonding authority, revenue sources, etc. for each type of entity. Following the consultant's documentation, staff will work with the City Council and the community to select and establish the preferred governing entity.

DISCUSSION:

The Alexandria Waterfront Governance Models Analysis (Attachment 1) defines and describes the following five models.

- 1. City management.** Encompasses the City's current waterfront governance model, either by existing City departments or a new department.
- 2. New governmental entity.** An entity, such as a park district, that is established by the City of Alexandria and overseen by an appointed board.
- 3. Supporting organization.** An independently run, private sector entity, such as a conservancy, that engages with the City of Alexandria to support one or more key functions of waterfront management.
- 4. Public improvement district or authority.** An Improvement District or Authority funded through a special assessment levied to properties within its defined service boundaries.
- 5. Management of privately owned public space.** An alternative to City of Alexandria ownership of certain waterfront spaces, this approach involves enforcement of agreed-to public access terms on private land, including property owned by a land trust.

The *Governance Model* chapter describes each model in more detail. Case studies related to each model are found in *Model Profiles*. Each of the five models was evaluated based on eight criteria. The full evaluation, including a summary matrix and key considerations, are found in *Model Evaluation and Recommendations*.

In determining a governance structure for the Alexandria waterfront, a key objective is to appropriately balance the authority and accountability of public sector governance with the flexibility, efficiency and more entrepreneurial orientation of governance models that are managed by private sector entities. The following summarizes key considerations related to that balance.

- There were no strong precedents found for high capacity models solely within a City management structure. However, a supporting organization that has a narrower focus – such as marketing or events programming – might pair with a dedicated City department (or department sub-division) to provide a governance structure that can approach the effectiveness of a more comprehensive supporting organization or improvement district.
- A typical park authority operates at a scale that is inappropriate (and costly) for the amount of land that needs to be managed along the waterfront. However, the park authority model, or a special services district that is managed by the City, offers an alternate, City-driven structure in the absence of strong private sector leadership, or the presence of strong citizen opposition to private sector management.
- Improvement districts and conservancies are governance structures that most fully incorporate both public and private sector elements. They can offer benefits of both efficiency and accountability, which accounts for why they are so prevalent in large, successful, high profile parks. However, they will require private sector stakeholders to drive, at least in part, the establishment of the governance entity.
- Governance of privately owned public space will have limited relevance to the core areas of the waterfront, given that key waterfront properties are all publicly owned.

Given precedents and examples, public/private management is most common and appropriate for specific activities that are unique to high profile parks and waterfront public realm. Key subject areas for public/private management include fundraising and financial management, waterfront-specific maintenance and operations, marketing, and programming. Other management areas, such as planning, basic operations and maintenance, transportation management, and emergency services, may be more appropriate within City government, with capacity for coordination on these topics available within the new management entity.

ATTACHMENTS:

1. Alexandria Waterfront Governance Models Analysis

STAFF:

Susan K. Eddy, Deputy Director, Department of Planning & Zoning

Nancy J. Williams, Principal Planner, Department of Planning & Zoning

Jack Browand, Division Chief, Department of Parks, Recreation, and Cultural Activities

Titania B. Cross, Deputy Director, Department of General Services

Anthony Gammon, Acting Deputy Director, Department of Project Implementation

Christopher Bever, Assistant Director, Office of Management and Budget
Jeffrey F. DuVal, Acting Deputy Director, Department of Transportation and Environmental Services
Pete Mensinger, Special Projects Manager, Department of Code Administration
Joanna Anderson, Assistant City Attorney
Michael L. Sharpe, Deputy Fire Chief, Alexandria Fire Department
Steven Carr, Lieutenant, Alexandria Police Department

Alexandria Waterfront Governance Models Analysis



Cover photos credit: OLIN Landscape & Flood Mitigation Design 2014

Table of Contents

Executive Summary	1
About the Study	1
Governance Models	1
Model Evaluation	2
Next Steps	3
Introduction	4
Assignment Purpose	4
Report Organization	4
Governance Models	6
Overview of Governance Models	6
Model 1. City Management	7
Model 2. New Governmental Entity: Independent Park District or Authority	9
Model 3. Supporting Organizations: Conservancies and Friends Organizations	10
Model 4. Public Improvement District or Authority	12
Model 5. Privately Owned Public Space	14
Model Profiles	16
Fairfax County Park Authority	16
Fort Mason Center	17
Delaware River Waterfront Corporation	18
Capitol Riverfront BID	20
The Mosaic District CDA/Merrifield CRA, Fairfax County	22
New York City Privately Owned Public Spaces (POPS)	23
Model Evaluation and Key Considerations	24
Evaluation Matrix	24
Key Considerations	28
Appendix A: Operations and Staffing Comparisons	31
Appendix B: BID Assessments	35
Appendix C: Current Governmental Functions on the Waterfront	37

This page left intentionally blank.

Executive Summary

About the Study

The City of Alexandria commissioned BAE Urban Economics, Inc. (BAE) to prepare an analysis of governance models for the Alexandria waterfront in order to inform decision-making on the implementation of the Waterfront Plan. The objective of this analysis is to help chart a path forward by differentiating clear alternatives for overseeing waterfront management and providing a framework for evaluating them.

This examination recognizes the uniqueness of Alexandria as a place and the unique vision that has been created for the Alexandria waterfront. There are valuable lessons, approaches and solutions found in governance examples from other parks, but there is no “off the shelf” structure or governance strategy that precisely fits Alexandria’s needs. The analysis and the integration of findings are meant to further discussion on key points:

- How can the waterfront be best managed to achieve its transformative potential?
- What is the best balance of public and private sector involvement in waterfront governance that ensures public benefit while providing the highest level of service?

A revenue generation analysis provides a companion piece to the governance analysis that explores the financial dimensions of the activities to be undertaken by a waterfront governance entity.

Governance Models

The analysis defines and describes the following models. The *Governance Model* chapter describes each model in more detail. Case studies related to each model are found in *Model Profiles*.

- 1. City management.** Encompasses the City’s current waterfront governance model, either by existing City departments or a new department.
- 2. New governmental entity.** An entity, such as a park district, that is established by the City of Alexandria and overseen by an appointed board.
- 3. Supporting organization.** An independently run, private sector entity, such as a conservancy, that engages with the City of Alexandria to support one or more key functions of waterfront management.
- 4. Public improvement district or authority.** An Improvement District or Authority funded through a special assessment levied to properties within its defined service boundaries.
- 5. Management of privately owned public space.** An alternative to City of Alexandria ownership of certain waterfront spaces, this approach involves enforcement of agreed-to public access terms on private land, including property owned by a land trust.

Model Evaluation

Each of the five models was evaluated based on eight criteria, described below. The full evaluation, including a summary matrix and key considerations, are found in *Model Evaluation and Key Considerations*.

Profile captures the degree to which an entity establishes a national and/or regional identity in support of a world class waterfront. Conservancy organizations typically have the highest profile corresponding to the attraction of significant donors.

Operational Independence reflects the ability of the entity to make decisions and operate independently of the City government. For managing entities outside the City government, the balance between operational independence and public accountability is established with the setup of board seats, funding streams, and accountability measures contained in the management agreement with the City and the organization's bylaws. Operational independence, however, results in less control and accountability by the City.

Operational Efficiency reflects the degree to which the entity can operate efficiently and minimize redundancy, using public funds and other revenue as efficiently as possible. Models that operate outside of government (such as large supporting organizations and improvement districts) typically have more flexibility in staffing, hiring, and procurement, and are often considered to be more responsive and efficient in their operations.

Access to Funding refers to the entity's ability to access the broadest range of funding sources. An improvement district offers the potential to tap into a dedicated public revenue stream from a special assessment, as well as the largest range of enterprise and philanthropic funds.

Stakeholder Involvement reflects the degree to which stakeholders have direct involvement and/or control. Stakeholder engagement and control generally correspond to an organization's operational independence.

Enterprise Orientation captures an entity's ability to provide commercial and enterprise activity to activate the waterfront with services and programming. All models examined have the potential to engage in enterprise activities. The precedent of successful supporting organizations and improvement districts makes them the most enterprise-oriented.

Risks and Their Mitigation covers the risks to the City of Alexandria and its taxpayers associated with the management structure. In general, risks to the government relate to its possible failure to reach its objectives in a governance structure that it controls, or its failure to control the outcome of a structure that involves more private sector stewardship.

Startup Considerations reflect the ease with which an entity can be established, given political, legislative, and other considerations. A departure from current operations, the scale of effort and availability of precedents will impact start up. An entity that is predominantly managed by private sector stakeholders will to a large extent need its establishment to be championed and driven by those stakeholders.

Next Steps

With this framework and analysis in hand, the City of Alexandria, waterfront stakeholders and Alexandria residents can begin a public discussion on the most appropriate governance structure or structures for waterfront management.

Initial discussion should consider the following topics:

- **Values.** What values are most important to Alexandrians in management of the waterfront? How will those values be carried through to the setup of the waterfront management structure?
- **Priorities and tradeoffs.** How are the evaluation criteria presented in this analysis to be prioritized in informing governance structure decision-making? Are there tradeoffs of conflicts in priorities that must be addressed?
- **Implementers.** Who needs to be at the table to decide on management, programming and funding components?

Like other strategic plans, advancing decision-making and establishment of waterfront management entities will require those who will be responsible for implementation to participate in its decision-making and planning process. An advisory committee or task force can be convened to provide input on potential resources, constraints, and strategic opportunities that need to be considered in the establishment of a waterfront management structure. Both this governance evaluation and the companion revenue generation analysis can inform the work of the advisory committee.

