Minneapolis
Park & Recreation Board

# Resolution 2020-132

## Resolution Consenting To, Pursuant to Section 5.2 of the Lease Agreement with the Loppet Foundation, Mill Valley Kitchen as the Sublessee and Subtenant of the Loppet Foundation at Theodore Wirth Regional Park Within the Adventure Welcome Center Building (The Trailhead); and Requiring the Loppet Foundation to Provide Implicit Bias and Racial Equity Training for All Loppet Employees, Leadership, and Loppet Board Members in the Year 2020 Using a Qualified Organization, to be Recommended by MPRB Staff and Approved by the Board of Commissioners

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

Whereas, The MPRB owns Theodore Wirth Regional Park (Wirth Park), a site at which the MPRB provides summer and winter recreation activities for the residents and visitors of Minneapolis;

Whereas, The Loppet Foundation (Loppet), a Minneapolis-based non-profit entity, provides winter and non-winter recreation programming and activities as part of its core mission and has entered into an Operating Agreement with the MPRB to deliver those programs and activities through the AWC;

Whereas, The MPRB and Loppet agreed that a new building should be constructed on MPRB land in Wirth Park to better serve the winter and summer recreational needs of residents and visitors of Minneapolis;

Whereas, Through Resolution 2015-275, the MPRB approved a schematic design for a new Adventure and Welcome Center (hereafter The Trailhead) that will support summer and winter recreation, including cross country skiing, par-3 golf, hiking, off-road cycling, snowboarding, and snow tubing;

Whereas, The Loppet agreed that it will be solely responsible for funding and construction of The Trailhead and that it will be constructed in accordance with the schematic design;

Whereas, Through Resolution 2016-249 the Loppet has agreed to donate The Trailhead to the MPRB upon completion of construction;

Whereas, Through Resolution 2016-251 the MPRB has agreed to lease The Trailhead to the Loppet;

Whereas, Section 5.2 of the lease articulates that “all of the Lessee’s (Loppet) sublessees and subtenants shall be subject to Lessor’s (MPRB) review and consent, which shall not be unreasonably withheld;”

Whereas, As specified by the lease, the Loppet employed a request for proposal (RFP) process that included the Park Board’s Superintendent or their designee to identify a preferred vendor for restaurant and catering services;

Whereas, Through that process, Mill Valley Kitchen was chosen as the preferred vendor; and

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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 consents to, pursuant to Section 5.2 of the lease agreement with The Loppet Foundation, Mill Valley Kitchen, as a sublesee and subtenant of The Loppet Foundation to operate the concessions facility at Theodore Wirth Regional Park within the Adventure Welcome Center Building (The Trailhead);

RESOLVED, That the Board of Commissioners require the Loppet Foundation to provide implicit bias and racial equity training for all Loppet employees, leadership, and Loppet board members in the year 2020 using a qualified organization, to be recommended by MPRB staff and approved by the Board of Commissioners; 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.

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TO: Minneapolis Park and Recreation Board

FROM: Jennifer Ringold, Deputy Superintendent

DATE: February 5, 2020

SUBJECT: Resolution Consenting To, Pursuant to Section 5.2 of the Lease Agreement with the Loppet Foundation, Mill Valley Kitchen as the Sublessee and Subtenant of the Loppet Foundation at Theodore Wirth Regional Park Within the Adventure Welcome Center Building (The Trailhead); and Requiring the Loppet Foundation to Provide Implicit Bias and Racial Equity Training for All Loppet Employees, Leadership, and Loppet Board Members in the Year 2020 Using a Qualified Organization, to be Recommended by MPRB Staff and Approved by the Board of Commissioners

**BACKGROUND**

This action considers the Minneapolis Park and Recreation Board (MPRB) providing consent for The Loppet Foundation (Loppet) to enter into a sublease with Mill Valley Kitchen (*Attachments A*). The action also considers requiring the Loppet foundation to provide implicit bias and racial equity training for all Loppet employees, leadership, and Loppet board members in the year 2020 using a qualified organization, to be recommended by MPRB staff and approved by the Board of Commissioners.

The MPRB provides winter and summer recreation opportunities within Theodore Wirth Regional Park. In 2015, the MPRB approved a schematic design for a new Adventure and Welcome Center, known as The Trailhead building, that will support summer and winter recreation, including cross country skiing, par-3 golf, hiking, off-road cycling, snowboarding, and snow tubing. The Loppet is a Minneapolis-based non-profit entity that provides winter and non-winter recreation programming and activities as part of its core mission. The MPRB and Loppet have agreed that a new building should be constructed on MPRB land in Wirth Park to better serve the winter and summer recreational needs of residents and visitors of Minneapolis.

In 2016, the MPRB approved a donation agreement and lease agreement with the Loppet for the Adventure and Welcome Center Building, known as The Trailhead building, in Theodore Wirth Regional Park. The Donation Agreement (Resolution 2016 – 249) established a path for the Loppet to construct and deliver to the MPRB the AWC building (The Trailhead) and areas immediately surrounding the building as a donation according to a schematic design approved by the Board of Commissioners on August 19, 2015 (Resolution 2015-275). The Lease Agreement (Resolution 2016-251) established a lease of The Trailhead to the Loppet according to terms that include rent based on an annual lump sum payment plus a percentage of net income, as well as contributing to a fund that allows for the long-term care of the building.

The Lease Agreement allows the Loppet to have subleases and subtenants that serve the summer and winter programming provided through The Trailhead. The lease articulates that subleases are to be chosen through a request for proposal (RFP) process that parallels the MPRB's process. This includes having the Park Board Superintendent or their designee participate in the selection process. The Loppet conducted this process with the Deputy Superintendent as the Superintendent's designee. Per the lease

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agreement, "all subleases are subject to the Lessor's review and consent, which shall not be unreasonably withheld."

Mill Valley Kitchen is the preferred vendor for restaurant and catering services at The Trailhead. The Loppet is seeking consent from the MPRB to enter into a sublease with Mill Valley Kitchen.

Legal counsel has reviewed the sublease.

**RECOMMENDATION**

Staff recommends that the Board of Commissioners consent to, pursuant to Section 5.2 of the lease agreement with The Loppet Foundation, Mill Valley Kitchen as a sublessee and subtenant of The Loppet Foundation to operate the concessions facility at Theodore Wirth Regional Park within the Adventure Welcome Center Building (The Trailhead); and require the Loppet Foundation to provide implicit bias and racial equity training for all Loppet employees, leadership, and Loppet board members in the year 2020 using a qualified organization, to be recommended by MPRB staff and approved by the Board of Commissioners.

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

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| **Vision Theme 3:** | Dynamic parks that shape city character and meet diverse community needs |
| **Goal:** | Create opportunities for entrepreneurs, both non-profit and for-profit, to enrich the park experience and implement innovative approaches to revenue generation. |
| **Goal:** | Parks shape an evolving city. |
| **Goal:** | Park facility renewal and development respects history and focuses on sustainability, accessibility, flexibility, and beauty. |

**ATTACHMENTS:**

- Attachment A: Mill Valley Kitchen - Loppet Sublease (PDF)

Prepared By: Jennifer Ringold, Deputy Superintendent, Support Services Group
Review:
Jennifer Ringold Completed 01/31/2020 7:19 PM
Jennifer Ringold Completed 01/31/2020 7:19 PM
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