



Resolution 2024-5

RESOLUTION DIRECTING STAFF OF THE MINNEAPOLIS PARK AND RECREATION BOARD TO PURSUE METHODS OF ESTABLISHING SITE CONTROL THROUGH THE STATE OF MINNESOTA DEPARTMENT OF TRANSPORTATION ALLOWING FOR THE CONTINUED OPERATION AND MAINTENANCE OF OVERLOOK GARDENS, WHICH IS SITUATED WITHIN THE RIGHT-OF-WAY OF INTERSTATE 94 OF THE STATE OF MINNESOTA, AND ALLOWING A NAMING PROCESS HONORING ROBERT SKAFTE TO BE INITIATED ONCE SITE CONTROL IS ESTABLISHED

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, Overlook Gardens, located along 17th Street South between approximately Second Avenue South and Stevens Avenue South in the Stevens Square neighborhood of Minneapolis, and situated within the right-of-way of Interstate 94 which exists under the jurisdiction of the State of Minnesota Department of Transportation (State), has existed since 1966, when it was first established through a cooperative agreement between the State, the City of Minneapolis, the MPRB, and the Stevens Square Loring Heights neighborhood;

Whereas, MPRB's participation at Overlook Gardens was documented through an "Adopt a Park/Stewardship" agreement, allowing MPRB to direct resources to the activation and perpetuation of Overlook Gardens through staff time, operational support, and contributions of planting and associated materials through the Environmental Volunteer Department;

Whereas, Maintenance of Overlook Gardens has been performed since its inception through the efforts of neighborhood volunteers;

Whereas, Robert Skafté first volunteered time toward Overlook Gardens and LaSalle Community Garden in 2011 and has since committed significant time to their perpetuation and the transition of Overlook Garden to an enhanced native habitat garden in 2012;

Whereas, Robert Skafté was murdered on December 8, 2023;

Whereas, Overlook Gardens, as a result of the time contributed by Mr. Skafté and other Stevens Square neighborhood volunteers, has become a much visited and highly valued part of the community;

Whereas, Members of the community desire to honor Mr. Skafté by renaming Overlook Gardens in a way that honors his memory and contributions to the garden;



Whereas, MPRB can institutionalize the name of Overlook Gardens in ways honoring the memory of Robert Skafta and recognizing his contributions to the garden but must first establish control over the site beyond any existing cooperative agreement;

Whereas, The State offers methods allowing certain public use and occupation of rights-of-way under its jurisdiction provided certain criteria are met, including that any use would not interfere with the transportation function of the right-of-way;

Whereas, Any permission granted by the State would be subject to intermittent renewals and termination directly by the State if the land were not used for the permitted uses or if the land would become necessary for any transportation purpose;

Whereas, MPRB staff believe the criteria established by the State can be satisfied;

Whereas, With the establishment of site control, Overlook Gardens would fall under the limited jurisdiction but not ownership of MPRB and a naming process could be initiated;

Whereas, Any permission granted by the State would require support demonstrated by an official action of the Board of Commissioners;

Whereas, MPRB jurisdiction over Overlook Gardens would direct responsibility for its operation and maintenance fully to MPRB, although those responsibilities would be reasonably aligned with practices of MPRB since the garden was first created; and

Whereas, This resolution is supported by Parks for All, the MPRB Comprehensive Plan 2022-2036, under Goal 1: "Foster Belonging and Equity" and Goal 8: "Cultivate a Thriving Workforce;"

RESOLVED, That the Board of Commissioners directs staff of the Minneapolis Park and Recreation Board to pursue methods of establishing site control through the State of Minnesota Department of Transportation allowing for the continued operation and maintenance of Overlook Gardens, which is situated within the Right-of-Way of Interstate 94 of the State of Minnesota, and allowing a naming process honoring Robert Skafta to be initiated once site control is established; 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: Planning Committee

FROM: Michael Schroeder, Assistant Superintendent, Planning

DATE: 17 January 2024

SUBJECT: RESOLUTION DIRECTING STAFF OF THE MINNEAPOLIS PARK AND RECREATION BOARD TO PURSUE METHODS OF ESTABLISHING SITE CONTROL THROUGH THE STATE OF MINNESOTA DEPARTMENT OF TRANSPORTATION ALLOWING FOR THE CONTINUED OPERATION AND MAINTENANCE OF OVERLOOK GARDENS, WHICH IS SITUATED WITHIN THE RIGHT-OF-WAY OF INTERSTATE 94 OF THE STATE OF MINNESOTA, AND ALLOWING A NAMING PROCESS HONORING ROBERT SKAFTE TO BE INITIATED ONCE SITE CONTROL IS ESTABLISHED

BACKGROUND

This resolution would direct Minneapolis Park and Recreation Board (MPRB) staff to pursue, through the State of Minnesota Department of Transportation (State), site control for Overlook Gardens, which is a publicly accessible garden space in the Stevens Square neighborhood of Minneapolis. The resolution would also initiate a naming process for Overlook Gardens following the establishment of site control, allowing for the garden to honor the memory of Robert Skafte, a long-time volunteer gardener at Overlook Gardens who was murdered on December 8, 2023.