A structured decision-making, planning and implementation process, driven by an advisory committee, might include the following outcomes:

- **Goal setting:** defining specific public benefit objectives to be met through waterfront governance structure, as well as goals pertaining to timeline and milestones in establishing new management entities.
- **Vehicles:** recommendation of the governance structure or structures, and desired components of those structures (such as governance board makeup) that will best deliver the desired public benefits.
- **Implementation Strategy:** development of a business plan for the new governance structure that specifies the steps, partnerships, resources, and legislative actions required for its establishment, defines roles and responsibilities of implementing entities, and revenue and expense estimates.

This planning process should include a parallel process of public engagement, education and review that allows Alexandrians to participate and provide feedback in the planning process. Any advisory committee would need to work closely with the City's Waterfront Commission.

Introduction

Assignment Purpose

The City of Alexandria commissioned BAE Urban Economics, Inc. (BAE) to prepare an analysis of governance models for the Alexandria waterfront in order to inform decision-making on the implementation of the Waterfront Plan. The vision for the Alexandria waterfront extends beyond the construction of new waterfront features and amenities. The vibrant, world class waterfront expected by Alexandria residents will require a high level of maintenance, programming and synergy with the uses and activities that interface with it. The objective of this analysis is to provide intelligence and a set of tools that can help chart a path forward by differentiating clear alternatives for funding, staffing and overseeing waterfront management.

This examination recognizes the uniqueness of Alexandria as a place and the unique vision that has been created for the Alexandria waterfront. There are valuable lessons, approaches and solutions found in governance examples from other parks, but there is no “off the shelf” structure or governance strategy that precisely fits Alexandria’s needs. This analysis is not meant to provide a definitive recommendation on how to manage the waterfront. Rather, the organization of the analysis and the integration of findings are meant to further discussion on key points:

- How can the waterfront be best managed to achieve its transformative potential?

- What is the best balance of public and private sector involvement in waterfront governance that ensures public benefit while providing the highest level of service?

It is important to note that the most effective management structure for the Alexandria waterfront could potentially involve more than one governance model to respond to unique conditions in different segments of the waterfront, or to fulfill the range of roles and activities that will be key to the waterfront’s success.

A revenue generation analysis provides a companion piece to the governance analysis that explores the financial dimensions of the activities to be undertaken by a waterfront governance entity.

Report Organization

This document is organized as follows:

Description of Governance Models

This section of the analysis defines and examines distinct governance models as concepts for managing key waterfront operations. These operations will include:

- Maintaining the hardscape and landscape features of the waterfront
- Programming activities and events that enliven the waterfront

- Maintaining safe, orderly operations that manage crowds and minimize impacts such as noise and traffic on surrounding neighborhoods
- Promoting the waterfront and its benefits to residents and visitors
- Managing waterfront operations in a financially prudent manner

For each model, an organizational chart distills a simplified management structure and its relationship to a municipal entity like the City of Alexandria. Key features of the model are explained, including typical funding sources, how it is established, and how it operates. Precedent examples are identified.

Profile Examples

Profiles of selected examples of park and waterfront governance are researched and presented to demonstrate the traits of governance models in action.

Model Evaluation

This section integrates the descriptive information about the models to allow comparisons among them and to articulate key findings of the research as it relates to Alexandria.

As part of the evaluation process, City of Alexandria staff helped define the criteria used to evaluate models:

- **Profile:** Degree to which entity can establish a national and/or regional identity in support of a world class waterfront.

- **Operational Independence:** Ability of entity to make decisions and operate independently of the City government.
- **Operational Efficiency:** Degree to which entity can operate efficiently and minimize City general fund support.
- **Access to Funding:** Ability to access the broadest range of funding sources.
- **Stakeholder Involvement:** Degree to which stakeholders have direct involvement and/or control.
- **Enterprise Orientation:** Ability to provide commercial and enterprise activity to activate the waterfront with services and programming.
- **Risks and their mitigation:** Risks to the City of Alexandria and its taxpayers associated with the management structure; proven precedents that can inform structure's operation; and methods of mitigating risk.
- **Startup considerations:** Ease with which entity can be established, given political, legislative and other considerations.

The evaluation concludes with a summary of key findings and considerations, discussing tradeoffs among model choices, and the intersection of funding and governance issues. Also considered are some of the specific geographic dimensions of waterfront management: the governance of the Robinson Terminal piers, and the governance of core versus peripheral areas of the waterfront.

Governance Models

Overview of Governance Models

The analysis defines and describes the following models:

- 1. City management.** Encompasses the City's current waterfront governance model, either through existing City departments or a new department, and its potential expansion as the waterfront expands.
- 2. New governmental entity.** An entity, such as a park district, that is established by the City of Alexandria and overseen by an appointed board.
- 3. Supporting organization.** An independently run, private sector entity, such as a conservancy, that engages with the City of Alexandria to support one or more key functions of waterfront management.
- 4. Public improvement district or authority.** An Improvement District or Authority funded through a special assessment levied to properties within its defined service boundaries.
- 5. Management of privately owned public space.** An alternative to City of Alexandria ownership of certain waterfront spaces, this approach involves enforcement of agreed-to public access terms on private land, including property owned by a land trust.

The subsequent description of each model identifies defining

features that differentiate it from other governance models.

Variation exists within each governance model that accommodates a larger number of examples and structures.

Model 1. City Management

Organization Chart: Park Operations, Programming and Revenue Generation



Key Features and Functions

In this model, waterfront operations, programming and revenue generation activities will continue to be carried out by the City of Alexandria, primarily through the Department of Recreation, Parks and Cultural Activities (RPCA). The City has a Public Relations, Special Events, and Waterfront Operations Division within RPCA that manages the City Marina and has primary responsibility for operations, maintenance and administration/oversight of activities held along the Waterfront. This model would cover the expansion of this division as waterfront activities expand or would cover the creation of a new City department, depending on the operational and other considerations that would be most advantageous to the City of Alexandria.

In this model the City retains maximum control and accountability for the waterfront. Whether under RPCA or a separate department, key management functions needed and desired for the waterfront – landscaping, maintenance, security, programming and events, and enterprise and program revenue functions – would be carried out by the City management entity, supported by other City departments for ancillary functions – such as planning and land use control, policing and code enforcement, emergency services, and management of capital improvements. Departments within the City of Alexandria function cooperatively and collaboratively to fully cover the entire range of governmental functions along the waterfront and the rest of the City, often under the direction of formal agreements governing their cooperation.

Precedents

Examples of other cities that manage significant waterfront public space and marinas include:

- The City of Annapolis, Maryland City Marina and Harbor Master (part of the Department of Recreation and Parks)
- City of Santa Barbara, CA Department of Waterfront

Funding Sources

Under this model, City management would derive its funding almost exclusively from City-controlled funds. Taxes and general fund dollars would likely be the sustaining source of revenue and waterfront funding would need to compete with other funding requests. The waterfront management could be set up so that certain activities, such as the marina, are fully or partially funded with program revenue. State and Federal funding sources are also

accessible for certain initiatives and activities. Philanthropic and sponsorship funding are more difficult to access under a city management model, although the City has had some success securing donations. A partner organization (described subsequently) could be employed to access this source of funding.

Operational Considerations

The operational framework of a government entity would be familiar to and fully controlled by the City of Alexandria. The City could employ options it already has to undertake expanded activities through: hiring new City workers, hiring temporary or contracted workers, and contracting out services.

The needs of a “world class” waterfront are and will be unique from the operation of other public spaces in the City, given its level of management, expense, and potential level of benefit to the City’s residents and businesses. Existing contracts and operations that the City employs to manage activity in parks and the public realm may not serve the needs of the waterfront. Therefore, operation of the waterfront may require separate service contracts, pay structures and other mechanisms than those used within RCPA or across City departments.

Enabling Legislation

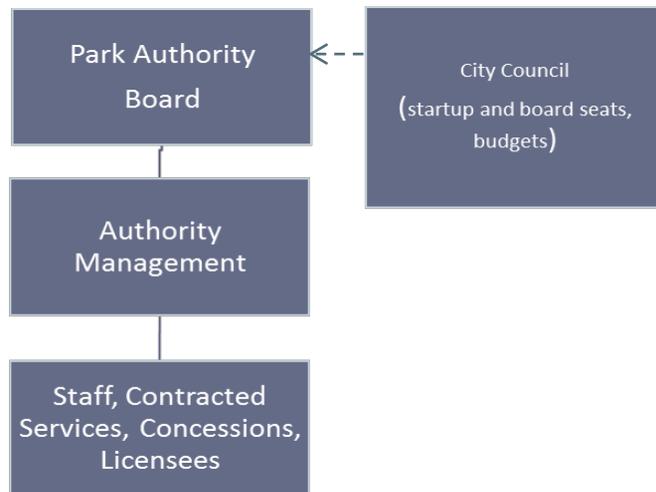
City operation of expanded waterfront activities will employ the organizational structure and legislative mechanisms currently used by the City.



City of Alexandria Seal. Source: City of Alexandria.

Model 2. New Governmental Entity: Independent Park District or Authority

Organization Chart: Park Operations, Programming and Revenue Generation



Key Features and Functions

This model consolidates park operations, revenue generation and programming into one independent governmental entity. These independent entities are typically governed by a board of directors that are appointed by the governmental entity that established it, although board makeup may vary based on the requirements found in the enabling legislation and the terms of the organization's bylaws. The arrangement allows the establishing governmental body(ies) typically to have indirect oversight over the independent entity. The structure and setup of independent governmental authorities are well suited for consolidated management across a multi-jurisdictional park district, and acquisition and preservation of land assets.

