



Resolution 2023-106

RESOLUTION APPROVING PARKING LEASE AGREEMENT WITH ACKY- CALHOUN, LLC, FOR THE PARKING LOT AT LAKESIDE EXECUTIVE CENTER, PART OF WHICH IS LOCATED IN BDE MAKA SKA PARK, AS PART OF THE MINNEAPOLIS CHAIN OF LAKES REGIONAL PARK

Whereas, The Minneapolis Park and Recreation Board (MPRB) was created by the Minnesota Legislature in April 1883 and has the authority to manage and operate park facilities;

Whereas, MPRB owns and operates a parking lot at the northwest corner of Bde Maka Ska Park, located within The Minneapolis Chain of Lakes Regional Park;

Whereas, Acky-Calhoun, LLC (Acky Calhoun), owns and operates an office building and parking lot at 3033 Excelsior Boulevard, Minneapolis MN, known as Lakeside Executive Center, adjacent to the MPRB's northwest Bde Maka Ska parking lot;

Whereas, MPRB and Acky-Calhoun's predecessor in title entered into a joint parking lease agreement in 1998, which was extended a second time in 2013 for one additional ten-year term, expiring July 2023;

Whereas, Acky-Calhoun is not consenting to nor requesting a renewal term for the existing lease;

Whereas, MPRB and Acky-Calhoun have negotiated a new lease agreement that supersedes the current lease agreement;

Whereas, MPRB and Acky-Calhoun wish to enter into a new lease agreement to a lease the surface parking lot existing on portions of their respective properties thereby creating leasehold rights for the joint use of the parking lot; and

Whereas, This resolution is supported in Parks for All, the MPRB Comprehensive Plan 2021-2036, under Goal 3: "Provide core services with care" and Goal 4: "Work from our strengths and determine our role in partnerships;"

RESOLVED, That the Board of Commissioners approves the Parking Lease Agreement with Acky-Calhoun, LLC, for the parking lot at Lakeside Executive Center, part of which is located in Bde Maka Ska Park, a part of the Minneapolis Chain of Lakes Regional Park; and

RESOLVED, That the President of the Board and Secretary to the Board are authorized to take all necessary administrative actions to implement this resolution.



TO: Administration & Finance Committee

FROM: Michael Schroeder, Assistant Superintendent, Planning

DATE: 24 May 2023

SUBJECT: RESOLUTION APPROVING PARKING LEASE AGREEMENT WITH ACKY-CALHOUN, LLC, FOR THE PARKING LOT AT LAKESIDE EXECUTIVE CENTER, PART OF WHICH IS LOCATED IN BDE MAKA SKA PARK, AS PART OF THE MINNEAPOLIS CHAIN OF LAKES REGIONAL PARK

BACKGROUND

This action considers the approving of a Parking Lease Agreement with Acky-Calhoun, LLC, (*Attachment A*) for the parking lot at Lakeside Executive Center located in the Northwest corner of Bde Maka Ska Park. Acky-Calhoun, LLC and the Minneapolis Park and Recreation Board (MPRB) have historically shared use of the surface parking lot at the Lakeside Executive Center. The original lease with Harvard Property, LLP, was assigned to Acky-Calhoun, LLC, in August of 2000. The most recent lease extension has an expiration date of July 2031. Acky-Calhoun is not consenting to nor requesting a renewal term for the existing lease. Instead, the owners of Acky-Calhoun, LLC are interested in a new Parking Lot Lease Agreement (Lease) that will supersede the current lease that is in force. If the new lease is approved and executed, a Memorandum of the Parking Lease Agreement will be recorded with Hennepin County (*Attachment B*).

Under the general provisions of the Lease, Acky-Calhoun, LLC has use of the parking lot during the weekday hours from 6:00 a.m. to 6:00 p.m. for its tenant use and the Park Board has control of the parking lot on weekdays from 6:00 p.m. to 6:00 a.m. and all day on weekends and holidays for its park users.

Parking operations are extremely important to the financial health of the enterprise fund. Lakeside Executive Center parking lot's role in the regional pay parking system will continue to generate additional revenues as well as assist park patrons on current parking conditions at the Lakeside Executive Center and Bde Maka Ska Park.

PREVIOUS RELATED BOARD ACTIONS

July 1998: Resolution 1998-7.15: Approval of Parking Lease Agreement with Harvard Parking, LP

April 2002: Approval of Parking System Modifications



- November 2002: Approval of 10-Year Renewal of Parking Lease Agreement with Acky-Calhoun, LLC
- April 2012: Resolution 2012-176 : Resolution Amending the Lease Agreement with the Acky-Calhoun, LLC for the Calhoun Executive Center; Extending the Lease to July 19, 2031, Adding the Surface Parking Lot at Calhoun Executive Center to the Regional Park System Pay Parking Lots and Approving Electronic Signage to Improve Communications with Parking Patrons
- July 2013 Resolution 2013-249: Resolution Approving the Second Renewal to the Parking Lease Agreement with Acky- Calhoun, LLC, for the Parking Lot at Lake Calhoun Executive Center

LEGAL REVIEW

Legal Counsel has reviewed the Lease Agreement as to legality and form.

RECOMMENDATION

Staff recommends that the Board of Commissioners approve the Parking Lease Agreement with Acky-Calhoun, LLC, for the parking lot at Lakeside Executive Center, part of which is located in Bde Maka Ska Park, a part of the Minneapolis Chain of Lakes Regional Park.

This action is supported by the following goals and strategies in Parks for All, the MPRB Comprehensive Plan 2021-2036.

Goal:

03. Provide core services with care

04. Work from our strengths and determine our role in partnerships

Strategy:

16. Strive to achieve equitable levels of service across the system through data-driven analysis and alignment with MPRB values.

13. Collaborate with other agencies and organizations to share best practices in parks and recreation, governance, engagement, and public service.

Attachments:

1. Attachment A - Parking Lease Agreement with Exhibits - Acky-Calhoun LLC - Lakeside Exec Ctr - Bde Maka Ska Park
2. Attachment B - Memorandum of Parking Lease Agreement - Acky-Calhoun LLC - Lakeside Exec Ctr

Jbr 5.24.2023.