Minneapolis
Park & Recreation Board

Resolution 2019-391

Resolution Agreeing to Accept Assignment of the City of Minneapolis' Interests in the Interim Lease Agreement Between the City of Minneapolis and North Star Community Rowing for River Access Operation of a Seasonal Rowing Program to Benefit Disadvantaged Youth and Adolescents and Adults with Physical Disabilities at the Upper Harbor Terminal If the Minneapolis Park and Recreation Board Acquires All or a Portion of the Property Subject to the Interim Lease Agreement Prior to October 31, 2021

Whereas, The Minneapolis Park and Recreation Board (MPRB) is the steward of the Minneapolis park system;

Whereas, The MPRB adopted the Above the Falls Regional Park Master Plan in 2000 as a guide to development of parkland along the Mississippi River's upper reach through Minneapolis;

Whereas, Upper Harbor Terminal (UHT) is a 48-acre parcel of land owned by the City of Minneapolis (City) along the Mississippi River in North Minneapolis;

Whereas, North Star Community Rowing (North Star) wishes to utilize a portion of the City-owned property at the Upper Harbor Terminal to operate a seasonal rowing program;

Whereas, The City is willing to grant North Star the right to Interim Lease Agreement (Lease) a portion of the Upper Harbor Terminal based on the terms and conditions provided in the Interim Lease Agreement;

Whereas, A portion of the Upper Harbor Terminal is an area identified as Above the Falls Regional Park along the Mississippi River and is designated as a regional park by the MPRB and the Metropolitan Council;

Whereas, The MPRB, the City, and a Development Team (Developer) entered into an Exclusive Rights Agreement outlining the process through which the parties have been collaborating on a planning process for development the UHT site, including defining the land that would become parkland and land that would be developed privately;

Whereas, The Exclusive Rights Agreement process will result in a Coordinated Plan which shall be the basis for a transaction to transfer ownership of the lands designated as parkland to MPRB;

Minneapolis
Park & Recreation Board

Whereas, Should the land transaction occur while the Lease with North Star Rowing is in place, North Star wishes to verify that MPRB will honor any remaining period and terms contained in the Lease; and

Whereas, This resolution is supported by the MPRB 2007-2020 Comprehensive Plan, which envisions “Dynamic parks shape city character and meet diverse community needs;”

RESOLVED, That the Board of Commissioners agrees to accept assignment of the City of Minneapolis’ interests in the Interim Lease Agreement between the City of Minneapolis and North Star Community Rowing for operation of a seasonal rowing program to benefit disadvantaged youth and adolescents and adults with physical disabilities at the Upper Harbor Terminal if the MPRB acquires all or a portion of the property subject to the Interim Lease Agreement prior to October 31, 2021; 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.

Minneapolis
Park & Recreation Board

TO: Administration & Finance Committee

FROM: Michael Schroeder,

DATE: December 4, 2019

SUBJECT: Resolution Agreeing to Accept Assignment of the City of Minneapolis' Interests in the Interim Lease Agreement Between the City of Minneapolis and North Star Community Rowing for River Access Operation of a Seasonal Rowing Program to Benefit Disadvantaged Youth and Adolescents and Adults with Physical Disabilities at the Upper Harbor Terminal If the Minneapolis Park and Recreation Board Acquires All or a Portion of the Property Subject to the Interim Lease Agreement Prior to October 31, 2021

BACKGROUND

This action commits the Minneapolis Park and Recreation Board (MPRB) to accept assignment of an Interim Lease Agreement (*Attachment A*) between the City of Minneapolis (City) and North Star Community Rowing (North Star) to allow North Star to operate a seasonal rowing program. The Upper Harbor Terminal (UHT) is a 48-acre property owned by the City of Minneapolis which lies partially within the boundaries of Above the Falls Regional Park as indicated by the original Above the Falls Regional Park Master Plan (approved in 2000) and a new master plan will be considered by the Board of Commissioners in 2019.

The City, MPRB and a Development Team (Developer) are operating a collaborative planning process guided by an Exclusive Rights Agreement *(Attachments B and C)* executed in August 2017 for the Upper Harbor Terminal (UHT). The Exclusive Rights Agreement sets forth the process, milestones, timeline and deliverables needed to reach development terms for the eventual sale of the initial development parcel(s) to the development team and the conveyance of a portion of the UHT site as parkland to MPRB.

The Agreement includes two milestones regarding the redevelopment planning process:

1. Approval of a Concept Plan for the entire 48-acre UHT site, which defines the boundaries of the park and public space, general circulation patterns, the area and general type of anticipated private development, the expected phasing and an initial implementation strategy; and
2. A Coordinated Plan for the entire site which will further refine and detail the Concept Plan and establish the business terms and public benefits for the sale of land for private redevelopment and the dedication of land to MPRB.

Minneapolis
Park & Recreation Board

North Star currently operates a seasonal rowing program to benefit disadvantaged youth and adolescents and adults with physical disabilities. North Star is seeking to build infrastructure to create an access point to the Mississippi River on the southern area of the Upper Harbor Terminal. North Star is aware that UHT, including the area of proposed improvements, is intended for redevelopment, and that the premises are available for an interim period. The City of Minneapolis has reviewed the general terms of the lease and program with the Above the Falls Community Advisory Committee (AFCAC) who have written a letter of support. (*Attachment D*)

The Interim Lease Agreement between the City and North Star shall run from May 1, 2020 to October 31, 2020 and from May 1, 2021 to October 31, 2021, unless terminated earlier. It is possible that the City and the MPRB will transfer ownership of the area designated for public park at the UHT before the Interim Lease Agreement would expire. MPRB acceptance of the Interim Lease Agreement will provide North Star the assurance needed to fundraise and temporarily construct the facilities needed to operate the seasonal rowing program and continue to serve community members. Staff does not expect the proposed Interim Lease Agreement or infrastructure to interfere with upcoming park developments.

Legal counsel has reviewed and approved the Interim Lease Agreement as to form and legality.

RECOMMENDATION

Staff recommends the Board of Commissioners accept assignment of the City of Minneapolis' interests in the Interim Lease Agreement between the City of Minneapolis and North Star Community Rowing for operation of a seasonal rowing program to benefit disadvantaged youth and adolescents and adults with physical disabilities at the Upper Harbor Terminal if the MPRB acquires all or a portion of the property subject to the Interim Lease Agreement prior to October 31, 2021.

This action is supported by the following vision and goal statements in the MPRB 2007-2020 Comprehensive Plan:

Vision Theme 3: Dynamic parks that shape city character and meet diverse community needs.

Goal: Park facility renewal and development respects history and focuses on sustainability, accessibility, flexibility, and beauty.

HISTORY:

11/20/19	Administration & Finance Committee	ADOPTED

Minneapolis
Park & Recreation Board

ATTACHMENTS:

- Attachment B-UHT_Exclusive_Rights_Agreement (PDF)
- Attachment C-First Amend. to ER Agreement Final (PDF)
- Attachment D-AFCAC-Letter (PDF)
- AttachA-Lease Agreement (10-2-19) FINAL (PDF)

Prepared By: Kate Lamers,, Design and Project Management
Review:

Cindy Anderson	Completed	11/07/2019 3:21 PM
Cliff Swenson	Skipped	11/11/2019 2:49 PM
Michael Schroeder	Completed	11/11/2019 2:49 PM
Jennifer Ringold	Completed	11/11/2019 3:36 PM
Al Bangoura	Completed	11/11/2019 4:39 PM
Administration & Finance Committee	Completed	11/20/2019 5:50 PM
Minneapolis Park and Recreation Board	Pending	12/04/2019 5:00 PM