Precedents

- Fairfax County Park Authority
- Montgomery County Urban Service Districts
- Independent Alexandria authorities such as the Alexandria Redevelopment and Housing Authority (ARHA) and Alexandria Renew Enterprises (AlexRenew)
- Northern Virginia Regional Park Authority

Funding Sources

Park Authorities primarily raise revenue through transfer of tax revenues (either general funds or special assessment from establishing governmental entity); through enterprise revenue generation; and through philanthropic contributions.

Operational Considerations

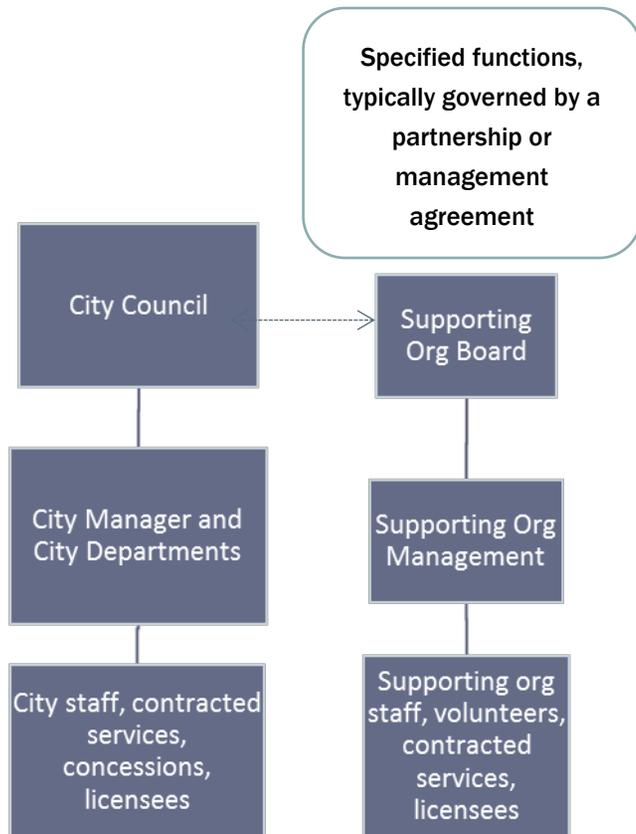
Staffing of a Park Authority would vary based on its responsibilities. A Park Authority's staff and contractors would perform many of the same activities that City of Alexandria staff perform, possibly resulting in some redundancy with non-waterfront operations. They can achieve an efficiency of scale in covering the full range of park functions. However, a new waterfront park entity would be highly focused on just the waterfront and not have potentially conflicting policies, directives, or pressures that come with a municipal model.

Enabling Legislation

Appropriate vehicles for an independent waterfront district, enabled by the Commonwealth of Virginia, include Parks Authorities (Sec. 15.2-5700) and Special Services Districts (Sec. 15.2-2401).

Model 3. Supporting Organizations: Conservancies and Friends Organizations

Organization Chart: Park Operations, Programming and Maintenance



Key Features and Functions

Supporting entities are typically initiated and run independently of the municipal government. Started by stakeholders with an interest in establishing or improving public spaces, they gain their influence on parks by bringing resources to the table and through political advocacy. This category of entities is flexible in the level of services and funding it can provide for the public space that it covers. Supporting entities work in partnership with governmental entities in running parks in a wide variety of ways, from providing limited services and support to taking on the bulk of park operations, funding, and planning. They often operate under a management agreement with the governing entity. They do not set regulations on park use, nor do they own parkland or park assets.

Precedents

- New York City parks partnerships: Prospect Park Conservancy, Friends of the High Line, Central Park Conservancy, Brooklyn Bridge Park Conservancy National Park Service park partnerships, such as Glen Echo Partnership for Arts and Culture, Glen Echo Park, MD
- Alexandria Library Foundation, Friends of the Alexandria Library, Friends of Fort Ward, Alexandria

This model also encompasses small scale park partners that rely on volunteers, a small amount of funding from membership, and have a much smaller scope of activities.

Funding Sources

Supporting organizations raise their own funds to support the operations that they manage. Revenues come from donations,

sponsorships or enterprise activities. Supporting organizations may also contract with governmental entities to provide services for a fee.

Staffing and Operational Considerations

Supporting organizations range from small, volunteer-run organizations to organizations with hundreds of staff and operations budgets in the tens of millions. The roles of the supporting organization in relation to the governmental entity are typically defined through a partnership agreement. A key characteristic of staffing and operations through partnership organizations is that they are generally more nimble, flexible and enterprise-oriented than governmental entities. Their budgeting process occurs outside of the governmental entity's public budget process, and contracting and concessions do not require adherence to public procurement rules. They are not completely devoid of oversight, however, as their non-profit status and relationship to funders leads them to make their financial statements and annual reports available for public review.

Staffing levels and operational budgets vary by the scope of the organization's efforts. Appendix A summarizes staffing and budgets for a variety of example organizations

Enabling Framework and Legislative Considerations

Friends organizations are private organizations set up independently from the City government to support a certain cause and therefore do not require enabling legislation to implement. The local government's contracting authority would apply to any contracts between the local government and the friends organization.



Friends of the High Line Logo. Source: Wired New York.



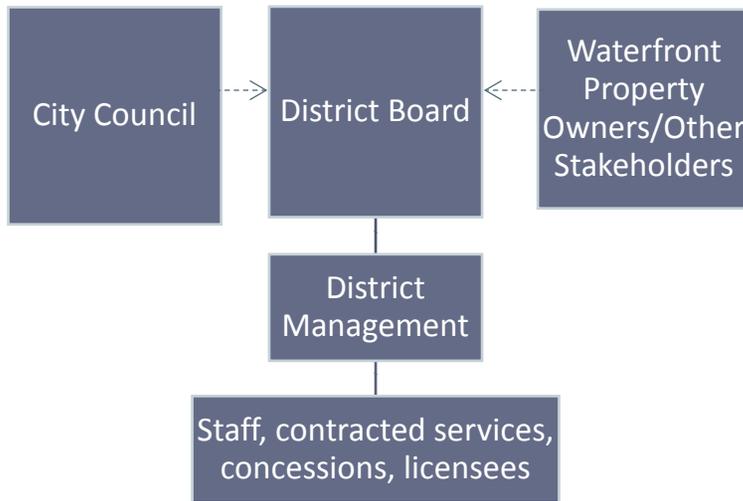
Glen Echo Park Partnership for Arts and Culture Logo. Source: Glen Echo Park.



Brooklyn Bridge Park Conservancy Logo. Source: Brooklyn Bridge Park.

Model 4. Public Improvement District or Authority

Organization Chart: Park Operations, Programming and Maintenance



Key Features and Functions

Compared to supporting entities, a public improvement district or authority has a more integrated relationship between the government entity and the private sector stakeholders through their funding and governance structure. A defining feature of this governance model, which covers Business Improvement Districts (BIDs) and Community Development Authorities (CDAs), is its funding through a special assessment levied to properties within its boundaries.

These districts are established by ordinance of the governing body, with a defined boundary, a stated purpose, and a plan for funding anticipating costs of the services provided. They carry out activities in accordance with their stated purpose, such as recreational and cultural activities, “clean and safe” services, beautification projects, and retail promotion and economic development. They can fund, construct, operate and maintain public facilities; they can hire staff and enter contracts with other entities.

Enabling legislation in the early 1990’s allowed for the creation of CDAs in Virginia. They are separate governmental authorities that fund infrastructure and community facility improvements. CDAs established in Virginia have similar capabilities as BIDs in terms of district operations and maintenance, but in practice are used as vehicles for financing of capital improvements.

The composition and selection of the entity’s board will depend on its articles of incorporation and bylaws, as well as any requirements of the state enabling legislation or local ordinance. Boards typically have representation by local property owners, as well as the sponsoring governmental entity.

Examples

- Arlington County BIDs in Rosslyn, Crystal City and Ballston
- Capitol Riverfront BID
- Delaware River Waterfront Corporation, Philadelphia
- Mosaic-Merrifield CDA in Fairfax County
- Bryant Park Corporation

Funding Sources

Public Improvement Districts and Authorities receive all or a portion of their funding from tax revenues. BIDs receive supplemental ad valorem tax revenues through a special assessment to fund capital improvements and/or ongoing operations of the entity. A BID can also engage in entrepreneurial activities to generate revenue, and receive government funding in addition to its special assessment revenues, and can seek sponsorships or other fundraising activities. CDAs are typically funded from the proceeds of tax increment revenue bonds, and can also seek special assessments of property taxes and fees from services provided. CDA enabling legislation does not explicitly authorize a CDA to obtain funding through philanthropic or enterprise activities.

Staffing and Operational Considerations

Staffing and operations of public-private entity will be similar to a large supporting organization that handles multiple functions of public realm operations, management and programming.

Enabling Framework and Legislative Considerations

In Virginia, BIDs are enabled as special services districts under Code of VA Section 15.2-2400 et seq. Service districts are established by a local governmental entity. Their special services can be performed by the governing entity, or assigned to a separate entity such as a non-profit. The functions and supplemental tax revenue support of a BID in Virginia would therefore be established by local ordinance; a separate non-profit entity could be created and enter into a management agreement with the local entity.