Overlook Gardens is located along the north boulevard of 17th Street South between approximately Second Avenue South and Stevens Avenue South in the Stevens Square neighborhood of Minneapolis (*See Attachment B for map*). It is situated within the right-of-way of Interstate 94 which exists under the jurisdiction of the State. The garden was established in 1966 through a cooperative agreement between the State, the City of Minneapolis, the MPRB, and the Stevens Square Loring Heights neighborhood. Importantly, Overlook Garden, as the name suggests, is situated significantly above the travel lanes of I-94 and does not interfere in the transportation function of the roadway.

MPRB's participation at Overlook Garden was documented through an Adopt a Park/Stewardship agreement, allowing staff to direct their time to the garden and the gardeners and to provide plants and other resources supporting the gardening activities. Installation and maintenance of plantings has been the responsibility of volunteers. In 2012, Overlook Gardens was transitioned to an enhanced native habitat garden through the efforts of MPRB staff. MPRB purchased plants supporting the garden's transition and continues to do so through the Environmental Volunteer Department.



Robert Skafte was a long-time volunteer at Overlook Gardens and at LaSalle Community Gardens. He was central to the garden's evolution to an enhanced native habitat garden, which occurred in 2012 and a year after his introduction to Overlook Gardens. Mr. Skafte was murdered in Minneapolis on December 8, 2023. Neighbors have since come together and are requesting the naming of Overlook Gardens in honor and memory of Mr. Skafte (*see Attachment A*).

While MPRB has been attached to Overlook Gardens since its inception and may have an agreement in place documenting a formal relationship to the space, it would seem that having clear site control is central to a process allowing for the naming to occur. Through various processes, including the establishment of a renewable Limited Use Permit, the MPRB can more definitively establish control over the property and establish an official name for the space. The MPRB has other such permits in place but would work with the State to ensure the best and proper permissions are in place. MPRB staff are currently working across the system on multiple agreements and/or acquisitions related to Minnesota Department of Transportation lands, and would be able to fold the Overlook Gardens into this same conversation.

A permission granted through the State would be subject to certain requirements, likely including regular renewal, a commitment to the use of the property for specified public purposes, and direct termination should the property ever be required by the State. While staff believe criteria defined by the State can be satisfied, the permission offered by the State would require support from the Board of Commissioners. Staff would bring forward a separate resolution for such consideration. Under MPRB jurisdiction, the responsibility for operations and maintenance would fall to MPRB, although there remains strong support from the neighborhood to continue the volunteer garden program. Should support wane and the space require additional support from MPRB, the permission from the State would be orchestrated to be revokable by an action of the Board of Commissioners.

With site control, Overlook Gardens would fall under the limited jurisdiction of MPRB. This would not be an ownership position relative to the property but would be sufficient to allow a naming process to be initiated. Staff would initiate that process with the intention of the space being named honoring the memory of Robert Skafte.

Pursuit of this action would not increase the operational costs related to Overlook Gardens. Staff would continue current practices and contributions.

RECOMMENDATION

Staff recommends that the Board of Commissioners direct staff of the Minneapolis Park and Recreation Board to pursue methods of establishing site control through the State of Minnesota Department of Transportation allowing for the continued operation and maintenance of Overlook Gardens, which is situated within the Right-of-Way of Interstate 94 of the State of



Minnesota and allowing a naming process honoring Robert Skafte to be initiated once site control is established.

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

Goal:

01. Foster belonging and equity

Strategy:

1.3: Amplify Indigenous stories, histories, cultural practices and connections to land through employment, partnerships, reconciliation planning, programming, ceremony, foraging, land management, interpretation and proactive community engagement across projects and programs.

08. Cultivate a thriving workforce

8.1: Incentivize and reduce barriers for small, local, and minority-owned businesses to provide services to and partner with the MPRB.

Attachments:

1. Attachment A - Resolution - Robert Skafte Memorial Garden
2. Attachment B - Overlook Gardens Location Map

Jbr 1.17.2023.