A Community Development Authority is enabled by the Code of VA 15.2-5152 et seq. as a legally separate entity from the local government, that can perform some local government functions related to infrastructure improvements, parks and community facilities.



Capitol Riverfront BID Logo. Source: Capitol Riverfront BID.

Model 5. Privately Owned Public Space

Organization Chart: Park Operations, Programming and Maintenance



Key Features and Functions

Privately owned public spaces operate as public spaces but are privately owned. Ownership can be in the hands of a private property owner also owning adjacent, developed property for which

the open space serves as an amenity. Private lands could also be held by a land trust, a non-profit entity with the purpose of acquiring and maintaining lands in perpetuity for public use. Land trusts are privately controlled entities, but can have public sector interests represented on their governing board.

Maintaining land in private ownership is an option to operate and maintain land for public use for which a governing entity cannot or does not want to accept fee title ownership, or where a private property owner does not want to transfer fee title ownership. Successful privately owned public spaces are ones perceived as public spaces and that cannot be easily differentiated from publicly owned spaces by their users. Public control over the terms of public use are governed by the agreements set in place at the establishment of the public space, and are conditioned by the level of control or involvement that the governing entity has in the establishment of the space. Conditions such as hours of operation, acceptable activities, restriction of public access, and maintenance standards are controlled through tools such as easements, joint use leases, and management agreements between the land owner and the governing entity.

Precedents

- Northern Virginia Conservation Trust
- Land Trust of Virginia
- Tidelock Park and portions of Rivergate Park
- Privately owned public spaces (POPS), New York City
- The Henry, Alexandria
- John Carlyle Square, Alexandria
- Canal Center, Alexandria

Public space along the Alexandria waterfront already includes a mix of public and private ownership and maintenance, including the examples above. These spaces all operate with public access easements, but their relationship to the City in terms of maintenance, and their “feel” as public or private space, varies.

Funding Sources

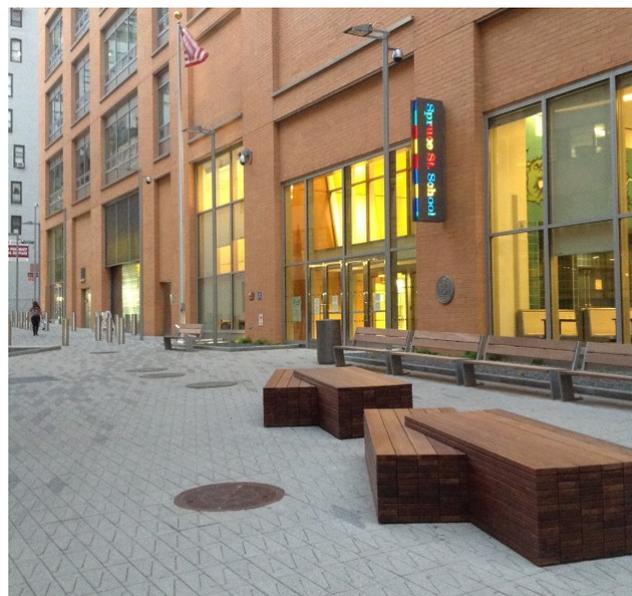
In this model, the land owner customarily operates and maintains its land at its own expense. Depending on the circumstances by which the land is in private hands, there could be a diversity of operations and maintenance revenue sources. Non-profit ownership entities can access philanthropic and government funding sources. A property owner could potentially negotiate provision of programming, maintenance and security by a BID, a conservancy or other parks partner, or by a governmental entity.

Staffing and Operational Considerations

With private sector responsibility for operations and maintenance, governmental management will be focused on enforcing public benefit provisions established by the government entity, such as standards of maintenance and hours of operation. Operational challenges include coordination of the activities and management of privately owned public spaces within a collection of publicly owned spaces (such as the set of public spaces along the Alexandria Waterfront). Ensuring the long term financial stewardship of privately owned spaces requires mechanisms for ensuring that capital improvements are funded through reserves or other means.

Enabling Framework and Legislative Considerations

Government has limited control over private land. It has the opportunity to exert its desired terms for use of private land as a condition of approvals or entitlements that the private owner is seeking from the government entity, such as site plan approval, and as part of its land use ordinances and regulations. A private, public benefit interest such as a land trust can purchase and operate publicly accessible land without government oversight. However, such a non-profit entity is likely to be championed, supported, or established in part by a governmental entity, and would typically work collaboratively, but voluntarily, with a governmental entity to meet its public benefit goals.



Beekman Plaza, POPS. Source: Advocates for Privately Owned Public Space (APOPS).

Model Profiles

The following examples highlight well known examples of the identified governance models.

Fairfax County Park Authority

(Model 2. New Governmental Entity)

What it is: Fairfax County Park Authority (the Authority) is a political subdivision of the Commonwealth adopted by county ordinance in 1950. The Authority manages the acquisition, preservation, development, operation and maintenance of its assets and activities. The Authority provides recreational and fitness opportunities, and has protected environmental and cultural resources as the county grows.

Governance Structure Relationship to County: The County Board of Supervisors appoints a 12-member board. Board members represent nine districts and three at large seats. Authority operates under an MOU with the county Board of Supervisors. Fiduciary responsibility is shared with county: the Authority draws funding from five dedicated park funds, with three controlled by county (county general fund, county construction fund, park construction bond fund) and two controlled by the Authority (revenue fund and capital improvement fund).

Land ownership: The 23,265 acres of land owned by the Authority represents 9.2% of county land and has increased by over 75 acres in past 10 years.

Revenue and expenses: The Authority operates on a nearly \$90 million budget. Program revenues and inter-governmental transfers make up most of revenue sources. Recreation centers and golf courses cover their own expenses.

Park Operations at a Glance: FY 2013

Source: Fairfax County Park Authority Comprehensive Annual

Fiscal Report

	\$Millions	% of Revenue
Program Revenues	\$43.5	42%
Program Grants	\$13.5	13%
Intergovernmental Transfers	\$39.5	38%
Other Revenues	\$6.7	6%
Total Revenues	\$103.2	
Expenses	\$89.8	

The Fairfax Park Foundation, established in 2001, supports the Authority with a focus on philanthropic gifts and volunteer support for park activities. Donations and grants totaled \$13.5 million or 13 percent of revenues in FY 2013.

Staffing and level of operations: The Authority employs about 500 operations staff and 94 administrative staff. They run 421 separate facilities including 272 fields, 9 aquatic centers, 7 fitness centers, 2 indoor gyms, 1 indoor ice rink, 3 marinas, 6 mini golf courses, 205 playgrounds, and 252 tennis and racquetball courts.

Fort Mason Center

(Model 3. Supporting Organization)

What it is: Fort Mason is a portion of the Golden Gate National Recreation Area (GGNRA) located adjacent to the Marina neighborhood of San Francisco, and contains a collection of historic pier structures with views of San Francisco Bay and Alcatraz Island. A California public benefit organization, the Fort Mason Foundation, was created in the 1970s by leaders of the San Francisco arts and historic preservation communities to advance reuse of then-vacant structures for community arts organizations. GGNRA initially had a cooperative agreement with Fort Mason Foundation, which was replaced by a long term lease for the purposes of obtaining bank loans for major rehabilitation. Today, inside the renovated buildings of the former military site, Fort Mason houses many nonprofits and small businesses including Museums, Catering Services, Restaurants, Book Stores, and Theater Troupes. The complex of buildings also serves as an event center for over 1,000 unique and diverse events— attracting 1.6 million people each year.

Governance Structure Relationship to Governing Body: The Fort Mason Center has a 27 member board of trustees with the General Superintendent of the GGNRA serving as an Ex officio member.

Land ownership: Fort Mason has 28 rental venues that hold anywhere from 5 to 20,000 people and totaling over 144,000 square feet. The Fort is within the GGNRA, which encompasses 75,000 acres of land and water from San Mateo County to Tomales Bay along the California coastline, including the Golden Gate Bridge.

Revenue and Expenses: In 2013, the Fort Mason Center received \$8.5 million in revenue, with \$6.67 million resulting from program service revenues. The organization received \$1.8 million in contributions and grants. Fort Mason Center spent \$1.58 million on building maintenance and related expenses, and roughly \$2 million on salaries and employee compensation in 2013. A new urban design plan in 2012 will create additional costs as buildings are rehabilitated and the plan is carried out.

Staffing and level of operations: Fort Mason Center employed 64 people during 2013. A permanent staff of 28 oversees day to day operations with most staff responsible for overseeing event space and event management. In 2013, an estimated 20 volunteers assisted the organization directly, not including the volunteers associated with the individual events.



Fort Mason Center. Source: salvationarmysantarosa.org

Delaware River Waterfront Corporation

(Models 2 and 3 Hybrid. New Governmental Entity and Supporting Organization)

What it is: Delaware River Waterfront Corporation (DRWC) is a 501c3 non-profit organization set up for the exclusive benefit of the City of Philadelphia and its citizens. Its mandate is to design, develop and manage the Central Delaware River waterfront (bounded by Allegheny Avenue to the north and Oregon Avenue to the south); to create a vibrant destination for recreation, cultural and commercial activities; and to catalyze private development through its placemaking and public space development activities.

Governance Structure Relationship to Governing Body: DRWC operates in a space between a city-controlled and a privately controlled entity. The Board is composed of six “Class A” seats designated for the Mayor and other members of city government. An additional 10 “Class B” seats are filled for staggering, 3 year terms through a nominations process run by the executive committee of the board. The current Mayoral administration, which has identified the waterfront as one of its priorities, pushed for modifications to the board election structure. The board changed from one that was solely appointed by the city government to one in which existing board members identified and recruited highly qualified new board members with expertise in real estate, planning, finance and fundraising. These changes have made the board much more effective and allow the organization to avoid the conflicts that might be associated with a board structure that is solely composed of political appointees, and positions it to be more resilient to changes associated with a new political administration. DRWC is not officially an instrument of the City, but has positioned



Delaware River Waterfront. Source: Delaware River Waterfront Corporation.

itself as an organization that has a reputation for public benefit and is trusted by the public as an institution that serves the public good. This reputation allows it to gain support for its allocation of City funds and to work closely with the Mayor. It voluntarily complies with the Sunshine Act to further support its public benefit reputation.

Land ownership: DRWC holds long term (99 year plus 99 year extension period) leases with the City of Philadelphia piers not held for commercial maritime use, and available for development and public use. The Philadelphia Redevelopment Authority has designated DRWC as the designated developer for these properties. As a 501c3 DRWC also can own, and owns, fee simple title to properties it acquires to advance its mission. DRWC holds a ground lease of about 120 acres of land for public use.

Revenue and Expenses: DRWC has an annual operations budget of about \$9 million. Of that budget, about \$100,000 per acre is spent on maintaining, operating, planning, and programming the active public space (and about \$35,000 per acre for passive public space). Part of that budget is paid for through the real estate assets it leases, particularly its surface parking lots and rents from building tenants. It earns additional revenue from concessions and enterprise activities. For example, DRWC owns two liquor licenses and therefore can establish food and beverage facilities without sharing profits with a separate caterer or restaurant operator. DRWC also relies upon philanthropic funds and government appropriations as revenue sources. A major philanthropic funder is the William Penn Foundation.

Staffing and level of operations: DRWC has about 65 full time employees, which swells to 120-130 employees during the summer. They cover the organization's management, planning and administrative functions; operation of open space; marina operation; event and performance staff; and real estate management.



Great Plaza at Penn's Landing. Source: Delaware River Waterfront Corporation.

Capitol Riverfront BID

(Model 4. Public Improvement District or Authority)

What it is: The Capitol Riverfront Business Improvement District (BID) maintains over 500 acres of public realm along the Anacostia River waterfront, and operates and programs the Yards Park. In addition to these core responsibilities, the BID also serves the waterfront's growth and development through economic development and business attraction activities, including: marketing, branding, and public relations initiatives, strategic planning and advocacy for the area, and community building activities for its service area. The BID area is about a third of the way through its planned redevelopment into a dense, mixed use community that will include about 15 million square feet of office space, one million square feet of retail, nearly 12,000 new residential units, and nearly 1,300 hotel rooms. The area covered by the BID includes 10 acres of parks (including the Yards Park, Canal Park and Diamond Teague plaza), and the Nationals Baseball Stadium. Public space programming and activities include the ice rink and restaurant in Canal Park, water features and events programmed at the Yards Park, kayak rentals in Diamond Teague Park, and the Trapeze School operated on private, undeveloped property. The district attracted nearly three million visitors in 2013.

Governance Structure: The BID has a 21-member board comprised of area owners and developers, and six non-voting board members comprised of community stakeholders. The District of Columbia initially authorized the BID in 2007 and will be up for reauthorization again in 2016. The BID has an agreement with the District of Columbia for operation of the city-owned Yards Park, which opened in 2010.

Land ownership: The BID owns no property within the district. In addition to the city-owned Yards Park, other significant public space in the BID district includes Canal Park, owned and operated by the non-profit Canal Park Inc., which is sponsored by adjacent commercial property owners; and Diamond Teague Plaza, which is owned by the District of Columbia and managed by the District of Columbia in partnership with Earth Conservation Corps, a conservancy program that focuses on environmental education and workforce development among DC youth. The BID coordinates with other land owners and manages some events in public spaces outside of Yards Park. Due to its proven success at public realm management and operations, the BID is contemplating agreements to take on additional management services for Diamond Teague Plaza and Canal Park.



The Yards. Source: cfo.dc.gov

Revenue and expenses: The BID operates on an approximately \$2.9 million budget, including operations of its public realm activities, management and planning, and administrative functions. The

Yards Park has an annual operating budget of approximately \$1 million, and the expense of public realm clean and safe operations is \$700,000 annually. The BID is funded through over \$1.7 million in property tax assessments. The operation of the BID is also supported through several other revenue sources, including:

- A limited duration agreement with one property owner around the Yards Park (Forest City) for a special assessment on substantially occupied buildings;
- An agreement with the District of Columbia to divert new retail sales tax revenue in a designated area around Yards Park;
- Excess revenues from the performance of bonds used to finance certain new office development in the district;
- An appropriation from the District of Columbia general fund;
- Revenue from commercial events, parking, sponsorships and some food concessions.

The activities that define and support the character of the Yards Park are primarily self-supporting. Examples are the sponsorship fees that cover the summer concert series and the free yoga classes sponsored by a local gym. Park operation and programming seeks to be entrepreneurial and generates revenue through a limited number of commercial events that restrict access to portions of the park, through agreements with local property owners that manage surface parking lots for special events. However, current level of park operations and programming requires funding from a number of sources in addition to the BID assessment, including direct subsidy from the city.

Staffing and level of operations: The BID operates with eight full time staff members and a staff of 12 clean team/BID hospitality ambassadors contracted through another DC BID.

The Mosaic District CDA/Merrifield CRA, Fairfax County

(Model 4. Public Improvement District or Authority)

What It Is: Merrifield sits at the intersection of I-495 and I-66 in Fairfax County. In 1998, the county designated Merrifield a Community Revitalization Area (CRA) to address a lack of new development and investment at this key location in the county. Merrifield's CRA designation allowed for the subsequent creation of the county's first Tax Increment Finance District and Community Development Authority (CDA) at the Mosaic District site. A CDA is a flexible funding tool that can address a broad range of infrastructure needs and services.

Governance Structure: To establish the CDA, a petition to the Board of Supervisors at Fairfax County had to come from a majority (51 percent) of landowners within the proposed area, based on either land area or assessed value. The Mosaic District CDA is managed by a single property owner (like a mall property), and offers programming and events that extend the urban feel of the development beyond its physical form.

Land ownership: The County selected Edens as the designated developer for the Merrifield CRA site, and Edens acquired property from 12 owners by 2005. The CDA, established by the County Board of Supervisors in 2010, covers the 31 acre Edens property at the heart of Merrifield, now called the Mosaic District.

Revenue and expenses: Since Merrifield is a CRA, redevelopment funding allows for the construction of a street grid, parks, and other improvements in accordance with the Comprehensive Plan and the

Merrifield Urban Design Guidelines. Money flowing to the CDA is funded by ad valorem special taxes or special assessments, as negotiated between Edens and the County.

Staffing and level of operations: The Greater Merrifield Business Association supports business organization within the larger Merrifield area, however, all other staffing requirements come from Edens (the CDA petitioner) and the County (CDA/CRA enabler).



Mosaic District feat. yoga in park. Source: paulwhartonstyle.com

New York City Privately Owned Public Spaces (POPS)¹

(Model 5. Privately Owned Public Spaces)

What it is: The City of New York has a large collection of privately owned public spaces created as a result of incentive provisions in its zoning code. Starting in 1961, the zoning code allowed for building developers to obtain a floor area increase to commercial and residential properties in exchange for providing a public space, plaza or arcade. Since 1961, about 525 spaces, or 80 acres of public space, have been created (the zoning provisions also gave zoning applicants the right to build an additional 16 million square feet of private building space in total). Spaces vary in attractiveness and utility of public spaces.

Governance Structure: All spaces are maintained in private ownership. However, all spaces must be open 24 hours a day, seven days a week.

Land ownership: All land is privately owned and managed. Properties include residential and commercial properties that include hotels, office and mixed use buildings. Most POPS are found in Midtown Manhattan; spaces were also built in large projects in Brooklyn and Queens, but no spaces are found in the Bronx or Staten Island.

Revenue and expenses: No revenue flows from the spaces, although the developers receive the benefit of extra floor area. The City of New York incurs expense to review developer's applications,

and to enforce the use of the space as public, rather than be absorbed back into the private realm.

Staffing and level of operations: The City of New York Department of City Planning approve POPS, but the Department of Buildings is responsible for enforcement. There are several supporting groups, such as the New York Municipal Art Society and Advocates for Privately Owned Public Space, that support the City by conducting reports on the use and status of POPS in New York City. For example, New York's Municipal Art Society, in collaboration with the New York City Department of City Planning and advocate Jerold S. Kayden, undertook an evaluation of all POPS created by the zoning code and issued their findings in a report in 2000. The study found that the performance of POPS varied greatly, and that many building owners had illegally privatized their spaces. Fewer, but higher quality, spaces continue to be created. A 2007 update of zoning code allows only public plazas and tightened the standards for POPS construction to ensure that exciting, safe, and truly accessible spaces are developed and maintained.



POPS at 590 Madison Avenue, Manhattan. Source: Advocates for Privately Owned Public Space (APOPS)

¹ Sources: New York City Department of City Planning; Municipal Art Society.

Model Evaluation and Key Considerations

Evaluation Matrix

The matrix below provides a summary evaluation and comparison of the models described previously. The evaluation incorporates further refinements to the models. Because the supporting organization model incorporates organizations on a wide spectrum of capacities and staffing levels, the evaluation distinguishes between small scale supporting entities (labeled as “Friends Of” organizations) and large scale supporting entities (labeled as Conservancy organizations). The Improvement District model excludes Community Development Authorities, which are designed as vehicles for public-private funding of capital improvements more than vehicles for ongoing operations and maintenance.

- **Profile** captures the degree to which an entity establishes a national and/or regional identity in support of a world class waterfront. Conservancy organizations typically have the highest profile corresponding to the attraction of significant donors.
- **Operational Independence** reflects the ability of the entity to make decisions and operate independently of the City government. In the matrix, operational independence increases among organizations from right to left. For managing entities outside the City government, the balance between operational independence and public accountability is established with the setup of board seats, funding streams, and accountability measures set up as

part of a management agreement with the City and the organization’s bylaws.

- **Operational Efficiency** reflects the degree to which the entity can operate efficiently and minimize redundancy, using public funds as efficiently as possible. Well run supporting organizations and public-private improvement districts can offer professional, responsive staffing and management outside of a municipal staffing structure. A focus on responding to the unique needs and activities of the waterfront will allow a supporting organization or public-private entity to avoid redundancy with services the municipal government typically provides.
- **Access to Funding** refers to the entity’s ability to access the broadest range of funding sources. An improvement district offers the potential to tap into a dedicated public revenue stream from a special assessment, as well as the largest range of enterprise and philanthropic funds.

- **Stakeholder Involvement** reflects the degree to which stakeholders have direct involvement and/or control. Stakeholder engagement and control generally corresponds to an organization’s operational independence. Using a supporting organization or improvement district model, a well-planned governance structure can reap the benefits of broad involvement, while making sure to have controls and public accountability in its structure.
- **Enterprise Orientation** captures an entity’s ability to provide commercial and enterprise activity to activate the waterfront with services and programming. All models examined have the potential to engage in enterprise activities. The precedent of successful supporting organizations and improvement districts makes them the most enterprise-oriented.
- **Risks and their mitigation** covers the risks to the City of Alexandria and its taxpayers associated with the management structure, as well as proven precedents that can inform structure’s operation and other methods of mitigating risk. All governance structures carry risks. In general, risks to the government relate to the government’s possible failure to reach its objectives in a governance structure that it controls, or its failure to control the outcome of a structure that involves more private sector stewardship.
- **Startup considerations** reflect the ease with which an entity can be established, given political, legislative, and other considerations. A departure from current operations, and the scale of the effort that is expected for operation of the waterfront, will require more effort to start up. Another important factor is the level of engagement needed by stakeholders at startup. An entity that is predominantly managed by private sector stakeholders will to a large extent need its establishment to be championed and driven by those stakeholders.

Criteria	Supporting Organizations					
	City Management Model #1	New Governmental Entity Model #2	“Friends of” Model #3A	Conservancy Model #3B	Public Improvement District or Authority Model #4	Privately Owned Public Spaces Model #5
Profile	Low	Low	Low-Medium	High	Medium	Low
Operational independence	Part of government structure controlled by City Council	No direct control by City, but Council-appointed board	Independent oversight/board, but operations role negotiated with City	Independent oversight/board, but operations role negotiated with City	Independent board typically elected from property owners, with City role in startup, funding and reauthorization	Independent oversight and operations regulated by City through land use control
Operational efficiency	City government structure, no redundancy serving with waterfront and other City areas.	Governmental structure, well suited to large geographic areas and land acquisition programs; possible redundancy with City functions	Small scale operations suited to managing volunteers, fundraising, and directing limited scope activities	Non-profit entity with potential for efficient, responsive and coordinated management across a large park or park district	Non-profit entity with potential for efficient, responsive and coordinated management across a large park or park district	Private sector operations; coordination challenges with nearby parks
Access to funding	General fund revenue , enterprise funds, grants and philanthropy	Tax revenues, enterprise funds, grants and philanthropy	Philanthropy/ sponsorships, sweat equity, enterprise funds	Philanthropy/sponsorships enterprise activity, grants	Tax revenues, enterprise funds, grants, philanthropy/ sponsorships	Program revenue and private funding; access to grants and philanthropy if a non-profit org.
Stakeholder involvement	Low: no defined stakeholder role	Low-medium	High: stakeholders needed to champion and establish entity's role	High: stakeholders needed to champion and establish entity's role	High: stakeholder oversight on board	Medium: engages property owner but typically not other stakeholders

Criteria	City Management Model #1	New Governmental Entity Model #2	Supporting Organizations		Public Improvement District or Authority Model #4	Privately Owned Public Spaces Model #5
			"Friends of" Model #3A	Conservancy Model #3B		
Enterprise orientation	Potential to operate enterprise activities within governmental structure	Potential to operate enterprise activities within governmental structure	Ability to take on enterprise activities on a small scale	High: required to seek its own funding	High: charged with managing in more entrepreneurial manner than municipal government	Ability to operate public space as part of a private sector business
Risk	Familiar governmental structure but could fail in generating sufficient revenue or managing to higher standard	Risk involved in starting new enterprise, failure to meet management objectives	Minimal risks due to size of operation; risk that organization will selectively advocate for interests of small segment of residents or stakeholders	Risk of failure to meet its objectives after establishment; minimized by proven model but potentially limited government recourse or control in event of failure	Risk minimized by proven model; potential political risk in government involvement in startup	Risk of public sector failure to enforce
Startup considerations	Scales up from current operations; requires budget appropriation	Feasibility study needed and City Council approval of new entity	Minimal startup lead time	Startup initiated by stakeholder interests; effectiveness determined by ability to raise funds	Startup driven by stakeholder interests; requires Council action to initiate special services district and supplemental tax	City's ability to set terms of public use generally vested only at startup

Key Considerations

Public vs. Public/Private Management

In crafting a governance structure for the Alexandria waterfront, a key objective is to find the “sweet spot” that balances the authority and accountability of public sector governance with the flexibility, efficiency and more entrepreneurial orientation of governance models that are managed by private sector entities. The following summarizes key considerations related to that balance.

- Improvement districts and trusts/conservancies are governance structures that most fully incorporate both public and private sector elements. They can offer benefits of both efficiency and accountability, which accounts for why they are so prevalent in large, successful, high profile parks. However, they will require private sector stakeholders to drive, at least in part, the establishment of the governance entity.
- A typical park authority operates at a scale that is inappropriate (and costly) for the amount of land that needs to be managed along the waterfront. However, the park authority model, or a special services district that is managed by the City, offers an alternate, City-driven structure in the absence of strong private sector leadership, or the presence of strong citizen opposition to private sector management.
- There were no strong precedents found for high capacity models solely within a city management structure. However, a supporting organization that has a narrower focus – such as marketing or events programming – might pair with a dedicated City department (or department sub-division) to provide a governance structure that can

approach the effectiveness of a more comprehensive supporting organization or improvement district.

- Governance of privately owned public space will have limited relevance to the core areas of the waterfront, given that key waterfront properties are all publicly owned. The implications of a privately owned public space management program are described further below with respect to the Robinson Terminal piers.

Activities

Appendix C describes the current breakdown of responsibility for waterfront activity among City departments. Given precedents and examples, public/private management is most common and appropriate for specific activities that are unique to high profile parks and waterfront public realm. Key subject areas for public/private management include fundraising and financial management, waterfront-specific maintenance and operations, marketing, and programming. Other management areas, such as planning, basic operations and maintenance, transportation management, and emergency services, may be more appropriate within City government, with capacity for coordination on these topics available within the new management entity. Organizations such as the Delaware River Waterfront Corporation and the Capitol Riverfront BID play a leading role in their area’s economic development activities, but their role in this realm corresponds to the large amount of developable land within their service areas.

Ownership and Governance and the Robinson Terminal Piers

The future ownership and management of the Robinson Terminal North and South piers (as well as adjoining waterfront property that

will be part of the public realm) is a critical issue that needs to be addressed immediately in connection with the pending site plan applications for their redevelopment. The evaluation below is intended to provide guidance in determining the path forward for addressing ownership and governance issues.

Ownership. In considering the planned redevelopment of the piers and adjacent waterfront public realm, the City and the owner/applicant are considering whether property should remain in private ownership or be transferred to City ownership. The experience on Alexandria's waterfront and in other locations suggests that privately-owned public spaces (POPS) can be seamlessly integrated into a high quality public realm. However, all privately-owned parcels are found outside Alexandria's core waterfront area, and the level of activity on privately-owned spaces is planned to remain relatively low. The piers, given their opportunity to attract users and the level of investment associated with their renovation, are likely to comprise the northern and southern limits of the waterfront's core area and will need to be more actively managed.

A transfer of the pier improvements to City of Alexandria ownership may be preferable in that it offers more direct control over their operation, but it also is potentially accompanied by liabilities that the City does not want or need to shoulder. Since the City of Alexandria has limited control over land it does not own, establishing the conditions for access, appearance and management of POPS, and mechanisms for enforcing those conditions, is a critical component of overall negotiations with the property owner/applicant regarding Development Special Use Permit (DSUP) approval conditions.

Governance. A related but separate issue relates to the mechanisms for operations and maintenance of the Robinson Terminal piers. Given their size, their prominent location, and the level of investment placed in their rehabilitation, management of the piers should be coordinated with the core area of the Alexandria Waterfront, even if the piers remain in private ownership. The elements of coordinated operations and management would include:

- Landscaping and maintenance standards that match the rest of the core areas
- Uniform signage
- Coordinated programming, i.e. a master programming and activity schedule that enhances and does not conflict with activity elsewhere on the waterfront
- Consolidated branding and marketing
- Coordinated or consolidated financial management that reflects a unified operation and governance of the waterfront.

Ownership and Stewardship Guidelines. The following items comprise a framework for City decision-making on whether to seek City ownership of Robinson Terminals waterfront property and if not, the ongoing property controls and conditions – beyond public access easements – that need to be considered and addressed up front.

- **Environmental and other liabilities.** The City needs to complete a due diligence process to determine if there are environmental conditions or other property liabilities that would make transfer of ownership to the City not advisable.

- **Option for City ownership.** If ownership is not transferred to the City of Alexandria in the short term, terms for agreement with the property owner should include provisions for the City to subsequently accept transfer of the property (or alternately, to require its transfer to a land trust), at the City’s discretion or under defined conditions.
- **Operations and maintenance liability.** Terms of agreement between the property owner/applicant and the City should acknowledge the parties who are (or can be) held responsible for accidents on pier property, and ensure that risks are mitigated.
- **Reserves.** Whether publicly or privately owned, long term stewardship of the piers will require provisions for capital improvements and replacement/rehabilitation at the end of their useful life. Negotiations must consider financial responsibility for major improvements.
- **Coordinated operations and management.** Terms of agreement should address standards of pier operations, maintenance and programming that are consistent with the overall operations and maintenance plan for the waterfront, and financial responsibility for meeting those standards. Owner/applicant participation in a new governance entity should be encouraged. This is particularly important if one or both piers remain in private ownership.
- **Allowed activities and impacts.** Whether publicly or privately owned, owners adjoining the piers will be sensitive

to the types of activities that are allowed or encouraged on the piers. Terms between the City and the owner/applicant should incorporate the level and types of activities permitted or prohibited, include standards such as acceptable noise levels associated with activities or events, define the hours that the space is open to the public, and define the conditions under which restriction of public access is allowed.

Governance of Core and Peripheral Areas

As described above, the core areas of the waterfront are where consistent, public/private governance structure on key management areas of operations, maintenance, fundraising and financial management, marketing and programming will have the greatest impact. Options for peripheral areas could include a more limited set of management functions (such as marketing and maintenance), or additional structures (such as a “Friends Of” organization).

Appendix A: Operations and Staffing Comparisons

The following table compares the activities, size, and operations for several park partnerships and public-private park governance entities.

Park Entity	Primary Activities				
	Performed	Size	Budget/Staffing	Funding Sources	Other Information
Glen Echo Parks Partnership for Arts and Culture (GEPPAC) <i>(Model 3. Supporting Organization)</i>	Maintains and operates renovated facilities; manages arts-related programming of park; fundraises to cover operations costs.	9 acres, 450,000 annual visitors	\$1.7 million in operations, 10 full time staff, 10-20 seasonal/part time staff	About 75% of revenue (\$1.25 million) from facilities, cooperating agreements, events rental, carousel and other revenue generation sources; remaining from contributions, fundraising gala and grants.	NPS acquired property in 1970's Montgomery County became cooperating partner in 2002. Designated GEPPAC. \$23 million in capital improvements funded by county, state and federal government

*Sources: GEPPAC 2013 Annual Report; research compiled by DC
Downtown BID provided to Department of Planning and Zoning; Guidestar (Form 990)*

Park Entity	Primary Activities				
	Performed	Size	Budget/Staffing	Funding Sources	Other Information
Delaware River Waterfront Corporation (DRWC) <i>(Models 2 and 3 Hybrid. New Governmental Entity and Supporting Organization)</i> <i>Sources: DRWC staff; Guidestar (Form 990)</i>	Maintains public spaces, develops programming and events that catalyze development along the Central Delaware waterfront; manages public land for the City of Philadelphia	120 acres of publicly accessible waterfront, containing 30 acres of actively managed and programmed space. DRWC controls 1,200 acres of property along 6 miles of central Delaware waterfront	\$12.3 million in total expenses; \$11.1 million in program service expenses for entire real estate portfolio. (2012) 64-65 full time employees, additional 120-130 seasonal, part time and contracted employees	Fundraising (\$44,840); Government Grants \$(4 million) Site revenue (\$4 million); Rental income (\$1.2 million); sponsorship revenue (\$759,775)	Fundraising \$250 million for new 11 acre park that crosses I-95
Brooklyn Bridge Park Conservancy <i>(Model 3. Supporting Organization)</i> <i>Sources: Brooklyn Bridge Park Conservancy; Guidestar, (Form 990)</i>	Runs park programming, including winter programs, environmental education center and sports leagues	85 acres; 150,000 visitors used programs; 8,000 children participated in education classes; 30,000 swimmers in pools	(2013) \$1.8 million in expenses; \$256,118 revenue from public programming; \$351,987 in expenses for public programming; 25 employees; 28 member board; 1500 volunteers (6800 volunteer hours)	Fundraisers (\$501,000); Membership (\$227,000); Government Grants (\$788,000)	Expanding as renovations to piers continue

Park Entity	Primary Activities				
	Performed	Size	Budget/Staffing	Funding Sources	Other Information
Friends of the High Line <i>(Model 3. Supporting Organization)</i>	Art commissions; special events (lectures & screenings); guided field trips, drop in programming; teen programs	1.45 mile linear park; 4.4 million visitors	(2012) \$30.5 million in revenue; \$5.6 million in operating expenses (other than construction costs for completion which were \$11.2 million)	Fundraisers (\$2.7 million); Government Grants (\$112,000); Contributions, Gifts, Grants (\$26 million); Rent (\$430,000)	
Sources: Friends of the High Line; Guidestar (Form 990)			30 board members; 142 employees; 169 volunteers		
Prospect Park Alliance <i>(Model 3. Supporting Organization)</i>	Nature education, youth engagement; Lefferts House historic museum, Le Frank Center (ice skating rinks and children's playground); tennis center, carousel, food and beverage services	250 acres; 10 million annual visitors	(2012) \$12.3 million budget; \$7.4 million in expenses; 33 board members; 4,122 volunteers; 125 staff members	Public Programming (\$4 million) Fundraisers (\$844,000) Membership dues (\$555,000) Gifts, Grants, Contributions (\$3 million)	
Sources: Prospect Park Alliance; Guidestar (Form 990)					

Park Entity	Primary Activities				
	Performed	Size	Budget/Staffing	Funding Sources	Other Information
Capitol Riverfront BID <i>(Model 4. Public Improvement District or Authority)</i> <i>Sources: 2013 Annual Report; BID staff, Guidestar (Form 990)</i>	Operates Yards Park, coordinated services with Canal Park and Diamond Teague Park; economic development and business attraction; marketing and branding; community programming; administrative and planning functions	500 acre district with 10 acres of parks, including 5.5 acre Yards Park.	(FY 2013) Approximately \$2.6 million: \$1 million to operate Yards Park; \$750,000 clean and safe/district ambassador program; remainder for economic development, transportation and administrative costs. Management staff of 8.	\$1.8 million in special assessment revenues; \$150,000 in event revenue, \$400,000 in earmarked revenue for Yards Park maintenance, \$250,000 grants and contributions.	140 events coordinated by the BID in 2013. 26 Board members

Appendix B: BID Assessments

The table below compares the size and funding of several improvement districts within the Washington DC metro area.

Name	Size/Geography	Annual Assessment	Total Budget	Activities
Ballston BID	25 blocks; 8.3 million sq. ft. office; 1 million sq. ft. retail; 8,000 residential units	\$0.045 per \$100 of assessed value (FY12-14)	\$1.50 million (FY 14)	Taste of Arlington; Farmers Market; New Brand; Launchpad Challenge (provided cash award, office space & furnishings in Ballston, and legal assistance to two tech firms)
Crystal City BID	139 parcels; 250 acres; 11 million sq. ft. office; 1 million sq. ft. retail; 5,224 hotel rooms	\$0.043 per \$100 (FY 14)	\$2.6 million (FY 14)	Beer/wine walk; Fotowalk DC; Iron Yard immersive coding academy; FreshFarm Farmers Market; CSA drop off ; free composting; Public Space WiFi; Food Truck Thursdays
Rosslyn BID	488 parcels; 17 blocks	\$0.078 per \$100 (FY 15)	\$3.7 million (FY 15)	Homeless services; Ambassador Services; site plans; Friday night film festival; lunchtime and after work concerts; SUPERNOVA street performance

Name	Size/Geography	Annual Assessment	Total Budget	Activities
Capital Riverfront BID	500 acres; 12 million sq. ft. (7.4 million office; 120,000 sf retail; 2,758 residential units; 204 hotel rooms) Plans for 37 million sf of development; only 33% built out	Assessment ranges based on property type and size. <ul style="list-style-type: none"> per square foot assessment ranging from \$0.08 to \$0.65 for land and small commercial properties; \$0.09 per \$100 of assessed value for commercial properties \$95 per hotel room \$120 for non-exempt residential units (excludes subsidized housing and properties of 10 units or fewer) 	\$1.75 million (FY 13)	Clean & Safe street cleaning program; Canal Park with ice skating, rain garden, water features; Yards Park Friday Concert Series
Georgetown BID	142 blocks; 3.8 million sq. ft. office space; 1,000 hotel rooms;	\$0.1545 per \$100	\$3.1 million (FY 14)	Flower Basket Program; Destination Management Program (aims to attract new and repeat visitors); Fashion Night Out; Taste of Georgetown; streetscape improvements; French Market

Appendix C: Current Governmental Functions on the Waterfront

Many City departments currently have responsibility for carrying out operations, maintenance and programming on the waterfront. These are listed in the tables below. While many of these functions, such as mowing grass, are typical of other city parks, others, such as periodic dredging, are unique to the waterfront. The consideration of a new governance entity will need to include an evaluation of which functions should remain under the direct control of the City. Any new governance entity would need to coordinate closely with the City on functions controlled by the City.

The Alexandria Fire Department (AFD) holds responsibility for fire, medical, other emergency services, and life safety inspection services for the City and would not transfer such

responsibilities. However, AFD does and will continue to work with citizens groups on fire preventive and life safety education through their Community Services Unit and other outreach and training services offered through AFD.

The Alexandria Police Department (APD) would not transfer any police responsibilities for the waterfront to a private or nonprofit organization. However, APD does work closely with citizens and with private security firms that are retained by a private or nonprofit entity to help keep areas safe. Such relationships recognize APD as the City's primary policing entity receiving appropriate help from others when needed.

CITY OF ALEXANDRIA, VIRGINIA RESPONSIBILITIES ALONG THE WATERFRONT - 2015			
DEPARTMENT OF CODE ADMINISTRATION*		DEPARTMENT OF GENERAL SERVICES** ***	
	Waterfront Area	Task	Waterfront Area
Enforcement of the Virginia Uniform Statewide Building Code	X	Facility Maintenance and Repair	
Issue Permits related to Construction and Associated Functions	X	Masonry and Brick Pavers	X
Perform Construction and Property Maintenance Inspections	X	Conveying Systems	X
Post unsafe Buildings or Structures	X	Roofing	X
Perform Amusement Device inspections	X	Mechanical System	X
Perform Post-disaster Inspections, Damage Assessment	X	Plumbing	X
Perform complaint-based Inspections regarding Property Maintenance and Construction	X	Electrical	X
Residential Rental Inspections	X	Fire and Security Alarms	X
Abandoned, Inoperative Vehicles on Private Property	X	Fire Suppression	X
Post Fire Inspections and Follow-up	X	Interior Systems	X
Vacant Property Program	X	Bulding Envelope	X
Old Town Alley, Rodent and Trash Surveys	X	Facility Planning and Construction	X
After hours Construction Noise	X	Facility Project Planning	X
Illegal Dumping	X	New Construction	X
Light Pollution	X	Renovation/Remodeling	X
Refrigerators and Appliances improperly Disposed	X	Demolition	X
Rodent Complaints	X	Facility Support Services	X
Street Numbers	X	Event Set-Up and Support	X
Hoarding	X	Snow Removal	X
Trash and Garbage	X	Energy Management	X
Trash: Proper Time at Street-side for Pick-up	X	Utility Billing and Payments	X
Water Damage; Sewage Back-ups	X	Utility Acquisition (contracting and rate negotiations)	X
Tall Grass and Weeds	X	Utility Performance Analyses and Reporting	X
Residential Smoke Detectors	X	Energy & Green Bldg/High Performance & Bldg Consulting	X
	X	Energy Project Implementation	X
	X	Parking Garage /Lot Management	X
	X	Thompsons Alley Garage	X
	X	Strand Parking Lot (Starting 7/1/15)	X
		Lease Administration	X
		Torpedo Factory Art Center	X
		Verizon Antenna Lease at the Torpedo Factory	X
		City Marina Air Rights Lease	X
		AT&T Cellular Antenna Array	X
		Robinson Terminal AFD Storage	X
		Nina's Dandy Operating Lease	X
		Strand Parking Lot Land Lease (Starting 6/30/15)	X
		Real Estate Actions	X
		Requisition & Disposition of Land & Buildings	X
*Code Administration responsibilities would not be transferred from the City.		**General Services Waterfront Facilities:	
		Potomac Riverboat Company Cruise Boats and Water Taxi Ticket Booth	
		Dock Master's Hut	
		Torpedo Factory Art Center	
		Thompsons Alley Garage	
		Torpedo Plaza and City Marina	
		The Dandy (lease)	
		*** The City would not transfer Real Estate Actions - Requisition and Disposition of Land responsibilities from the City.	

CITY OF ALEXANDRIA, VIRGINIA RESPONSIBILITIES ALONG THE WATERFRONT - 2015

DEPARTMENT OF RECREATION, PARKS AND CULTURAL ACTIVITIES				DEPARTMENT OF TRANSPORTATION & ENVIRONMENTAL SERVICES*				
Task	Waterfront Parks	City Marina		Waterfront Parks	City Marina	Task	Waterfront Parks	Right of Way
Aberate Lawn	X	X	Plant Trees	X		Bus stop Maintenance		X
Bed Maintenance	X	X	Planting	X		Graffiti Removal/Traffic Signs & Signals	X	X
Bench/Table Repair	X	X	Playground Inspection	X		Hard Surface Trail Maintenance/Repair	X	X
Bleacher/Backstop	X		Playground Management	X		Hydrants/Preventative	X	X
Blowing	X	X	Playground Repairs	X		Hydrants/R Repair	X	X
Boat Inspections		X	Plumbing	X	X	Leaf Collection		X
Carpentry	X	X	Policing/Litter	X	X	Parking Meters/Install		X
Chemical Treatment	X		Pour Concrete Pads	X	X	Parking Meters/Repairs		X
Commercial Docking Activities			Pressure Washing	X	X	Recycling Collection/Business		X
Consultation	X	X	Pruning	X	X	Recycling Collection/Public Space		
Court Repairs	X		Public Art Maintenance	X	X	Recycling Collection/Residential		X
Debris Removal/Drift Wood	X	X	Purchase Equipment	X	X	Refuse Collection/Business	X	X
Deck Cleaning		X	Rec Services Support	X		Refuse Collection/Residential		X
Dog Park Maintenance	X		Restoration Painting	X	X	Sewer Maintenance/BMP	X	X
Dragging Fields	X		Restroom Cleaning	X	X	Sewer Maintenance/CCTV	X	X
Drinking Fountain Maintenance	X	X	Sand	X		Sewer Maintenance/CSOs	X	X
Edging/Electrical Maintenance	X	X	Shop Maintenance	X		Sewer Maintenance/FOG	X	X
Emergency Management	X	X	Signage	X	X	Sewer Maintenance/Inlets & Catch Basins	X	X
Environmental Review	X	X	Site Evaluations	X	X	Sewer Maintenance/Preventative	X	X
Equipment Repairs	X	X	Site Furnishing Maintenance	X	X	Sewer Maintenance/Collapsed Inlets/lines	X	X
Erosion Repairs	X		Slip Reservations			Sidewalk Maintenance/Repair		X
Fencing	X	X	Snow Removal	X	X	Snow Removal/Streets		X
Fertilization	X	X	Soil Maintenance	X		Storm Debris Removal	X	X
Field Renovations	X		Special Event Support	X	X	Street Cleaning/Litter Collection		X
Fire Suppression Inspection		X	Storm Water Mgmt Maintenance	X	X	Street Cleaning/No Parking Zones	X	X
Furniture Replacement	X	X	Strutural Repair	X	X	Street Cleaning/Park Cans	X	
General Repairs/Special Projects	X	X	Surfacing	X	X	Street Cleaning/Scheduled	X	X
Graffiti/Private Property	X	X	Thompsons Alley Management	X (Future)		Street Cleaning/Street Cans	X	X
Graffiti/Public Property	X	X	Trail Maintenance	X	X	Street Cleaning/Special Events	X	X
Grind Stump	X	X	Transient Pleasure Boat Docking		X	Street Lights/Gadsby		X
Habitat Restoration	X		Trash Collection	X	X	Street Lights/Standard	X	X
Ice Melt	X	X	Tree Maintenance	X	X	Street Maintenance/Annual Paving Program		X
Ice Rink Maintenance/Operation	X (Future)		Trimming	X	X	Street Maintenance/Other	X	X
Infield Maintenance	X		Turf Maintenance	X	X	Street Maintenance/Preventative	X	X
Inspections	X	X	Turf Restoration	X	X	Street Maintenance/Reactive	X	X
Interactive Fountain Maintenance	X (Future)		Vandalism Repair	X	X	Traffic Signs/Other	X	X
Invasive Plant Management	X		Vegetation Surveys	X		Traffic Signs/Preventative	X	X
Irrigation	X	X	Vehicle Maintenance	X	X	Traffic Signs/Repair & Replace	X	X
Irrigation Maintenance	X	X	Volunteer Projects	X	X	Traffic Signs/Special Events	X	X
Kayak/Canoe Launch Maintenance	X (Future)		Watering	X	X	Utility Coordination/Communication	X	X
Landfill	X		Weeding/Weed Abatement	X	X	Waterfront Maintenance	X	
Leaf Removal	X	X	Winterization Activities	X	X	Yard Waste Collection		X
Lights Maintenance	X	X				Parking Meters/Preentative & Collection		X
Mowing	X	X				*Of the above T&ES responsibilities, the following would not be transferred from the City. Hydrant Maintenance Parking Meter Installation/Maintenance Sewer Maintenance (Sanitary, Combined and Storm) Street Maintenance Traffic Sign and Signal Installation and Maintenance		
Mulcing	X	X						
Over-Seeding	X	X						
Painting	X	X						
Periodic Dredging (5-7 year intervals)		X						
Pest Control	X	X						
Pier Inspections	X	X						
Planning Meeting	X	X						

This page intentionally left blank.